

Probation Services Task Force Final Report

June 2003



ADMINISTRATIVE OFFICE
OF THE COURTS

CALIFORNIA STATE
ASSOCIATION OF COUNTIES



Contact Information

All correspondence should be addressed to the Probation Services Task Force at:

Judicial Council of California
Administrative Office of the Courts
Center for Families, Children & the Courts
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102-3688

Telephone: 415-865-7739
Fax: 415-865-7217
TDD: 415-865-4272
E-mail: cfcc@jud.ca.gov

This report is also available on our Web site at <<http://www2.courtinfo.ca.gov/probation>>. For additional copies of this report, write to the address above.



ADMINISTRATIVE OFFICE OF THE COURTS
Center for Families, Children & the Courts
455 Golden Gate Avenue • 6th Floor
San Francisco, California • 94102-3688
451-865-7739



CALIFORNIA STATE ASSOCIATION OF COUNTIES
1100 K Street • Suite 101
Sacramento, California • 95814
916-327-7500

June 2003

Dear Friends of Probation:

On behalf of the Judicial Council and the California State Association of Counties (CSAC), we are pleased to present you with the findings and recommendations of the Probation Services Task Force. A group of 18 dedicated court, county, and probation professionals—who collectively brought to the table hundreds of years of experience—spent nearly three years studying a broad range of issues related to the probation system in California. The task force's work represents the most thorough examination of the state's probation system by a multidisciplinary body since the Legislature authorized the establishment of adult and juvenile probation in 1903.

The task force undertook extensive research into probation services, examined the governance structure in California and other states, and elicited broad feedback from a variety of stakeholders through a comprehensive outreach effort. Over the three-year study, the significance of probation's contributions, the unique services departments provide, and the critical position probation departments occupy in the context of the criminal justice system clearly emerged. Regrettably, probation has for many years suffered from significant fiscal constraints and the lack of a reliable statewide funding source, which, taken together, have seriously hindered local departments' ability to consistently deliver quality services, ensure offender accountability, and guarantee public safety.

The findings and recommendations in this report seek to establish the foundation for a long-term plan that will enhance the delivery of services, establish a more rational governance system, and elevate the status of probation in recognition of the essential services the system provides to our courts, counties, probationers, and victims.

Our sincere thanks go out to the court, county, and probation representatives who contributed their time and expertise to this effort. Justice Patricia Bamattre-Manoukian ably guided the task force through its work, and for that we owe her a debt of gratitude. We must also extend great appreciation to the many and varied stakeholders who provided invaluable perspectives on probation and the work of the task force. We invite the Governor, the Legislature, policymakers, and all other interested parties to examine the significant body of knowledge developed during the task force's examination and consider the task force's long-term plan for taking California's probation system to the next level.

Ronald M. George
Chief Justice of California and
Chair of the Judicial Council

Tim Smith
Supervisor, County of Sonoma and
CSAC President

PROBATION SERVICES TASK FORCE

Task Force Members

HON. PATRICIA BAMATTRE-MANOUKIAN, CHAIR
Associate Justice
Court of Appeal of the State of California
Sixth Appellate District

HON. IRMA J. BROWN
Superior Court of California
County of Los Angeles

MR. PHILIP KADER
Probation Services Manager
Fresno County

FORMER TASK FORCE MEMBERS

HON. JUAN ARAMBULA
Supervisor, Fresno County

HON. DENNY BUNGARZ
Supervisor, Glenn County

MR. BILL MAHONEY
Assistant County Executive Officer
Orange County

HON. TERRY FRIEDMAN
Superior Court of California
County of Los Angeles

HON. TRISH CLARKE
Supervisor, Shasta County

HON. KEVIN M. MCCARTHY
Superior Court of California
County of San Francisco

MR. BRYCE JOHNSON
Probation Officer
Mariposa County

MR. ALAN M. CROGAN
Chief Probation Officer
San Diego County

MR. RALPH MILLER
President, Los Angeles County
Probation Union

HON. WILLIAM S. LEBOV (RET.)
Superior Court of California
County of Yolo

MR. WILLIAM H. DAVIDSON
Chief Probation Officer
Merced County

MR. PAUL NICOLOSI
Deputy Probation Officer II
Contra Costa County

HON. BARBARA MCIVER
Supervisor, Tehama County

HON. RONN DOMINICI
Supervisor, Madera County

HON. FRANK J. OCHOA
Superior Court of California
County of Santa Barbara

HON. MIKE NEVIN
Supervisor, San Mateo County

MS. SHEILA GONZALEZ
Regional Administrative Director
Southern California
Administrative Office of the Courts

MR. MICHAEL M. RODDY
Regional Administrative Director
Northern/Central California
Administrative Office of the Courts

MR. JOHN P. RHOADS
Chief Probation Officer
Santa Cruz County

HON. STEVEN E. JAHR
Superior Court of California
County of Shasta

HON. JOHN TAVAGLIONE
Supervisor, Riverside County

MR. MICHAEL D. JOHNSON
County Administrative Officer
Solano County

MR. JOHN WARDELL
Chief Probation Officer
Butte County

Task Force Staff, Liaisons, & Consultant

ADMINISTRATIVE OFFICE OF THE COURTS

PROJECT STAFF

MS. AUDREY EVJE, Attorney
Center for Families, Children & the Courts

MS. ALLISON SCHURMAN, Administrative Coordinator
Center for Families, Children & the Courts

LIAISON

MS. JUNE CLARK, Senior Attorney
Office of Government Affairs

CALIFORNIA STATE ASSOCIATION OF COUNTIES

LIAISONS

MS. ELIZABETH HOWARD
Senior Legislative Analyst

MR. RUBIN R. LOPEZ
Legislative Representative

~~~~~

#### CONSULTANT TO THE TASK FORCE

MR. ALAN SCHUMAN

# ACKNOWLEDGMENTS

---

We extend our thanks to all who contributed to the production of this report and assisted the Probation Services Task Force in its endeavors.

- We are truly grateful to the nearly 300 participants in Fresno, Glenn, Los Angeles, Placer, Santa Clara, and Santa Cruz counties who assisted with the snapshot study. These judiciary and court administration staff; senior probation officer staff, first-line supervisors, and line staff; county supervisors, administrative officers, and their representatives; prosecutors and defense bar; county community services agency staff; and private community service agency staff provided valuable information on probation in California that both informed the task force and helped identify priority issues.
- We extend our warmest thanks to Mr. Alan Schuman and Mr. Carl Wicklund for conducting the snapshot study and national white papers respectively and Mr. Steve Love for his able assistance in shaping our governance discussion. We are exceedingly grateful to Mr. Alan Schuman for his participation in the early stages of the task force. His guidance and information on probation services played a major role in the development of this report.
- We express our heartfelt thanks to the 141 justice system participants who responded to our stakeholder survey. The input supplied by these chief probation officers, line probation officers, judicial officers, court administrators, county supervisors, county administrators, district attorneys, and defense attorneys provided the task force with a broad range of firsthand information regarding the views of participants and stakeholders. This input benefited the task force tremendously.
- We express our deep appreciation to the approximately 325 judicial officers, county supervisors and administrators, probation officers, public defenders, district attorneys, and other justice system participants who contributed input at the stakeholder roundtables and provided us with valuable information about the probation system.
- We are especially thankful to the more than 150 adult and juvenile probationers who participated in the roundtable discussions and provided us with their perspectives on the probation system.

- 
- We are grateful to Mr. Dennis Maloney of the Department of Community Justice in Deschutes County, Oregon; Ms. Dimitria Pope of the Research, Evaluation, and Development Unit of the Texas Department of Criminal Justice; Mr. Frank Carmen of Juvenile Justice Services of the Supreme Court of the State of Arizona; Mr. Bert Aunan of Supervision Services of the State of Iowa; and Mr. Bill Burrell of the Probation Services Division of the Administrative Office of the New Jersey Courts for sharing their expertise and participating in the task force meetings.
  - We express our profound appreciation to the individuals and organizations that commented on the *Probation Services Task Force Draft Interim Report* and the *Probation Services Task Force Draft Final Report*. The insightful comments were of great assistance to the task force.
  - We are sincerely appreciative of the State Coalition of Probation Officers for its ongoing participation and interest in our efforts.
  - We are exceptionally thankful to Ms. Norma Suzuki, Executive Director of the Chief Probation Officers of California (CPOC), for her devoted participation and commitment to furthering the work of the task force. We are also grateful to Mr. Dennis Handis for his assistance while he served as CPOC executive director.
  - Finally, we express our gratitude to former task force members Hon. Juan Arumbula, Hon. Terry Friedman, Mr. Bryce Johnson, Hon. William Lebov, Hon. Barbara McIver, Hon. Mike Nevin, and Mr. John Rhoads. Their excellent work as task force members is much appreciated.

Without the dedication and participation of each of these individuals and organizations, the Probation Services Task Force would not have been able to produce this final report and develop meaningful recommendations aimed at enhancing probation service delivery in California.

— *Probation Services Task Force*

# TABLE OF CONTENTS

|                                                                       |    |
|-----------------------------------------------------------------------|----|
| Table of Contents.....                                                | ix |
| Executive Summary .....                                               | 1  |
| Section I: The Task force: Its Composition, Charge, and Process ..... | 11 |
| Historical and Legislative Background .....                           | 11 |
| Task Force Composition .....                                          | 12 |
| Task Force Charge.....                                                | 13 |
| Task Force Process .....                                              | 14 |
| Information Resources Provided to the Task Force.....                 | 16 |
| Outreach to Stakeholders.....                                         | 18 |
| Stakeholder Survey .....                                              | 18 |
| Stakeholder Roundtables .....                                         | 19 |
| Probationer Roundtables .....                                         | 25 |
| Circulation for Comment.....                                          | 26 |
| Conclusion.....                                                       | 26 |
| Section II: Fundamental Principles .....                              | 29 |
| Section III: Probation Past.....                                      | 31 |
| The Fundamentals of Probation.....                                    | 31 |
| Probation in California.....                                          | 32 |
| Significant Events in the Past 25 Years.....                          | 33 |
| Service Trends.....                                                   | 38 |
| Conclusion.....                                                       | 38 |
| Section IV: Probation Present.....                                    | 39 |
| Probation: A Linchpin in the Justice System.....                      | 39 |
| Governance.....                                                       | 40 |
| The CPO Appointment Process.....                                      | 40 |
| The CPO Evaluation Process .....                                      | 42 |
| The CPO Removal Process.....                                          | 42 |
| Probation Funding Sources.....                                        | 43 |
| Identifying the Cost of Probation.....                                | 46 |
| Mission Statements with Goals and Objectives .....                    | 46 |
| California’s Caseload Dilemma .....                                   | 47 |
| Strategies for Managing Workload .....                                | 48 |
| The Work of Probation .....                                           | 49 |
| Intake and Investigation Services.....                                | 50 |
| Offender Supervision Services .....                                   | 50 |
| Adult Services .....                                                  | 51 |
| Juvenile Services .....                                               | 51 |
| Other Services: Collections and Victims Services.....                 | 53 |
| Custody Services.....                                                 | 53 |
| Juvenile Halls .....                                                  | 53 |
| County Ranch/Camp Facilities.....                                     | 54 |
| Adult Work Furlough Services.....                                     | 54 |
| Electronic Monitoring.....                                            | 54 |
| Probation Employment Issues .....                                     | 54 |
| Education and Experience.....                                         | 55 |
| Training .....                                                        | 56 |
| Equipment and Technology Issues.....                                  | 56 |
| Probation Status .....                                                | 57 |

|                                                                                                                    |       |
|--------------------------------------------------------------------------------------------------------------------|-------|
| Recognition and Compensation .....                                                                                 | 57    |
| Recruitment and Retention .....                                                                                    | 58    |
| Collaboration .....                                                                                                | 58    |
| Conclusion.....                                                                                                    | 59    |
| Section V: Probation Future.....                                                                                   | 61    |
| Funding .....                                                                                                      | 61    |
| Governance.....                                                                                                    | 61    |
| The Process Undertaken for Developing a New Model for Probation.....                                               | 62    |
| Local Model Variations.....                                                                                        | 66    |
| Court Model Variations.....                                                                                        | 67    |
| Executive Model Variations.....                                                                                    | 70    |
| A New Model for Probation.....                                                                                     | 70    |
| An Interim Model for Probation Governance .....                                                                    | 73    |
| Standards and Guidelines.....                                                                                      | 75    |
| Mission Statements with Goals and Objectives .....                                                                 | 76    |
| Information and Communication .....                                                                                | 77    |
| Managing the Probation Process .....                                                                               | 81    |
| Educational Issues .....                                                                                           | 88    |
| Juvenile Detention.....                                                                                            | 92    |
| Changing Role, Changing Name .....                                                                                 | 95    |
| Ongoing efforts.....                                                                                               | 98    |
| Section VI: Conclusion and Future Steps .....                                                                      | 99    |
| Proposed Research Projects .....                                                                                   | 100   |
| Baseline Information on the Roles of Probation Officers and the Services<br>Provided by Probation Departments..... | 100   |
| PHASE 1. Statewide Study: Function, Services, Mandates,<br>and Funding .....                                       | 100   |
| Practices in Assessment and Classification .....                                                                   | 101   |
| PHASE 2. Examination of Research and Practice: Assessment and<br>Classification of Offenders .....                 | 101   |
| Practices in Evaluation .....                                                                                      | 102   |
| PHASE 3A. Analysis and Classification of Program Evaluations.....                                                  | 102   |
| PHASE 3B. Technical Assistance in Evaluation Design<br>and Implementation.....                                     | 102   |
| The Population of Juvenile and Adult Probation .....                                                               | 102   |
| PHASE 4. Probation Population Census.....                                                                          | 103   |
| Conclusion.....                                                                                                    | 103   |
| Section VII: Recommendations.....                                                                                  | 105   |
| Appendix A: Probation Services Task Force Biographies.....                                                         | Tab A |
| Appendix B: Six County Snapshot Study Executive Summary and<br>Consultant Biography.....                           | Tab B |
| Appendix C: Stakeholder Survey and Results.....                                                                    | Tab C |
| Appendix D: Stakeholder Roundtable Discussions Sorted by<br>Stakeholder and Theme.....                             | Tab D |
| Appendix E: Probationer Roundtable Discussion Summary .....                                                        | Tab E |
| Appendix F: Draft Report Comment Charts .....                                                                      | Tab F |
| Appendix G: Draft Interim Models and Comment Charts .....                                                          | Tab G |
| Appendix H: Laws and Mandates .....                                                                                | Tab H |
| Appendix I: Sample Standards and Guidelines.....                                                                   | Tab I |
| Appendix J: Research Functions and Resources .....                                                                 | Tab J |
| Appendix K: Acknowledgments .....                                                                                  | Tab K |

# EXECUTIVE SUMMARY

This report contains the findings and recommendations of the Probation Services Task Force (task force), an 18-member body formed in August 2000 to undertake a comprehensive examination of probation in California. This report details the scope of the task force's examination, summarizes input from stakeholders around the state, makes recommendations focused on enhancing probation in California, and lays out a research agenda for future study.<sup>1</sup>

## ***General Profile of Probation in California: Organizational Structure and Funding***

Established in 1903 as a component of the newly formed juvenile court system, probation occupies a unique and central position in the justice system. Probation links the system's many diverse stakeholders, including law enforcement; the courts; prosecutors; defense attorneys; community-based organizations; mental health, drug and alcohol, and other services providers; the community; the victim; and the probationer. Probation departments in California's 58 counties currently serve an estimated 415,000 probationers. Of the total probation population, about 23 percent are juveniles, and 77 percent are adults. California has the largest probation population of any state in the nation, with the exception of Texas.

The governance structure of probation in California is unique. In some states, probation and parole are joined in a single department; in others, as occurs in California, probation and parole are administered separately.<sup>2</sup> Nationally there are six basic governance models: (1) a state-level executive agency, (2) the state-level judiciary, (3) the local judiciary, (4) a local executive agency, (5) a combination of state and local executive agencies, and (6) both a local executive agency and the judiciary. As depicted in table 1, California is the only state to follow the last model, a combination local judicial and executive governance model.<sup>3</sup>

---

<sup>1</sup> This report, working documents, and appendixes can be found at the Probation Services Task Force Web site at <[www2.courtinfo.ca.gov/probation](http://www2.courtinfo.ca.gov/probation)>.

<sup>2</sup> Probation is distinguished from parole based on the jurisdiction and timing of offender supervision. Probation officers are involved with alleged offenders and offenders supervised in the community. Parole agents have jurisdiction over offenders following release from a state facility such as the California Department of Corrections (adults) or the California Youth Authority (juveniles).

<sup>3</sup> B. Krauth and L. Linke, *State Organizational Structures for the Delivery of Probation Services* (June 1999) table 3: Primary Funding Sources for Adult Probation Services, p. 8.

**Table 1. Probation Departments: Organizational Options**

| Organizational Structure              | Number of States | Percentage |
|---------------------------------------|------------------|------------|
| State-level executive agency          | 30               | 60%        |
| State-level judiciary                 | 8                | 16%        |
| Local judiciary                       | 5                | 10%        |
| Local executive agency                | 3                | 6%         |
| State and local executive agencies    | 3                | 6%         |
| Local executive agency and judiciary* | 1                | 2%         |

\* California

Another defining characteristic of probation departments is the source of funding. Of the 50 states, the majority—36 states (70 percent)—support probation primarily from state government appropriations. Of these, 19 states receive supplemental funding through offender fees. Another 12 states (24 percent) are supported through combined state and local funding. Only California and Indiana receive primary funding exclusively from local government; both states also draw upon offender fees to offset costs (see table 2).<sup>4</sup> Although limited-term federal and state grant funding is available, the state does not provide a stable or continuous revenue stream in support of local probation services. Given the extraordinary fiscal crisis facing California, the extent to which state support for probation programs will continue is uncertain.

**Table 2. Primary Funding Sources for Adult Probation Services**

| Supplemental Funding From Offender Fees | State Government                                                                | Local Government | State + Local Government       |
|-----------------------------------------|---------------------------------------------------------------------------------|------------------|--------------------------------|
| Yes                                     | AR, IA, KY, LA, MI, MS, MO, MT, NV, NH, NM, ND, OK, SC, UT, VT, WA, WI, WY (19) | CA, IN (2)       | IL, NY, OH, TX, WV (5)         |
| No                                      | AL, AK, CO, CN, DE, FL, GA, HI, ID, ME, MD, MA, NC, OR, RI, TA, VA (18)         | (0)              | AZ, KS, MN, NE, NJ, PA, SD (7) |

***National Trends in the Delivery of Probation Services***

National research indicates that, in general, probation departments are suffering from declining resources in the face of increasing service demands. From 1990 to 1999, adult probation populations increased steeply, growing by 41.3 percent.<sup>5</sup> Probation handles 60

<sup>4</sup> *Ibid.*

<sup>5</sup> American Probation and Parole Association, *Adult Probation in the United States: A White Paper*, prepared for the Probation Services Task Force, California Administrative Office of the Courts

percent of the cases in the criminal justice system, while prisons handle 40 percent.<sup>6</sup> National data on juvenile populations shows a similar growth in population.<sup>7</sup> Yet funding to support the expansion of probation services to meet growing needs has not materialized. Probation departments receive less than 10 percent of state and local government funding for corrections, and, compared to appropriations for prisons, probation funding has been on the decline for 30 years. As one national corrections expert puts it, probation is simply doing more with less.<sup>8</sup>

### **California's Probation Population**

California experienced a significant change in the probation population between 1991 and 1999, with the total adult probation population increasing approximately 7 percent.<sup>9</sup> As depicted in chart 1, the number of adult probationers sentenced for felony offenses nearly doubled from 1990 to 1999, growing from approximately 130,000 to 245,000. During this same time, the number of adults sentenced to probation for misdemeanor offenses decreased by approximately 46 percent. This stark change in the probation profile—with over 70 percent of adult probationers in 1999 being sentenced for felony offenses—clearly has placed different and more intensive service demands on probation departments. The number of juveniles on probation also increased in recent years; from 1989 to 1999, the number of juvenile probationers grew from approximately 172,000 to 210,000.<sup>10</sup> While the number of juveniles and adults in the justice system increased, the resources available to probation did not keep pace. The growth both in probation population and in demand for related services compelled local governments and probation departments to make difficult decisions regarding the allocation of limited resources. Generally speaking, most probation departments funneled resources to serve felony caseloads rather than misdemeanants.

---

(Sept. 2000) p. 10 <<http://www2.courtinfo.ca.gov/probation/reference.htm>>. Hereafter referred to as Adult Probation White Paper. Citing Bureau of Justice Statistics, U.S. Dept. of Justice, *U.S. Correctional Population Reaches 6.3 Million Men and Women: Represents 3.1 Percent of the Adult U.S. Population* (news release, July 23, 2000).

<sup>6</sup> *Ibid.*

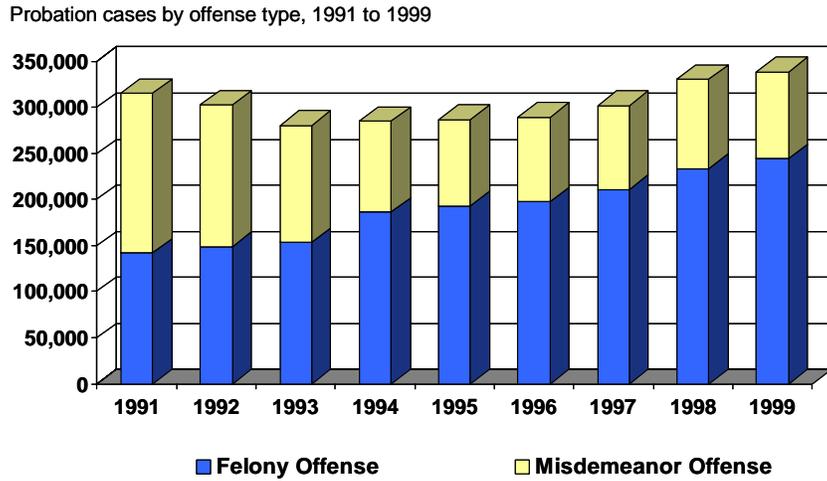
<sup>7</sup> American Probation and Parole Association, *Juvenile Probation in the United States: A White Paper*, prepared for the Probation Services Task Force, California Administrative Office of the Courts (Sept. 2000) p. 15 <<http://www2.courtinfo.ca.gov/probation/reference.htm>>. Hereafter referred to as Juvenile Probation White Paper. C. Puzzanchera et al., *Juvenile Court Statistics 1997* (Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention, 2000).

<sup>8</sup> Adult Probation White Paper, p. 12; Juvenile Probation White Paper, p. 15.

<sup>9</sup> California Department of Justice, *California Criminal Justice Profile* (1999a) <[http://justice.hdcdojnet.state.ca.us/cjsc\\_stats/prof99/00/7.htm](http://justice.hdcdojnet.state.ca.us/cjsc_stats/prof99/00/7.htm)> (as of Dec. 20, 2001).

<sup>10</sup> J. Worrall et al., *Does Probation Work? An Analysis of the Relationship between Caseloads and Crime Rates in California Counties* (Sacramento: The California Institute for County Government, 2001), p. 3.

**Chart 1: Felony Offenses as a Share of Adult Probation Caseload in California**



***Examination of California’s Probation System: A Vast Undertaking***

The members of the task force approached their examination of probation services and governance with enthusiasm and commitment. To the best of their knowledge, such a thorough and multidisciplinary examination of probation services in California had never before been undertaken. The sheer size of the state and its probation population, the unique organizational and funding structures currently in place, and the lack of a similarly positioned jurisdiction from which to draw comparisons rendered the examination a remarkably daunting task. Another critical challenge presented itself: the lack of a core data set meant that fundamental demographic, departmental, and program/service information was not available to answer the critical question, “What *is* probation in California?” Nevertheless, the task force set out to investigate the extensive menu of innovative probation services delivered in the state, elicited broad public opinion on probation through an extensive outreach effort, and tackled a vast set of issues in a search to develop ideas and strategies for enhancing a system that, despite fiscal limitations, has established a number of exemplary services.

One of the task force’s major undertakings in search of data and information about present-day probation structures, practices, and operations was an extensive outreach effort that sought input from both the recipients and providers of probation services and from other key stakeholders in the system. Nearly 900 participants contributed to the vast body of information gathered and examined by the task force: through site visits, outreach sessions, probationer roundtables, and/or written surveys. This input in many instances confirmed speculation about the difficulties, both fiscal and operational, facing probation departments as much as it highlighted a multitude of exemplary and innovative practices being implemented in many jurisdictions.

### ***Fundamental Principles***

The establishment of general principles to focus and guide discussions marked a major milestone in the task force process. These principles represented five critical points of consensus and reflected a clear desire on the part of task force members to work collaboratively toward recommendations for an enhanced model for probation that builds upon existing successes.

#### **The Five Fundamental Principles of the Probation Services Task Force**

**PRINCIPLE 1.** Authority over and responsibility for the conduct, support, funding, oversight, and administration of probation services, including the appointment of the CPO, must be connected.

**PRINCIPLE 2.** Courts and counties should develop and implement partnerships to administer probation departments and work collaboratively to ensure appropriate levels of services, support, funding, and oversight.

**PRINCIPLE 3.** Probation services should be administered primarily at the local level.

**PRINCIPLE 4.** Standards with measurable outcomes are necessary.

**PRINCIPLE 5.** Adult and juvenile probation services should be administered in a single department.

### ***Structure of the Report***

The task force made significant progress in its examination of probation, culminating in the formulation of 17 recommendations designed to enhance probation in California. The pages that follow present in detail the scope of the examination, the task force findings, and the task force recommendations. Section I offers an overview of the legislative and historical background leading to the establishment of the task force. This section also sets out the task force composition, charge, and processes for eliciting input from stakeholder groups. Section II sets forth the task force's fundamental principles, which served as a basis for examining alternative models for probation and which will continue to guide future work in developing a new model for probation in California.

Three sections—sections III, IV, and V—describe the core of the task force's work in examining probation's past, present, and future. Section III describes the fundamentals of probation in general and also outlines the key events and legislative actions that have shaped probation in California in the past 25 years. Section IV details the current structure of probation, including the core issues of governance, funding, and services.

Section V describes the process by which the task force set out to create a new model for probation, and it lays out the recommendations being advanced by the task force at the end of its examination. Section VI sets forth a research plan for future study, and section VII delineates the task force's 17 specific recommendations.

### ***Summary of Principal Findings***

The task force made the following significant findings:

- Probation occupies a unique and central position in the local and state justice structure. It serves as a linchpin of the criminal and juvenile justice system and is the one justice system partner that regularly collaborates with all stakeholders as an offender moves through the system.
- Probation departments are and have been sorely underfunded for many years, and program expansions in recent years have been largely supported by one-time grants. There is a clear need to move away from a patchwork funding model and toward the establishment of an adequate and stable funding base for probation in California.
- Despite fiscal and operational challenges facing probation departments, many exemplary programs are at work in California. Probation departments must be encouraged to borrow from proven practices and, when appropriate, to reallocate existing resources to achieve greater program efficiencies.
- Probation services tend to focus on the juvenile population, both preoffense (prevention and intervention programs) and postadjudication. This phenomenon can be attributed in large part to the fact that funding augmentations for probation programs in recent years have been earmarked exclusively for juvenile services.
- The focus on juvenile services means that the limited number of remaining staff and resources are often insufficient to properly supervise the adult probation population. All jurisdictions surveyed during this examination report *banking* some measure of their caseloads,<sup>11</sup> which often include a significant population of serious, even violent, offenders in need of direct and intensive supervision. It appears that resources currently devoted to adult probation services are inadequate.
- Limited availability of funding in the 1980s and early 1990s greatly slowed probation department recruitment and hiring. As a result, there is a broad experience gap in most probation departments because of the lack of journey- and mid-level employees.

---

<sup>11</sup> A banked case is one in which the probationer is only rarely or intermittently monitored for compliance with court orders due to insufficient resources to provide appropriate levels of supervision.

- Probation does not share the status enjoyed by other public safety agencies in the community. Task force members recognize the need to address the status of probation in the community, to encourage discourse about the unique and critical role of probation, and to raise public expectations about the services and function of probation agencies.
- The current chief probation officer (CPO) appointment and removal process relies on statutory language that is unclear and results in divergent practices from jurisdiction to jurisdiction. Greater clarity and uniformity in the appointment, evaluation, and removal processes are warranted.
- The size and complexity of California's probation system makes it difficult to borrow from other states' operational models and structures. Any proposed probation governance model must fit the unique requirements and circumstances of our state and contain adequate flexibility to accommodate local needs.
- The status quo in the probation system is not acceptable. Despite the dedication and efforts of probation department professionals statewide, the probation structure as it exists today functions poorly on many levels.
- Few to none of the workload or cost drivers in the probation system, which include legislative mandates, court orders, state budget decisions, and administrative directives, are within the control of the county, yet it is the county that has budgetary and programmatic responsibility over the department.
- The split governance structure, historic levels of underfunding, and the resulting variation in service levels and programs from county to county promise to further erode probation departments' collective ability to provide a unified and critical set of justice services upon which our courts, communities, victims, and probationers rely.
- A statewide approach to probation that conforms to the five fundamental principles articulated by the task force ultimately appears to be the most promising model for the future.

### ***Advancing the Work of the Probation Services Task Force***

Over the past three years, the task force made great strides toward an improved probation system by examining the history of probation, its current operation throughout the state, and the significance of its work within the context of the justice system. From this study, the task force developed 17 specific recommendations. While this effort greatly developed the body of knowledge and represents perhaps the most comprehensive examination of California's probation system in recent memory, substantial work to fully implement the vision of the task force remains. The task force recommends that the counties and branches of state government establish a body tasked with developing a specific, long-term reform model and an implementation plan. Through this effort, the work of the task force will be advanced and the probation system improved for the benefit of all Californians.

### ***Task Force Recommendations***

The task force advances the following recommendations:

**RECOMMENDATION 1:** Probation departments must have stable and adequate funding to protect the public and ensure offender accountability and rehabilitation.

**RECOMMENDATION 2:** California should develop a new approach to probation governance that conforms to the five fundamental principles developed by the Probation Services Task Force.

**RECOMMENDATION 3:** Probation standards and guidelines should be developed and maintained to enhance the delivery of services to courts, communities, victims, and probationers.

**RECOMMENDATION 4:** Probation departments should develop and annually review mission statements with clearly defined goals and objectives.

**RECOMMENDATION 5:** Probation departments should incorporate measurable outcomes in developing goals and objectives.

**RECOMMENDATION 6:** Probation departments should develop a common statewide language to facilitate communication, delivery of services, and comparisons across jurisdictions.

**RECOMMENDATION 7:** Probation technology resources should be maximized and augmented to enhance statewide communication and improve operational systems, resource allocation, and capacity for evaluation.

**RECOMMENDATION 8:** Probation departments should develop assessment and classification systems and tools as part of an effective case management strategy.

**RECOMMENDATION 9:** Probation departments should establish a graduated continuum of services and sanctions to respond to the needs of each offender.

**RECOMMENDATION 10:** Prevention and early intervention efforts in appropriate cases should be an essential component of effective and meaningful probation services.

**RECOMMENDATION 11:** Courts and counties should develop and implement partnerships and work collaboratively to ensure appropriate levels of services for adult and juvenile offenders.

**RECOMMENDATION 12:** Probation departments should adopt workload standards rather than caseload ratios.

**RECOMMENDATION 13:** Probation departments should work with courts, schools, parents, and education agencies to ensure that adult and juvenile probationers are provided with appropriate general, special, and vocational educational services.

**RECOMMENDATION 14:** Juvenile detention reforms should be developed and implemented to ensure that juveniles are appropriately detained and to reduce overcrowding in detention facilities.

**RECOMMENDATION 15:** Probation departments should consider an approach to probation that balances offender accountability, victim restoration, competency development, and community collaboration.

**RECOMMENDATION 16:** In conjunction with any change to the probation model in California, a change in name for probation could be considered to better reflect probation's function and status.

**RECOMMENDATION 17:** Counties and the branches of state government should establish a body tasked with developing a specific long-term reform model for probation and an implementation plan.



# SECTION I

## The Task Force: Its Composition, Charge, and Process

This section of the report contains a discussion of the history of the Probation Services Task Force (task force), its charge, subcommittee structure, and resources.<sup>12</sup>

### *HISTORICAL AND LEGISLATIVE BACKGROUND*

The task force arose out of ongoing discussions between the Judicial Council and the California State Association of Counties (CSAC). The Judicial Council and CSAC have shared a longstanding interest in evaluating probation structures and services in California. Several legislative efforts to alter the chief probation officer (CPO) appointment and removal process<sup>13</sup> highlighted the need to form a task force to examine these issues in a comprehensive manner. Structural changes resulting from the passage of the Lockyer-Isenberg Trial Court Funding Act<sup>14</sup> also pointed to the need for an examination of probation in California.

From the county perspective, it is important to note the increased tension brought to bear by the 1997 Trial Court Funding Act, which enacted a major restructuring and realignment of fiscal and operational responsibilities for California's trial courts. Specifically, this act transferred financial responsibility for the trial courts from counties to the state and began a process of defining and separating the functions of courts and counties. The restructuring exacerbated, in some counties more than others, the preexisting imperfections in the probation governance structure. Probation and, up to the passage of the Trial Court Funding Act, the courts have historically been funded at the county level. Today, overall management and budgetary responsibility for probation remains with the counties, but, in

#### **Key Factors in the Creation of the Task Force**

- ➔ Recognized need to examine governance structure;
- ➔ Historic underfunding of probation departments and increasing demand for services;
- ➔ Joint court/county interest in evaluating probation services in California; and
- ➔ Restructuring following 1997 Trial Court Funding Act.

<sup>12</sup> This report, working documents, and appendixes can be found at the Probation Services Task Force Web site at <[www2.courtinfo.ca.gov/probation](http://www2.courtinfo.ca.gov/probation)>.

<sup>13</sup> The most recent legislative proposals—none of which has been enacted—include Assem. Bill 1303 (Thomson, 1999), Assem. Bill 1519 (Floyd, 2000), Assem. Bill 765 (Maddox, 2001), and Sen. Bill 1361 (Brulte, 2002). As introduced, AB 1303 would have amended Pen. Code, § 1203.6, by investing the board of supervisors with the authority to appoint and remove the CPO where authorized by local ordinance or by county charter. AB 1519, as introduced, would have repealed Welf. & Inst. Code, §§ 270 and 271, and would have amended Pen. Code, §§ 1203.5 and 1203.6, to make the CPO an elected official. AB 1519 subsequently was amended to establish an appointment process through a seven-member multidisciplinary commission and to set forth minimum experience and educational standards for the CPO. AB 765 also would have amended Pen. Code, §§ 1203.5 and 1203.6, and placed the CPO appointment authority with a six-member selection committee. It, too, would have established minimum experience and employment standards for the CPO and repealed Welf. and Inst. Code, §§ 270 and 271. SB 1361 would have invested the board of supervisors in Riverside and San Bernardino counties with the authority to appoint and remove the CPO.

<sup>14</sup> Stats. 1997, ch. 850.

the vast majority of counties, the appointment authority for the CPO resides with the court, a state-funded entity. While examples of counties in which collaborative partnerships between the judicial and executive levels of government exist, other counties have struggled with budgetary, management, and liability issues. At a minimum, county representatives sought through the task force process greater clarity with respect to governance issues and a more rational connection among fiscal responsibility, oversight, and authority.

Furthermore, as confirmed by task force survey results, probation departments endured significant financial constraints in the previous decade. Funding has eroded into a patchwork of support based, in many instances, on grant funding—circumstances that have led many departments to make difficult, but reasoned, decisions to pursue programs for which funding was available. Consequently, service levels vary greatly by county, and because juvenile prevention and intervention programs have enjoyed more sustained—albeit not necessarily sufficient for statewide needs—legislative and state budget support, adult probation services in many counties suffered.

In early 2000, the Judicial Council and CSAC mutually concluded that a multidisciplinary task force to examine probation issues was the optimal forum for achieving meaningful review and for recommending potential system reforms. The task force set out to examine the current status of probation with a view toward improving the delivery of services, securing more regular and stable funding sources for both adult and juvenile programs, and establishing more sure footing for the system as a whole for the coming years.

#### *TASK FORCE COMPOSITION*

In August 2000, Chief Justice Ronald M. George appointed the 18 members to the Probation Services Task Force and, to serve as nonvoting chair, an appellate justice. The Chief Justice made appointments based on nominations by the following organizations: CSAC; the Judicial Council; the Chief Probation Officers of California (CPOC); and the California Probation, Parole and Correctional Association (CPPCA). Representation on the task force was divided evenly among the courts, counties, and probation organizations. Members were selected from different regions of the state and from different county types (urban, suburban, and rural) to ensure balanced representation.<sup>15</sup> The task force composition is detailed in table 3, including the number of appointments and criteria used by each appointing entity.<sup>16</sup>

---

<sup>15</sup> Several members, for various reasons, were unable to serve on the task force for the entirety of the task force's nearly three-year study. The process set forth above was followed to select replacements and ensure continued balanced representation.

<sup>16</sup> A list of task force members and their respective biographies is included in appendix A and at the task force Web site.

**Table 3. Task Force Member Appointment Criteria**

| <b>Representative</b> | <b>Number of Appointments</b> | <b>Appointed By</b>                        | <b>Criteria</b>                                       |
|-----------------------|-------------------------------|--------------------------------------------|-------------------------------------------------------|
| Nonvoting chair       | 1                             | Judicial Council                           | Appellate justice                                     |
| County                | 6                             | CSAC                                       | Urban, suburban, and rural; north, central, and south |
| Court                 | 6                             | Judicial Council                           | Urban, suburban, and rural; north, central, and south |
| Probation chief       | 3                             | 1: Judicial Council<br>1: CSAC<br>1: CPOC  | Urban, suburban, and rural; north, central, and south |
| Probation officer     | 3                             | 1: Judicial Council<br>1: CSAC<br>1: CPPCA | Urban, suburban, and rural; north, central, and south |

*TASK FORCE CHARGE*

The task force’s charge was broad and complex. It directed the members to identify and evaluate issues as diverse as funding, services, appointment practices, organizational structures, and the relationship between probation and the courts.

**The Charge of the Probation Services Task Force**

*The task force’s charge was to (1) assess the programs, services, organizational structures, and funding related to probation services provided by counties to the courts, probationers, and the public and (2) formulate findings and make policy recommendations to the Judicial Council, CSAC, the Legislature, and the Governor following this assessment. The broad issues relating to probation under examination include the following:*

- Identifying and evaluating practices and options for funding probation services;
- Identifying the nature and scope of probation services provided by counties to the courts, probationers, and the general public;
- Identifying and evaluating practices and options for the appointment and accountability of the CPO;
- Identifying and evaluating various organizational structures for adult and juvenile probation services;
- Identifying and evaluating practices of other jurisdictions with regard to the range and level of probation services, organizational structure, and funding; and
- Identifying the appropriate relationship between probation and the courts as it relates to court services and alternatives for achieving the preferred outcome.

The task force addressed each of the issues delineated in the charge. It used the charge as the departure point for each of its outreach roundtables, which are discussed more fully later in this section, and sought input on any and all of the broad policy areas. What became clear through the task force's work is that the issues set out in its charge are fundamentally interrelated and at the same time vexingly complex. A discussion of services necessarily triggers consideration of fiscal matters, while appointment practices are clearly linked to organizational structures. The sections that follow describe the depth of the task force examination and point out the areas that require additional study.

#### *TASK FORCE PROCESS*

To carry out its charge, the task force convened public meetings on a regular basis to discuss ongoing work and develop findings and recommendations. At these meetings, national experts were brought in for consultation as appropriate. Outreach strategies aimed at gathering input from those delivering and receiving probation services were developed to educate the task force regarding probation and to allow inclusion of as many stakeholder groups as possible in the task force process.

During the initial 15 months of study, the task force undertook much of its work through two subcommittees: the Relationship of Probation to Court and County Subcommittee (the governance subcommittee), which examined governance issues, and the Services and Caseload Standards Subcommittee (the services subcommittee), which examined issues related to probation services. The subcommittees met frequently both in person and via conference call during and outside the full task force meetings to review information and develop proposals for full task force consideration. After initial review and development of ideas by the individual subcommittees, and using data from national experts, consultation with other jurisdictions, and stakeholder input, the task force as a whole reviewed and discussed subcommittee suggestions before developing recommendations.

As detailed in table 4, the task force met over a three-year period at approximately bimonthly intervals. All meetings were open to the public, and notices were posted on the task force Web site.<sup>17</sup> Based on available information and on input gathered through outreach efforts, task force strategy was reviewed and altered as necessary. Nationally recognized experts in the fields of probation, corrections, and other relevant areas were invited to task force meetings to present information regarding both governance and service issues.<sup>18</sup>

**Table 4. Dates and Locations of Task Force Meetings**

| <b>Date</b>           | <b>Location</b> |
|-----------------------|-----------------|
| September 29, 2000    | San Francisco   |
| October 26–27, 2000   | San Francisco   |
| January 11–12, 2001   | San Francisco   |
| March 22–23, 2001     | San Francisco   |
| May 17–18, 2001       | Los Angeles     |
| June 22, 2001         | Sacramento      |
| July 19–20, 2001      | San Francisco   |
| September 20–21, 2001 | San Francisco   |
| November 15–16, 2001  | San Francisco   |
| January 3, 2002       | Conference call |
| March 8, 2002         | San Francisco   |
| May 2–3, 2002         | San Francisco   |
| June 7, 2002          | Sacramento      |
| September 12–13, 2002 | San Francisco   |
| November 7, 2002      | San Francisco   |
| February 7, 2003      | Burbank         |
| May 19, 2003          | Conference call |
| June 6, 2003          | Conference call |

<sup>17</sup> The agenda and minutes of each task force meeting can be found at the task force Web site. Information from the subcommittee meetings was presented to the task force and is included in the full task force's minutes.

<sup>18</sup> Despite the fact that task force members examined innovations in operational structures in five states—Arizona; Texas; Deschutes County, Oregon; New Jersey; and Iowa—it became clear that none of the models was immediately transferable to California.

### *INFORMATION RESOURCES PROVIDED TO THE TASK FORCE*

Before the appointment of task force members, the Administrative Office of the Courts (AOC) engaged the services of two consultants to obtain background information on probation both nationally and in California. Mr. Carl Wicklund, executive director of the American Probation and Parole Association (APPA), drafted white papers on adult and juvenile probation,<sup>19</sup> which provided key demographic and statistical information regarding the delivery and structure of probation services nationally.<sup>20</sup> Simultaneously, Mr. Alan Schuman, corrections management consultant, conducted site visits in July and August 2000 to six probation departments for the purpose of establishing baseline information on the status of probation in California. The AOC selected six counties for Mr. Schuman's preliminary snapshot study to collect information from a representative cross-section of California counties. More than 280 people were interviewed during the visits to the snapshot counties, which were Fresno, Glenn, Los Angeles, Placer, Santa Clara, and Santa Cruz. Mr. Schuman prepared reports on adult and juvenile probation for each of the six counties. Both the snapshot study and the national white papers followed an examination of criteria established by Mr. Wicklund and Mr. Schuman. The consultants presented their findings to the task force at its first meeting in October 2000.<sup>21</sup>

---

<sup>19</sup> American Probation and Parole Association, *Adult Probation in the United States: A White Paper*, prepared for the Probation Services Task Force, California Administrative Office of the Courts (Sept. 2000) <<http://www2.courtinfo.ca.gov/probation/reference.htm>>. Hereafter referred to as *Adult Probation White Paper*. American Probation and Parole Association, *Juvenile Probation in the United States: A White Paper*, prepared for the Probation Services Task Force, California Administrative Office of the Courts (Sept. 2000) <<http://www2.courtinfo.ca.gov/probation/reference.htm>>. Hereafter referred to as *Juvenile Probation White Paper*. The *Adult Probation White Paper* and the *Juvenile Probation White Paper* are available at the task force Web site.

<sup>20</sup> A. Schuman, *Executive Summary: California Six County Probation Sites*, prepared for the Probation Services Task Force, California Administrative Office of the Courts (Sept. 2000) <<http://www2.courtinfo.ca.gov/probation/reference.htm>>. Hereafter referred to as *Six County Executive Summary*. This document is attached at appendix B; the individual county reports are available at the task force Web site. Alan Schuman's biography is included in appendix B.

<sup>21</sup> Mr. Schuman also participated in task force proceedings during 2001 as a consultant. He brought to the task force discussions a vast history and experience in the corrections field, and he offered an important perspective on the California probation system that was informed by his six county site visits during the snapshot study.

### **Snapshot Study: Identified Areas of Common Concern**

*Results of the snapshot study clearly indicated that certain issues and areas of concern were of importance to all or most of the probation departments and would bear greater examination by the task force. These areas include, but are not limited to, the following:*

- Monitoring and evaluation processes for probation services;
- Management information systems;
- Probation funding sources and long-term implications of reliance on grant funding;
- Automated and validated risk/needs tools;
- Probation supervision workload standards;
- Specialized court services;
- Staff development and training;
- Partnership with the judiciary;
- Partnership with other collaborative county departments; and
- Probation's status in the community.

The national white papers and snapshot study results provided the task force with critical background information and reference material for its examination. At its first meeting, using the charge and these resource materials as a guide, the task force identified issues to explore and drafted a preliminary work plan. The task force also used these resources to inform its discussion during the course of its work.

The task force anticipated concluding its work in the fall of 2001, with a final report and recommendations issued to the participating entities, the Governor, and the Legislature in late 2001. As the task force began its work, it recognized the breadth and complexity of the issues that confronted it. Furthermore, task force members, while considerably informed by the white papers and snapshot study results, learned that comprehensive data and statistics on probation services in California were not readily available to advance and strengthen the examination process. Early in its process, the task force recognized that although it would be able to make substantial progress toward addressing the numerous issues in the charge, more time would be necessary to fully examine the complex issues presented in the charge. Accordingly, the task force undertook an additional 18 months of study, concluding in June 2003 with the publication of this report to further pursue a California Probation Model that conforms to its fundamental principles.

## *OUTREACH TO STAKEHOLDERS*

In an effort to include as many stakeholders as possible in its examination, the task force carried out extensive outreach efforts. These efforts included a statewide stakeholder survey, stakeholder roundtable discussions at multiple venues throughout the state, and

Task force outreach efforts included a statewide stakeholder survey, stakeholder roundtable discussions at multiple venues throughout the state, and roundtable discussions with probationers. The task force reached approximately 460 stakeholders and more than 150 adult and juvenile probationers through these efforts.

roundtable discussions with probationers.<sup>22</sup> The task force reached approximately 460 stakeholders and more than 150 adult and juvenile probationers through these efforts. Results of these outreach efforts were provided to task force members on an ongoing basis. The information from the stakeholder survey, roundtables, and probationers informed the task force, educating members about probation throughout California and providing a means of uncovering and evaluating issues for the task force to consider. These

outreach efforts also allowed stakeholders not represented on the task force a way to participate in the process and gave the many parties involved in the probation system an opportunity to provide input.

### *Stakeholder Survey*

In January 2001, the task force distributed a written survey for probation stakeholders in all 58 counties. The response rate was excellent, with 141 surveys from 56 counties returned.<sup>23</sup> The survey results provided information from the entire spectrum of the California probation experience, including courts, counties, and probation (chiefs and deputy probation officers [DPOs]) as well as prosecutors and defense attorneys. The input supplied the task force with a broad range of firsthand information regarding the views of participants and stakeholders.<sup>24</sup> This information was examined by the task force to gain a broad understanding of probation and probation services in California rather than to learn specific facts about any one probation department.

The survey instrument was distributed to potential respondents across the probation system. Certain stakeholder groups received only those portions of the survey that they were sufficiently positioned to answer. For example, only the CPOs received questions regarding agency staffing and workload, since they constituted the stakeholder group best equipped to provide accurate and updated information on staffing. Table 5 shows the distribution of the survey to the selected stakeholders.

---

<sup>22</sup> Results of the outreach efforts are attached at appendixes C, D, and E, respectively, and are available at the task force Web site.

<sup>23</sup> Of the 141 responses, 51 were from CPOs, 19 were from county representatives (board of supervisor members or county administrative officers), 44 were from court representatives (judges or court executive officers), 11 were from prosecutors, 12 from defense attorneys, and 4 from a solicitation sent to 100 randomly selected DPOs.

<sup>24</sup> The Stakeholder Survey and Stakeholder Survey Results are contained in appendix C.

**Table 5. Stakeholder Survey Distribution**

|                                                                       | Board of Supervisors (BOS)/County Executive or Administrative Office | Court Presiding Judge (PJ)/Court Administrator (CA) | Chief Probation Officer (CPO) | Deputy Probation Officer (DPO)* | District Attorney (DA) | Public Defender (PD) |
|-----------------------------------------------------------------------|----------------------------------------------------------------------|-----------------------------------------------------|-------------------------------|---------------------------------|------------------------|----------------------|
| Part 1: Agency Staffing and Workload                                  |                                                                      |                                                     | ✓                             |                                 |                        |                      |
| Part 2: Probation Services                                            | ✓                                                                    | ✓                                                   | ✓                             | ✓                               | ✓                      | ✓                    |
| Part 3: Goals and Priorities of Probation Departments                 | ✓                                                                    | ✓                                                   | ✓                             | ✓                               | ✓                      | ✓                    |
| Part 4: Appointments, Evaluation, and Term of Chief Probation Officer | ✓                                                                    | ✓                                                   | ✓                             | ✓                               |                        |                      |
| Part 5: Opinions about the CPO Appointment System                     | ✓                                                                    | ✓                                                   | ✓                             | ✓                               |                        |                      |

\* Sampling of DPOs through the State Coalition of Probation Organizations (SCOPO).

*Stakeholder Roundtables*

As a means of opening the task force process to public input during its first phase, the task force and staff organized roundtable discussions with various stakeholders, including judges, county supervisors, probation officers, public defenders, and district attorneys. Approximately 325 stakeholders participated in these roundtable discussions. Table 6 lists the various stakeholder groups, stakeholder events, and the number of stakeholders participating.

**Table 6. Stakeholder Roundtables**

| <b>Date</b>                                  | <b>Event</b>                                                                         | <b>Location</b> | <b>Stakeholders</b>                                                                                                                                   | <b>Total Number of Participants at Event</b> | <b>Number of Participants in PSTF Roundtable</b> |
|----------------------------------------------|--------------------------------------------------------------------------------------|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|--------------------------------------------------|
| 12-7-00                                      | Beyond the Bench Conference                                                          | Los Angeles     | Multidisciplinary dependency-focused conference for judges, court executives, attorneys, social workers, and probation officers                       | 940                                          | 65                                               |
| 1-20-01                                      | California Public Defenders' Association Juvenile Conference                         | Monterey        | Public defenders and private defense counsel                                                                                                          | 250                                          | 23                                               |
| 1-26-01                                      | Juvenile Delinquency and the Courts Conference                                       | San Diego       | Multidisciplinary delinquency-focused conference for judges, district attorneys, public defenders, probation, community, victims, and social services | 550                                          | 39                                               |
| 2-1-01                                       | California Judicial Administration Conference                                        | San Diego       | Judges, court executives, and administrators                                                                                                          | 490                                          | 28                                               |
| 3-14-01                                      | Chief Probation Officers of California (CPOC) Quarterly Meeting                      | Sacramento      | Chief probation officers                                                                                                                              | 48                                           | 48                                               |
| 4-5-01                                       | California State Association of Counties (CSAC) Spring Legislative Conference        | Sacramento      | County board of supervisor members, county administrative officers, and other county personnel                                                        | 250                                          | 50                                               |
| 4-5-01                                       | Juvenile Law Institute Conference                                                    | Costa Mesa      | Juvenile court judicial officers                                                                                                                      | 200                                          | 24                                               |
| 4-27-01                                      | State Coalition of Probation Organizations (SCOPO) Conference                        | Bakersfield     | Deputy probation officers                                                                                                                             | 17                                           | 17                                               |
| 5-18-01                                      | Center for Families, Children & the Courts Family Violence and the Courts Conference | Los Angeles     | Multidisciplinary domestic violence stakeholders                                                                                                      | 400                                          | 13                                               |
| 6-7-01                                       | California District Attorneys' Association Conference                                | Sacramento      | District attorneys                                                                                                                                    | 18                                           | 18                                               |
| <b>Total Number of Outreach Stakeholders</b> |                                                                                      |                 |                                                                                                                                                       |                                              | <b>325</b>                                       |

Table 7 indicates the major themes that emerged during the roundtable discussions, with examples of the general type of comment or content (right column) that was classified under several thematic categories (left column). Table 8 cross-references these major themes (column headings) to stakeholder groups (row headings), with check marks designating which of these themes appeared to be of importance to individual stakeholder groups.<sup>25</sup> The information in these tables should be approached with some caution as it merely reflects a cataloguing of stakeholder input for purposes of showing the reader the breadth of comments raised and may not reflect the totality of issues of concern to stakeholders or demonstrate the weight of concern for a particular issue.

**Table 7. Major Themes Raised by Stakeholders during Outreach Efforts**

| Thematic Category  | Examples of General Content for Theme                                                                                                                                                                                  |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Caseload           | <ul style="list-style-type: none"> <li>▪ Caseload levels</li> <li>▪ Differences in caseload sizes for specialized programs (e.g., domestic violence or drug courts)</li> <li>▪ Banked caseloads</li> </ul>             |
| CPO Issues         | <ul style="list-style-type: none"> <li>▪ Appointment, performance, and evaluation issues</li> <li>▪ Relationship of CPO to local judicial and executive branches</li> </ul>                                            |
| DPO Issues         | <ul style="list-style-type: none"> <li>▪ General employment issues (e.g., training, recruitment and retention, compensation, equipment/arming, attrition to other law enforcement agencies, and retirement)</li> </ul> |
| Facilities         | <ul style="list-style-type: none"> <li>▪ Conditions of confinement and overcrowding</li> <li>▪ Disproportionate minority confinement</li> </ul>                                                                        |
| Funding            | <ul style="list-style-type: none"> <li>▪ Need to establish adequate, stable funding source</li> <li>▪ Grant funding</li> </ul>                                                                                         |
| Interstate Compact | <ul style="list-style-type: none"> <li>▪ Interstate compact for supervision of offenders</li> </ul>                                                                                                                    |

<sup>25</sup> A complete compilation of roundtable stakeholder commentary is included in appendix D. Stakeholder responses are the opinion of the speaker and have not been adopted by the task force.

| Thematic Category         | Examples of General Content for Theme                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Relationships             | <ul style="list-style-type: none"> <li>▪ Governance and structural issues (e.g., co-location of adult and juvenile services in a single department)</li> <li>▪ Relation of probation's functions to court and county structures</li> <li>▪ Court and county relations and impact of trial court funding reform</li> <li>▪ Coordination and collaboration among all county agencies involved in probation (e.g., social services and mental health)</li> <li>▪ Statewide coordination of probation departments</li> </ul> |
| Services                  | <ul style="list-style-type: none"> <li>▪ Range of services provided by probation</li> <li>▪ Best/promising practices</li> <li>▪ Specialized services for adults versus juveniles</li> <li>▪ Gender-specific services for juveniles</li> <li>▪ Placement options</li> <li>▪ Evaluation and assessment</li> <li>▪ Collaborative efforts with other local agencies (e.g., education, programs for the developmentally disabled, and mental health services)</li> </ul>                                                      |
| Services in Juvenile Hall | <ul style="list-style-type: none"> <li>▪ Need for assessment in juvenile hall</li> <li>▪ Educational and mental health services</li> </ul>                                                                                                                                                                                                                                                                                                                                                                               |
| Technology                | <ul style="list-style-type: none"> <li>▪ Need for more effective use of technology to monitor and track probationers</li> <li>▪ Integration of technology to improve delivery of services</li> <li>▪ Connectivity with law enforcement, social services, and other local and state agencies</li> </ul>                                                                                                                                                                                                                   |
| Vision for Probation      | <ul style="list-style-type: none"> <li>▪ Unique dual role of probation</li> <li>▪ Need to educate the public and work on improving the public's perception of probation</li> <li>▪ Need to reexamine how probation has evolved and analyze where probation should be</li> <li>▪ Critical value of and need for probation services in the continuum of justice system services</li> </ul>                                                                                                                                 |

**Table 8. Stakeholder Themes**

| Stakeholder                                    | Caseload | CPO Issues | DPO Issues | Facilities | Funding | Interstate Compact | Relationships | Services | Services in Juvenile Hall | Technology | Vision for Probation |
|------------------------------------------------|----------|------------|------------|------------|---------|--------------------|---------------|----------|---------------------------|------------|----------------------|
| <b>ATTORNEYS</b>                               |          |            |            |            |         |                    |               |          |                           |            |                      |
| Attorney (Children in Dependency)              |          |            |            |            |         |                    | ✓             | ✓        |                           |            |                      |
| Attorney, Youth Law Center                     |          |            |            |            |         |                    |               | ✓        |                           |            |                      |
| Defense Attorney                               | ✓        |            |            |            | ✓       |                    | ✓             |          |                           |            |                      |
| Deputy Public Defender                         |          |            | ✓          |            | ✓       |                    | ✓             | ✓        |                           |            |                      |
| District Attorney                              |          | ✓          | ✓          | ✓          | ✓       |                    | ✓             | ✓        |                           |            | ✓                    |
| Private Defense Counsel                        |          |            | ✓          |            |         |                    |               |          |                           |            |                      |
| Public Defender                                | ✓        |            | ✓          |            | ✓       |                    | ✓             | ✓        | ✓                         |            |                      |
| Others                                         |          |            |            |            | ✓       |                    |               |          |                           |            |                      |
| <b>COUNTY</b>                                  |          |            |            |            |         |                    |               |          |                           |            |                      |
| Supervisors and County Administrative Officers | ✓        | ✓          | ✓          | ✓          | ✓       |                    | ✓             | ✓        |                           | ✓          | ✓                    |
| <b>COURTS</b>                                  |          |            |            |            |         |                    |               |          |                           |            |                      |
| Judicial Officers                              | ✓        | ✓          | ✓          | ✓          | ✓       |                    | ✓             | ✓        |                           |            | ✓                    |
| Court Executive Officer                        |          | ✓          | ✓          |            | ✓       |                    | ✓             | ✓        |                           |            |                      |
| Court Administration                           |          |            |            |            | ✓       |                    |               | ✓        |                           |            |                      |
| Others                                         |          | ✓          |            |            |         |                    |               |          |                           |            | ✓                    |
| <b>PROBATION</b>                               |          |            |            |            |         |                    |               |          |                           |            |                      |
| Chief Probation Officer                        | ✓        | ✓          |            | ✓          | ✓       |                    | ✓             | ✓        |                           |            | ✓                    |
| Probation Management                           | ✓        | ✓          | ✓          |            | ✓       | ✓                  | ✓             | ✓        |                           |            |                      |

| Stakeholder                                                          | Caseload | CPO Issues | DPO Issues | Facilities | Funding | Interstate Compact | Relationships | Services | Services in Juvenile Hall | Technology | Vision for Probation |
|----------------------------------------------------------------------|----------|------------|------------|------------|---------|--------------------|---------------|----------|---------------------------|------------|----------------------|
| Deputy Probation Officer                                             | ✓        | ✓          | ✓          | ✓          | ✓       |                    | ✓             | ✓        |                           | ✓          | ✓                    |
| Others                                                               |          |            |            |            |         |                    |               | ✓        |                           |            |                      |
| <b>SERVICE PROVIDERS</b>                                             |          |            |            |            |         |                    |               |          |                           |            |                      |
| Director of Children's System of Care                                |          |            |            |            | ✓       |                    | ✓             | ✓        |                           |            |                      |
| Domestic Violence Researcher                                         | ✓        | ✓          | ✓          |            |         |                    | ✓             | ✓        |                           |            | ✓                    |
| Mental Health                                                        |          |            |            |            | ✓       |                    |               | ✓        |                           |            |                      |
| Social Worker                                                        |          |            |            |            |         |                    |               | ✓        |                           |            |                      |
| <b>STATE AGENCIES</b>                                                |          |            |            |            |         |                    |               |          |                           |            |                      |
| State of California Court-Appointed Special Advocate (CASA) Director |          | ✓          |            |            |         |                    |               |          |                           |            |                      |
| California Youth Authority                                           |          |            |            |            | ✓       |                    | ✓             | ✓        |                           | ✓          |                      |
| State Department of Social Services                                  |          |            | ✓          |            |         |                    | ✓             | ✓        |                           |            |                      |
| <b>OTHERS</b>                                                        |          |            | ✓          |            |         |                    | ✓             | ✓        |                           |            |                      |

### *Probationer Roundtables*

Task force members and staff also conducted roundtable discussions with more than 150 adult and juvenile probationers in three counties. Counties were selected demographically to include probationers in rural, suburban, and urban counties in northern, central, and southern California. Despite geographic and demographic differences, adult and juvenile probationers interviewed across the state expressed similar comments. The relationship of the probationer to his or her probation officer seemed to play a pivotal role in the probationer's perception of probation services received.

Over 150 adult and juvenile probationers in three counties were interviewed to elicit their perspectives and experiences as recipients of probation services.

Some of the views and beliefs were broadly held, but other concerns were voiced by only one individual.<sup>26</sup> The paragraphs that follow, which summarize comments and perspectives of the probationers interviewed, reflect only a relatively small sample of probationers statewide and may not be supported by fact or research.

Adult probationers commented on numerous aspects of their experiences in probation, including their preferred treatment programs and the benefits they earn from different services. Most adult probationers indicated that while they did not enjoy being on probation, they believed that they benefited from it. They expressed a preference for specialized treatment programs such as drug court, substance abuse treatment, and batterers' treatment programs, stating that these services were particularly effective. Conversely, adult probationers indicated a dislike for community service obligations, indicating that the terms of these programs are excessive. However, probationers said that they feel a great sense of accomplishment when allowed to participate in community service projects that they believe help their community or that are tied to their crime. Other service projects not directly related to the community or the crime are perceived as busy work. Adult probationers who had also been on probation as juveniles indicated that probation has improved over the years, especially with regard to provision of services and treatment by probation officers.

Adult and juvenile probationers share common perceptions about their experiences in probation despite geographic and demographic differences.

Like adult probationers, juveniles share common perceptions about probation despite geographic and demographic differences. Generally speaking, juvenile probationers would like more family and one-on-one counseling, field trips, programs designed specifically for teenagers, and job/vocational skills training. Individual opinions of programs varied depending on specific experiences, but several recurring program elements were identified by juvenile probationers as being valuable: (1) programs that last 90 days or more appear more effective than short-term programs, (2) small classes

---

<sup>26</sup> Probationer roundtable comments are included in appendix E and can be found at the task force Web site.

and programs are preferred, (3) substance abuse treatment programs as part of residential group homes and juvenile drug court are perceived to be effective, and (4) frequent drug testing appears to serve as a deterrent to the use of drugs. Furthermore, juvenile probationers believe group homes help them learn responsibility, and they suggested that overall the personalities of the program staff and probation officer play a significant role in the effectiveness of any particular program.

#### *Circulation for Comment*

In an effort to elicit public comment on the work of the task force, this report was circulated to a broad group of stakeholders both in its interim and final draft forms.<sup>27</sup> The task force received 43 comments following the circulation of the interim report from February 1, 2002, to March 15, 2002. Where appropriate, the task force incorporated changes into the draft final report based on the comments received. These comments also guided the task force during its second phase. The report was circulated in its final draft form from March 14, 2003, to April 25, 2003, and the task force received seven comments. During the second phase of its examination, the task force developed and circulated for comment two interim governance models, which are discussed further in section V.<sup>28</sup> For each comment period, requests for input were sent to courts, counties, probation, prosecutors, defense attorneys, and other interested parties. The task force gained a great deal from the comment process, and its work was shaped in part by the comments of interested individuals and organizations. The task force is grateful for the time and effort of commentators.

#### *CONCLUSION*

The task force was the product of discussions between the Judicial Council and CSAC. Both entities recognized a critical need to examine probation governance structures and shared a longstanding interest in evaluating probation structures and services in California. The task force undertook the first comprehensive examination of probation in California and discovered that the state's probation system serves over 415,000 probationers statewide (87,186 juveniles and 328,540 adults)<sup>29</sup>; contains different combinations of operational structures in each of the 58 counties; and lacks a single, comprehensive source of probation data. The task force gathered a great deal of information from the various outreach methods described in this section: written survey responses, stakeholder roundtable input, and adult and juvenile probationer dialogues.

---

<sup>27</sup> The comment charts can be found at Appendix F.

<sup>28</sup> The interim model, versions 1 and 2, as well as accompanying comment charts can be found at Appendix G.

<sup>29</sup> Department of Justice, State of California, Bureau of Criminal Information and Analysis, Criminal Justice Statistics Center, Juvenile Probation Caseload, 2001; Department of Justice Statistics table 7: Adult Probation Caseload and Actions, 2001 <[http://justice.doj.ca.gov/cjsc\\_stats/prof01/00/7.htm](http://justice.doj.ca.gov/cjsc_stats/prof01/00/7.htm)> (as of Jan. 2003).

The contributions of consultants and other invited speakers before the task force also advanced the task force's examination.

The task force made tremendous progress in (1) outlining the scope of the challenges that face the probation system in California, (2) discovering that, despite many examples of successful programming and collaboration, the structure of probation contains several deficiencies that warrant improvement, and (3) making significant findings and recommendations for a statewide approach to probation that seeks to benefit all who come in contact with the system.



# SECTION II

## Fundamental Principles

Early in its examination, the task force recognized that members held different ideas and assumptions about probation relative to the two core areas of study: governance and services. To guide discussion, focus the process, and enhance communication, the task force established fundamental principles. The development of these principles represented a key milestone in the task force effort, giving the members a basis for examining the current delivery of probation services and for evaluating various alternative probation system models. These principles served as a basis for building consensus in developing its recommendations.

Numerous principles were presented and discussed by the task force. The five fundamental principles listed here were agreed to by a consensus of the task force and ultimately were adopted:

**PRINCIPLE 1.** *Authority over and responsibility for the conduct, support, funding, oversight, and administration of probation services, including the appointment of the CPO, must be connected.*

**PRINCIPLE 2.** *Courts and counties should develop and implement partnerships to administer probation departments and work collaboratively to ensure appropriate levels of services, support, funding, and oversight.*

**PRINCIPLE 3.** *Probation services should be administered primarily at the local level.*

**PRINCIPLE 4.** *Standards with measurable outcomes are necessary.*

**PRINCIPLE 5.** *Adult and juvenile probation services should be administered in a single department.*



# SECTION III

## Probation Past

This part of the report provides background information on the creation of probation in general and presents a historical account of the development of probation in California.

### *THE FUNDAMENTALS OF PROBATION*

Probation is a judicially imposed suspension of sentence that attempts to treat and rehabilitate offenders while they remain in the community under the supervision of the probation department.<sup>30</sup> Probation has many advantages over incarceration. The cost of probation represents a small fraction of the expense of institutional commitment. In its research brief on probation in California, the California Institute for County Government reports that annual probation services per probationer cost approximately \$3,060.<sup>31</sup> These costs represent a small percentage (12 percent) of the \$25,607 required to keep an offender in prison for one year.<sup>32</sup> Furthermore, adult and juvenile probationers benefit from remaining in their communities and their homes. Adult probationers who are supervised in their community are better able to support themselves and their family, which increases their ability to pay restitution to the victim of the offense and continue to contribute to society. Juveniles who remain in the community maintain a family connection and family support, which often enhances their overall ability to benefit from services. Perhaps most important, with the aid of the court and probation officer, the probationer may be rehabilitated through the use of community resources. The imposition of conditions appropriate to the offender and the crime also seeks to discourage probationers from committing new offenses.

Probation is a judicially imposed suspension of sentence that attempts to treat and rehabilitate offenders while they remain in the community under the supervision of the probation department.

Probation in the United States has a relatively short history, dating from the first half of the nineteenth century. John Augustus, a Boston shoe cobbler, is credited with being the father of probation. In 1841, at a time when sending an offender to prison was the preferred means of dealing with violations of the law, Augustus persuaded the Boston Police Court to release an adult drunkard into his custody rather than committing him to

<sup>30</sup> Probation is distinguished from parole based on the jurisdiction and timing of offender supervision. Probation officers are involved with alleged offenders and offenders supervised in the community. Parole agents have jurisdiction over offenders following release from a state facility of the California Department of Corrections (adults) or the California Youth Authority (juveniles).

<sup>31</sup> J. Worrall et al., *Does Probation Work? An Analysis of the Relationship between Caseloads and Crime Rates in California Counties*, *supra*.

<sup>32</sup> Office of the Attorney General, Criminal Justice Statistics Center, p. 43 <<http://caag.state.ca.us/cjsc/publications/misc/cinc/5cost.pdf>> (as of Jan. 27, 2003).

prison. Augustus's efforts at reforming his first charge were successful, and he soon convinced the court to release other offenders to his supervision. In 1843, Augustus broadened his efforts to children.<sup>33</sup>

The legal basis for early probation efforts was the authority of the court, under common law, to suspend sentence and allow the convicted offender to remain at liberty upon condition of good behavior. It should be noted that the work of this first unofficial probation officer was controversial. Augustus's efforts were resisted by police, court clerks, and jailers, who were paid only when offenders were incarcerated.<sup>34</sup>

By 1869, the Massachusetts Legislature required a state agent to be present if court actions were likely to result in the placement of a child in a reformatory, thus providing a model for modern caseworkers. The agents were to protect the child's interests, investigate the case before trial, search for other placement options, and supervise the plan for the child after disposition. Massachusetts passed the first probation statute in 1878, mandating an official probation system with salaried probation officers. After Massachusetts's example, other states quickly followed suit, with 33 states enacting probation legislation by 1915.<sup>35</sup> By 1956, all states had adult probation laws.<sup>36</sup>

#### *PROBATION IN CALIFORNIA*

California authorized a system of adult and juvenile probation in 1903.<sup>37</sup> During the past 25 years, the budgets and programs of county probation departments have undergone numerous transitions owing to adjustments in local government and judicial priorities, changes in funding streams, and state and federal legislative actions. The history of probation in California that follows includes a review and timeline of significant legislative and budgetary events affecting probation services at the state level and service trends that have resulted.

---

<sup>33</sup> Juvenile Probation White Paper, p. 1.

<sup>34</sup> A. R. Klein, "The Curse of Caseload Management" (1989) 13(1) *Perspectives* 27.

<sup>35</sup> T. Ellsworth, "The Emergence of Community Corrections," in T. Ellsworth (ed.), *Contemporary Community Corrections* (Prospect Heights, Ill.: Waveland Press, 1996).

<sup>36</sup> J. Petersilia, "Probation in the United States (Part 1)" (1998a, spring) 22(2) *Perspectives* 30–41.

<sup>37</sup> The adult system in Stats. 1903, ch. 35, § 1, p. 36; and the juvenile system in Stats. 1903, ch. 43, § 6, p. 44.

### *Significant Events in the Past 25 Years*

- **1976: Reinvention of the California Juvenile Court**<sup>38</sup>

---

As a result of landmark legislation in 1976, juvenile court laws in California changed significantly. Among the major reforms enacted were (1) the introduction of the adversarial process to the juvenile court and (2) the imposition of limitations on the detention of wards who have not been alleged to have violated a law. These changes greatly expanded the role played by community-based organizations, police agencies, and other nonprobation staff in diversion, treatment, and temporary housing activities for the juvenile at-risk (runaway, beyond control, and predelinquent) population.

- **1977: The Determinate Sentencing Law**<sup>39</sup>

---

The passage of Senate Bill 42 in 1977 marked a major shift in the sentencing structure for most crimes committed by adults. The system changed from an indeterminate structure to one that followed a specified triad of sentence choices established by the Legislature for each crime. The establishment of a complex sentencing system and the ensuing modifications to the scheme through both legislative and judicial action have meant that probation officers now are required to have a strong working knowledge of the law so they can prepare presentencing reports, for example, or make appropriate recommendations of probation terms or imprisonment.

- **1978–1979: Proposition 13**<sup>40</sup> *and Proposition 4*<sup>41</sup>

---

In 1978, Proposition 13 reduced the property tax revenues collected by local governments, which, in turn, reduced the overall level of resources that counties had available to fund criminal justice and other programs. In 1979, Proposition 4 imposed limits on state and local government spending by establishing the state appropriations, or Gann (after the author of the measure), limit. The 1978–79 expenditure level serves as the base and is adjusted annually for population growth, inflation (using the lower of the percentage growth of the U.S. Consumer Price Index or California's per-capita personal income), and transfers of financial responsibility from one government entity to another.

---

<sup>38</sup> Stats. 1976, ch. 1068.

<sup>39</sup> Stats. 1976, ch. 1139.

<sup>40</sup> Constitutional amendment.

<sup>41</sup> Stats. 1977, ch. 47.

Subject to the Gann limit are all tax revenues and investment earnings from these revenues; proceeds from regulatory licenses, user fees, and charges that exceed costs to cover services; and tax funds used for "contingency, emergency, unemployment, reserve, retirement sinking fund, trusts or similar funds." As a result of both Propositions 13 and 4, county discretionary funds were greatly diminished. The county departments that relied heavily on county general-fund support, including probation, experienced severe budget reductions. Probation departments lost funding for many programs and entered a long-term hiring freeze, the effects of which are still being felt today. As discussed later in this report, many departments face a large gap in experience, with a wave of probation officers approaching retirement age and a substantial group of officers with about five years of experience, with relatively few officers populating the middle range.

- **1982: *Victim's Bill of Rights***<sup>42</sup>

---

Proposition 8 was the first of many efforts focused on the rights of victims. This initiative increased the responsibilities and duties of the probation officer by requiring notification of crime victims at various specified stages of the criminal and delinquency court processes.

- **1994: *Three Strikes Law***<sup>43</sup>

---

The Three Strikes law consists of two nearly identical statutory schemes—one a legislative bill and the second an initiative—designed to increase the prison terms of repeat felons. The legislative measure was signed into law as an urgency measure and became effective on March 7, 1994; the provisions of the initiative were effective later that same year, following voters' approval at the November 8, 1994, election. The Three Strikes law established significantly longer sentences for defendants who had either one or two prior convictions for crimes that were designated as serious or violent. Although the Three Strikes law was a major change in the criminal justice system, it had only a minimal impact on probation (e.g., longer probation reports for certain offenders).

- **1994: *Expansion of Transfer of Juveniles to Adult Court***<sup>44</sup>

---

Legislation enacted in 1994 lowered to 14 the age at which juveniles could be tried and sentenced as adults for certain offenses. This measure increased the number of fitness reports that probation departments needed to prepare and also required probation to detain juveniles for substantially longer periods of time.

---

<sup>42</sup> Proposition 8 (constitutional amendment).

<sup>43</sup> Stats. 1994, ch. 12, Proposition 184.

<sup>44</sup> Stats. 1994, ch. 453.

▪ **1996: Federal Welfare Law**<sup>45</sup>

---

In 1996, the federal government established the Temporary Assistance to Needy Families (TANF) block grants, totaling \$16.5 billion. Grants were issued to states to extend assistance to low-income families. In California, approximately \$169 million was set aside in fiscal year 2002–2003 to support probation departments in the provision of 23 approved services, including mental health assessment and counseling; life skills counseling; anger management, violence prevention, and conflict resolution; after-care services; and therapeutic day treatment.<sup>46</sup>

The federal government must reauthorize the TANF block grant program by June 30, 2003. At this time, there is uncertainty as to whether the funding level will be maintained. Should the overall block grant received by the state diminish, probation's proportionate share might be affected. Reduction or elimination of this funding would have a tremendously detrimental impact on probation departments and would likely result in the cutting back of services.

▪ **1996 and 1998: Juvenile Crime Enforcement and Accountability Challenge Grant Program**<sup>47</sup>

---

The Legislature began a major initiative in 1996 aimed at reducing juvenile crime and delinquency through the Juvenile Crime Enforcement and Accountability Challenge Grant Program. Pursuant to the first measure passed (the Challenge Grant I program), the Board of Corrections awarded \$50 million in demonstration grants to 14 counties for collaborative, community-based projects targeting at-risk youth and juvenile offenders.

Two years later, the Legislature amended the Challenge Grant program (referred to as Challenge Grant II) and provided \$60 million in additional funding for new demonstration grants.<sup>48</sup> The Board of Corrections awarded three-year grants totaling over \$56 million to 17 counties for a broad range of programs expected to serve over 5,300 at-risk youth and juvenile offenders. Examples of demonstration projects include residential treatment programs; independent-living programs; day reporting centers; truancy prevention programs; preprobation at-risk youth projects; enhanced assessment, case management, and community supervision services; and coeducational academies.

Resources allocated for juvenile crime prevention and intervention programs through the two cycles of Challenge Grant program funding represented a major infusion of revenue in support of local, collaborative efforts, but all of this funding was in the form of one-time grants, and it has since expired.

---

<sup>45</sup> Title IV of the Social Security Act.

<sup>46</sup> Welf. & Inst. Code, § 18222.

<sup>47</sup> Stats. 1996, ch. 133.

<sup>48</sup> Stats. 1998, chs. 500, 502.

▪ **1997–present:** *Construction Grants for Juvenile Detention Facilities*

---

The Board of Corrections administers federal and state construction projects for adult and juvenile detention facilities. Federal support comes in the form of the Violent Offender Incarceration and Truth-in-Sentencing (VOI/TIS) incentive grant program, while state support for juvenile facilities comes in the form of a general-fund appropriation.<sup>49</sup>

Since 1997, the Legislature has appropriated over \$318 million in federal VOI/TIS funds to the Board of Corrections for distribution to counties as competitive grants. Nearly 90 percent of the funds (\$280 million of the \$318 million) has been earmarked for local juvenile detention facilities. Since fiscal year 1998–99, the Legislature has also made available state general-fund support totaling \$172 million for purposes of renovation, reconstruction, construction, and replacement of county juvenile facilities and the performance of deferred maintenance.

▪ **2000:** *The Gang Violence and Juvenile Crime Prevention Act—Proposition 21*

---

In March 2000, California voters approved Proposition 21, the Gang Violence and Juvenile Crime Prevention Act. This initiative statute made sweeping changes to the adult and juvenile criminal justice systems and significantly changed the law regarding probation supervision for juveniles. For specified crimes and juvenile offenders, Proposition 21 shifts discretion away from the courts and probation to the prosecutor with respect to determining the appropriateness of adult court jurisdiction for certain crimes, and it grants full discretion to the prosecutor for the filing of probation violations. Further, the initiative requires that juveniles charged with certain serious offenses be adjudicated in criminal court, and it mandates a deferred-entry-of-judgment program in place of informal probation. In addition, the initiative changes laws for juveniles and adults who are gang-related offenders and for those who commit violent and serious crimes.

While the range of potential impacts is broad, the full impact of the initiative on the criminal justice system, and on the probation system specifically, remains unknown. Increased workload and operational pressures on probation are expected to be most pronounced in the following areas: increased monitoring and supervision required by the deferred-entry-of-judgment program; increased local detention costs in juvenile halls, particularly for youths being held while awaiting trial in adult court; increased transportation costs for moving juvenile defendants from detention to adult court; additional investigation and reporting duties for cases transferred to the adult court; and increased workload to ensure compliance with gang registration requirements.<sup>50</sup> Some of

---

<sup>49</sup> Board of Corrections, *An Overview of the Construction Grant Program* <<http://www.bdcorr.ca.gov/cppd/construction%20grant/coninfo.htm>> (as of May 2002).

<sup>50</sup> California State Association of Counties, *Proposition 21: Anticipated County Impact* <[http://www.csac.counties.org/legislation/juvenile\\_justice/index.html](http://www.csac.counties.org/legislation/juvenile_justice/index.html)> (as of Jan. 2000).

the workload demands brought on by the provisions of Proposition 21 may be in part offset by reductions in workload resulting from a diminution in the number of fitness hearings.

▪ **2000: *The Juvenile Justice Crime Prevention Act***<sup>51</sup>

---

A historic measure enacted in 2000 joined an established funding program for law enforcement activities (the Citizens' Option for Public Safety, or COPS) with a new initiative aimed at juvenile crime prevention and intervention. Under the Juvenile Justice Crime Prevention Act (JJCPA), county probation departments receive funding on a per-capita basis to implement a comprehensive multi-agency juvenile justice plan. County probation departments have received over \$100 million statewide annually since fiscal year 2000–01 for these purposes; however, funding must be reauthorized annually by the Legislature.<sup>52</sup> Since the program's initiation in September 2000, counties have devoted extraordinary resources and demonstrated enormous innovation in planning, expanding, and implementing a broad range of programs to reduce juvenile crime and advance public safety.

▪ **2000: *The Substance Abuse Crime Prevention Act—Proposition 36***

---

In November 2000, Californians approved the Substance Abuse Crime Prevention Act that requires certain nonviolent adult offenders who use or possess illegal drugs to receive drug treatment and supervision in the community, rather than being sent to state prison or county jail or supervised in the community without treatment. As a condition of parole or probation, the offender is required to complete a drug treatment program. Proposition 36 became effective July 1, 2001, and the full impact of the statewide program is still under evaluation.

As a result of Proposition 36, probation departments are experiencing workload pressures and increased operational costs from a number of sources, including (1) the monitoring and supervision of a new population of probationers,<sup>53</sup> (2) assessment of the eligibility and appropriate level of service for each participant and potential participant, and (3) drug testing. The effects on individual probation departments vary by county and depend on the structure of the local treatment program and the level of support, if any, that the probation department receives from its county's Proposition 36 allocation.

---

<sup>51</sup> Assem. Bill 1913 (Stats. 2000, ch. 353). Subsequently amended by Sen. Bill 736 (Stats. 2001, ch. 475) and Sen. Bill 823 (Stats. 2002, ch. 21).

<sup>52</sup> A total of \$242.6 million was provided for the joint funding initiative in FY 2000–01, with \$121.3 million going to COPS for front-line law enforcement services and \$121.3 million to JJCPA for juvenile prevention and intervention programs. Overall funding was reduced by \$10 million—to \$232.6 million—in FY 2001–02, yielding \$116.3 to each program component. This same amount was allocated in FY 2002–03 and is currently contained in the Governor's spending plan for FY 2003–04.

<sup>53</sup> Participants who enter the Proposition 36 program for the commission of a lesser crime may not otherwise have been placed under probation supervision.

### *Service Trends*

The generally stricter laws passed in the late 1970s and disenchantment with the efficacy of offender treatment, combined with budget reductions in the early 1980s, reduced the involvement of the probation officer in direct-treatment services. The role of the probation officer evolved into one of a service broker, whereby services were delegated to community-based organizations. The need to “do more with less” meant that officers attempted to assess offender risk levels, supervised those probationers appearing most at risk, and assigned lower-end probationers to banked caseloads.

In the mid-1980s, stronger relationships with police agencies emerged in response to increased street gang activity and violent crimes. Several larger probation departments developed intensive supervision units to provide focused monitoring of gang members and other specialty caseloads. Some departments began arming probation officers and joined as partners in enforcement operations with police agencies. Intensive supervision was hands-on and became more intrusive in nature, involving increased field surveillance activities and Fourth Amendment waiver searches. The 1980s also were a period during which probation departments were dramatically limited in their ability to operate diversion, prevention, and intervention programs. Reduced funding and the ensuing loss of positions forced departments to scale back their front-end activities, leaving time only for the public-protection aspect of probation services, such as monitoring and surveillance activities.

In the 1990s, growing concern about youth violence yielded a greater focus on the need for prevention efforts. General-fund appropriations remained low for discretionary probation services, so departments expanded activities to generate revenue, increased probation fee collections, and competed for grants to fund programs to work with youths and their families in a comprehensive manner. Also, the state took a strong interest in youth violence prevention and devoted considerable grant funding to the development of local youth violence prevention and intervention strategies. Fiscal assistance for these efforts, however, was limited-term in nature. Whether it will continue in a time of severe fiscal constraint will again be tested during 2003–04 budget discussions.

### *CONCLUSION*

Probation began in 1841 as a means to provide a spectrum of punishment and rehabilitation services for offenders. Over time, the role of probation and the clients served by the system have evolved. Yet throughout its history, probation has retained as a core function and priority the provision of accountability for law violations in the community. Although changes during the past 25 years have affected the system, probation continues to provide critical, quality services without adequate resources. Probation provides numerous exemplary programs—many in partnerships with other county agencies—that set the stage for building on relationships and maximizing resources.

# SECTION IV

## Probation Present

This section describes the current structural elements of probation departments and details in general terms the procedures for appointing, evaluating, and removing CPOs. It also furthers the discussion of problems related to the somewhat unpredictable fiscal mechanisms that fund current probation efforts.

Following the governance discussion, this section examines and describes a number of core service issues driven in large part by the themes raised during outreach efforts, especially the written stakeholder survey.

### *PROBATION: A LINCHPIN IN THE JUSTICE SYSTEM*

Probation occupies a unique and central position in the local and state justice structure. It serves as a linchpin of the criminal and juvenile justice systems and is the one justice system partner that regularly collaborates with all stakeholders as an offender moves through the system. Probation connects the many diverse stakeholders, including law enforcement; the courts; prosecutors; defense attorneys; community-based organizations; mental health, drug and alcohol, and other service providers; the community; the victim; and the probationer.

Probation occupies a unique and central position in the justice system. It links the many diverse stakeholders, including enforcement; the courts; prosecutors; defense attorneys; community-based organizations; mental health, drug and alcohol, and other service providers; the community; the victim; and the probationer.

The role and identity of probation departments have evolved substantially over the years, with developments in the past decade showing extraordinary innovation in the face of fiscal challenge. Substantial variation exists in the types of services offered in each of the 58 counties. While state law mandates certain probation services in all counties, other programs are tested on a pilot or otherwise limited-term basis, supported by a fixed cycle of grant funding.<sup>54</sup> Local needs, community requirements, funding constraints, and the absence of statewide standards in most core program areas<sup>55</sup> have encouraged the growth of services and programs that best fit local needs.

<sup>54</sup> See appendix H.

<sup>55</sup> While statewide standards are in place in some areas such as custody facilities and staff training requirements, for other major program considerations, such as caseload, there are no mandated state guidelines. The task force recognizes (see fundamental principle 4) that further examination of the viability and efficacy of standards in other core areas may be beneficial and has drafted standards and guidelines at appendix I that may serve as a starting point for this effort.

## *GOVERNANCE*

In 57 of the 58 counties, a single CPO has oversight and supervisory responsibility for the adult and juvenile services provided by the probation department. The City and County of San Francisco is unique in that it maintains separate adult and juvenile probation departments, each with its own CPO. In the vast majority of the counties, the court appoints the CPO. Structurally, however, probation departments are county agencies financed by the local executive branch, and the CPO is a county official who hires staff according to county procedures. This bifurcated governance system results in a wide range of variations in policies, procedures, and facilities among probation departments within California.

### *The CPO Appointment Process*

The formal CPO appointment process is not uniform throughout the state, and in many instances, informal practices—including collaborations with and consultations among courts, county officials, and other key stakeholders in appointment and removal decisions—have evolved, making exact accounting of official procedures in each county somewhat difficult.<sup>56</sup> Based on results from the task force's January 2001 survey, and taking into account a change in one county's charter,<sup>57</sup> it appears that the CPO is appointed and removed by the courts in 51 of California's 58 counties.<sup>58</sup> The counties in which the local board of supervisors now appoints the CPO<sup>59</sup> include major population centers such as Alameda, Los Angeles, and San Diego. In terms of the numbers of counties, the court-appointed CPO model is clearly prevalent; however, the county-appointed CPO model applies to jurisdictions that supervise a significant number of probationers in California. In the City and County of San Francisco, the court appoints the adult CPO, and a county commission appointed by the mayor appoints the juvenile CPO.

In part, the differences in appointment practices stem from statutory ambiguity and differing statutory interpretations. Statutory language can be interpreted to allow four methods of appointment and removal of the CPO: (1) county appointment authorized by

---

<sup>56</sup> The following statutes govern California's chief probation officer appointment process: Welf. & Inst. Code, §§ 225, 270, 271; Pen. Code, §§1203.5, 1203.6.

<sup>57</sup> The California Constitution recognizes two types of counties: general law counties and charter counties. General law counties adhere to state law as to the number and duties of county elected officials. Charter counties, on the other hand, have a limited degree of home rule authority that may provide for the election, compensation, terms, removal, and salary of the governing board; for the election or appointment (except of the sheriff, district attorney, and assessor, who must be elected), compensation, terms, and removal of all county officers; for the powers and duties of all officers; and for consolidation and segregation of county offices.

<sup>58</sup> Task force survey results indicate that the board of supervisors appoints in the following counties: Los Angeles, Marin, San Diego, San Luis Obispo, Ventura, and Yolo. In addition, voters in Alameda County approved a charter amendment on the November 2002 ballot that shifted the CPO appointment and removal authority to the board of supervisors.

<sup>59</sup> Welf. & Inst. Code, § 271.

county charter with relevant governing authority,<sup>60</sup> (2) county appointment authorized by county merit or civil service system with relevant governing authority,<sup>61</sup> (3) court appointment by the juvenile court presiding judge after nomination by the juvenile justice commission,<sup>62</sup> and (4) court appointment of the adult probation officer by the trial court presiding judge or a majority of judges as applicable in charter counties.<sup>63</sup> Although the court appoints the vast majority of CPOs, the method by which the CPO is appointed varies. Courts have different interpretations of the role of the juvenile justice commission (e.g., whether the commission's nominations are binding or whether they serve to give the court guidance) and of the statutory basis for the appointment (e.g., whether the CPO should be appointed under the Welfare and Institutions Code, the Penal Code, or both). A second complication is that any given court or county may rely on the appointing authority under a specific statute, but as a practical matter, it may use a system that is all together different. In many jurisdictions, informal practices and traditions have evolved that may include the participation of other stakeholders in the appointment process. Therefore, the task force recognized the need to work toward clarity and uniformity in this area, while leaving appropriate flexibility for charter counties.<sup>64</sup>

The task force surveyed courts, counties, and probation departments regarding the local appointment process.<sup>65</sup> The majority of respondents indicated awareness that the court principally has the statutory authority to appoint the CPO. Most respondents also described varying levels and methods of communication between the court and county government regarding the CPO selection and appointment process. Task force members viewed this type of communication and partnership as a positive indication that a solid basis exists for encouraging further collaboration in this process. Existing communication and collaboration models include the involvement, depending on the appointing entity, of some or all of the following partners: the local juvenile justice commission,<sup>66</sup> various configurations of the bench (e.g., one judge, the presiding judge of both the juvenile and criminal divisions, or a committee of judges), the board of supervisors, court executives, and county administrative officers.

Almost half of the survey respondents indicated that the appointment system works very well. In many of the counties where respondents indicated satisfaction with the appointment process, respondents pointed to existing partnerships involving the major stakeholders in the appointment process as the key to its effectiveness.

<sup>60</sup> *Ibid.*

<sup>61</sup> *Ibid.*

<sup>62</sup> Welf. & Inst. Code, § 270; Welf. & Inst. Code, § 225, mandates that each county have a juvenile justice commission and sets forth the composition of such commission and appointment process.

<sup>63</sup> Pen. Code, § 1203.5.

<sup>64</sup> For the purpose of this report, discussion of the current appointment process will reference court and county appointment, without distinguishing the appointment method.

<sup>65</sup> See Stakeholder Survey Results, pp. 60–70.

<sup>66</sup> As mandated in Welf. & Inst. Code, § 270, “Probation officers in any county shall be nominated by the juvenile justice commission of such county in such manner as the judge of the juvenile court in that county shall direct, and shall be appointed by such judge.”

The stakeholder survey sought input on individuals' impressions of the current CPO appointment system. Almost half of the respondents indicated that the appointment system works very well. In many of the counties where respondents indicated satisfaction with the appointment process, respondents pointed to existing partnerships involving the major stakeholders in the appointment process as the key to its effectiveness.

#### *The CPO Evaluation Process*

The task force also surveyed courts, counties, and probation regarding the current CPO evaluation process.<sup>67</sup> Of the responding counties, 36 of 55 (65 percent) indicated that a formal CPO evaluation process exists. Authority for conducting evaluations in most cases (85 percent) resides with the judiciary. According to the survey, the executive branch conducts approximately 25 percent of the CPO evaluations, indicating that in some counties in which the court appoints the CPO, the executive branch is responsible for evaluating the CPO. Of the jurisdictions that perform formal CPO evaluations, irrespective of the entity responsible for the evaluation, 77 percent conduct the performance assessments annually. County employee performance instruments and procedures are often used for purposes of evaluating the CPO. In some counties where no formal evaluation process exists, an informal process has developed. Twenty of the 55 responding counties have an informal process for evaluation of the CPO. In most instances, the presiding judge conducts this evaluation. In almost two-thirds of the counties where such an informal system has developed, the evaluation is conducted solely by the judiciary. The frequency of informal evaluations varies, ranging from three to five years, to "as needed," to "weekly meetings with judiciary."

The task force recognized the importance of the evaluation and addresses this issue in Recommendation 4 pertaining to mission statements with goals and objectives.

#### *The CPO Removal Process*

Pursuant to Welfare and Institutions Code section 270, "[p]robation officers may at any time be removed by the judge of the juvenile court for good cause shown; and the judge of the juvenile court may in his discretion at any time remove any such probation officer with the written approval of a majority of the members of the juvenile justice commission." In response to stakeholder survey questions on the CPO removal process,<sup>68</sup> more than half reported that CPOs serve "at will"—an employment status usually undertaken without a contract and that may be terminated at any time, by either the employer or employee, without cause.<sup>69</sup> It should be noted that other employment arrangements may be negotiated at the local level and that litigation has occurred following CPO termination centering on issues related to alleged violations of other employment law provisions.

---

<sup>67</sup> Stakeholder Survey Results, pp. 63–65.

<sup>68</sup> *Id.* at p. 66.

<sup>69</sup> Black's Law Dict. (7th ed. 1999) p. 545.

Over half of the survey respondents stated that their counties have no formal process for CPO removal. In counties where a formal process for CPO removal is in place, 26 of the responding counties (69 percent) reported that the judiciary conducts the formal removal of the CPO. In 13 percent of the responding counties, the judiciary and juvenile justice commission jointly conduct the removal process. The board of supervisors conducts the removal process in the remaining 18 percent of the counties that responded to the written survey. In 25 counties, the process for CPO removal relies on written county standards and rules as guidelines regardless of which entity—the court or the county—carries out the removal. In 8 counties (36 percent of the responding jurisdictions), removal is based entirely on judicial discretion, meaning that the basis upon which removal is recommended and carried out potentially could vary quite substantially among these jurisdictions. Responses to survey questions regarding how disagreement over the appointment, evaluation, discipline, and removal processes is handled revealed that in some counties relationships between the judicial and executive branches of state government are strained.

The task force carefully examined and vigorously discussed stakeholder input on the issues surrounding governance. With respect to the current appointment, evaluation, discipline, and removal processes for the CPO, stakeholder input informed the larger discussions on both current and potential alternative models for probation governance.

#### *PROBATION FUNDING SOURCES*

As previously noted, probation departments in California do not enjoy a stable, reliable funding base. The six-county snapshot study conducted in September 2000 indicated that although there had been a dramatic increase in total probation department spending in the previous five fiscal years, budget augmentations, for the most part, have been supported by fee increases and federal and state fund contributions. While net county general-fund contributions to probation increased during this same period of time, the percentage of county general-fund contributions in overall probation budgets decreased. Counties in the snapshot study reported that overall increases ranged from 24 to 83 percent. The general-fund contributions to the total budget ranged from 35 to 58.3 percent. Four of the six departments receive general funds of less than 50 percent of the total budget, with one department receiving less than 40 percent. With the exception of one unreported department, all others indicated that general-fund contributions have decreased as a percentage of their total budgets.

Probation departments in California do not enjoy a stable, reliable funding base. Although during the late 1990s, up until the fiscal crisis that emerged in 2002, total probation department spending increased dramatically, budget augmentations, for the most part, have been supported by fee increases and federal and state fund contributions. In addition, a substantial amount of probation funding is limited term. In the face of the current economic climate, probation—like all county departments—is unlikely to see any growth in the foreseeable future.

Looking back to the passage of Proposition 13 in the late 1970s and the corresponding decrease in county revenues, it is evident that probation department resources have diminished dramatically. Adult and juvenile probation services were, in many counties, reduced to a bare minimum. With very limited resources, ensuring basic public safety was the first priority; departments then were forced to make other budgetary decisions based on local requirements as to the allocation of any remaining resources.

As resources increased during the latter half of the 1990s—a period of extraordinarily strong economic growth in California—probation departments integrated new and innovative services and programs with the support of increased state and local funding. State support has chiefly been targeted at the juvenile service area, such as at programs funded through the Juvenile Crime Enforcement and Accountability Challenge Grant Program<sup>70</sup> and the Juvenile Justice Crime Prevention Act (JJCPA).<sup>71</sup> As a result of the funding priorities determined at the state level, juvenile prevention and early intervention programs have become core services for many probation departments; however, a substantial amount of this funding, including the two examples just cited, is limited term. Indeed, the Challenge Grant Program has been terminated, and the JJCPA, although proposed for continued funding in the Governor's 2003–04 budget, is by no means guaranteed. Probation departments hasten to point out that many of their personnel are funded through specialized grant dollars, and that if this funding were discontinued, there would no longer be a ready revenue source to sustain these positions.

While an increased focus on juvenile supervision and rehabilitation is generally recognized as beneficial to the recipient probationers, the somewhat overbalanced

It is widely believed that resources currently devoted to adult probation services are largely inadequate.

emphasis on juvenile services means that the limited number of remaining staff and resources is often sorely insufficient to properly supervise the adult probation population. Results from outreach efforts indicate that all jurisdictions reported some measure of banked caseloads, which often includes a significant population of serious—even violent—offenders in need of direct and intensive supervision. It appears that resources currently devoted to adult probation services are largely inadequate.<sup>72</sup>

<sup>70</sup> Stats. 1996, ch. 133; Stats. 1998, chs. 500, 502.

<sup>71</sup> Stats. 2000, ch. 353; 2001–2002 Budget Act (Stats. 2001, ch. 106); and 2002–2003 Budget Act (Stats. 2002, ch. 379).

<sup>72</sup> Six County Executive Summary, p. 8.

The current reliance on grant money for special programs and services will, of necessity, diminish when this funding stream is discontinued. In the 1970s, probation departments across the nation faced a serious financial and programmatic setback. At that time, a federal program, the Law Enforcement Assistance Administration (LEAA), provided substantial financial support to state and local probation departments. When that funding stream ended, many progressive probation programs that had received LEAA support were eliminated. As a result, the reputation of probation was severely damaged, and it took more than a decade to recover from the loss of service.<sup>73</sup>

California is now in a period of extraordinary fiscal crisis owing to a confluence of economic factors, including a critical reduction in revenue statewide and a major economic slowdown on the national level. Currently, the projected budget deficit for the remainder of fiscal year 2002–03 and for fiscal year 2003–04 is \$38.2 billion.<sup>74</sup> As a result, it is highly likely that state and county contributions to probation will decline steeply in the immediate future. Unfortunately, in periods during which funding available to probation decreases, the need for probation often increases—research shows that when the economy experiences a downturn, crime increases, thereby further taxing the services of probation.<sup>75</sup> Task force members were unanimous that probation departments must have adequate and stable funding to ensure success in delivering their critical services. This area clearly presents one of the major challenges that lie ahead in formulating a new model for probation in California.

Task force members were unanimous that probation departments must have adequate and stable funding to ensure success in delivering their critical services. This area clearly presents one of the major challenges that lies ahead in formulating a new model for probation in California.

It is important to note that even without substantial infusion of fiscal support, probation departments can make positive gains by maximizing resources, implementing innovative programs modeled in other jurisdictions in the state, and reallocating resources.

---

<sup>73</sup> Stakeholder Survey Results, pp. 46–47.  
<sup>74</sup> Governor’s May Revision, 2003–04 State Budget, p. 3 <[http://www.dof.ca.gov/HTML/BUD\\_DOCS/May\\_Revision\\_2003\\_www.pdf](http://www.dof.ca.gov/HTML/BUD_DOCS/May_Revision_2003_www.pdf)> (as of May 20, 2003).  
<sup>75</sup> North Carolina Wesleyan College <<http://faculty.ncwc.edu/toconnor/301/301lect07.htm>> (as of Dec. 20, 2001).

### *Identifying the Cost of Probation*

In an attempt to assess the total cost of probation, the task force drew on the expertise of probation business managers and the AOC Finance Division. Initially, the task force reviewed the annual revenue survey<sup>76</sup> prepared by the Santa Clara County Probation Department on behalf of the Probation Business Managers' Association. However, the task force quickly discovered that the revenue survey does not include expenses associated with probation that are not reflected in the probation department budget (e.g., general overhead costs), which are assumed in other county department budgets. Additionally, probation departments have no uniform standards for classifying revenues and expenditures, making comparisons among and between departments difficult. In an attempt to gauge the true cost of probation in a sample of counties and develop standard elements for comparison, the task force sought the assistance of the AOC Finance Division, which, through the process of establishing a statewide trial court budget management process, has developed significant expertise and knowledge. The Finance Division drafted a fiscal questionnaire that attempted to identify actual costs of probation in a sample of counties. The task force shared this fiscal survey with CPOs and probation business managers and determined that such a survey should not be undertaken at this time. The task force recognized the complexity of such a survey and the need for additional research, as outlined in section VI, and concluded that it was not feasible to complete the survey prior to the anticipated publication date of this report.

### *MISSION STATEMENTS WITH GOALS AND OBJECTIVES*

The task force's outreach efforts also provided illuminating information on operational practices that appear to enhance the delivery of probation services. One of these practices is the development of meaningful mission statements that include goals and objectives. Survey results indicate that most counties have written mission statements for probation departments. More than half of the mission statements were written in the past 5 years. Almost one-third of the counties have not developed a written mission statement in the past 10 years. Half of the responding counties that do have a mission statement also undertake an annual review of existing mission statements.<sup>77</sup> Further discussion of the importance of mission statements and related recommendations appears in section V of this report.

---

<sup>76</sup> Fiscal Year 2000–2001 Revenue Survey of California Probation Departments, prepared by the Santa Clara Probation Department.

<sup>77</sup> Stakeholder Survey Results, p. 31.

## CALIFORNIA'S CASELOAD DILEMMA

The size of probation departments varies widely throughout the state, as do caseload sizes both between and within counties. Information gathered during site visits, focus-group outreach efforts, and surveys indicates that most counties have no system in use to equalize workload distribution to probation staff. Some jurisdictions have caseload size limitations, but none has objective workload standards to ensure that workload is distributed in an equitable manner.

Most counties have no system in use to equalize workload distribution to probation staff. Some jurisdictions have caseload size limitations, but none has objective workload standards to ensure that workload is distributed in an equitable manner.

Written survey responses in which probation departments self-reported on the size of sworn staff showed a range of authorized DPOs or equivalent employees per department from 2 to 4,800.<sup>78</sup> These departments also reported average daily numbers of supervised probationers ranging from under 500 to more than 83,000. Because of the wide divergence in probation department size, the task force recognized that a variety of solutions and strategies should be considered when discussing the issues facing large-, medium-, and small-sized probation departments.

Stakeholders repeatedly stated their concerns with the caseload situation in California. Several themes emerged: First, caseloads are too high. Second, grant-funded programs often require probation officers to supervise a specified, small number of offenders, which reduces the number of probation officers available for supervising the general probation population. This phenomenon, in turn, leaves the remaining probation officers who supervise the general population with high caseloads. Third, many stakeholders are concerned about the possible negative impact of new laws, including major initiative statutes, that could lead to increases in the number of probationers. Finally, another recurring comment raises issues related to the potential liability and negative impact on victims associated with a large number of banked, unsupervised probationers.

Many counties have more than one method of assigning cases, but almost half of the counties that responded to the survey make assignments according to specialized case type. Methods used to distribute caseload include assignment by specialized case type, rotation, amount of work, and geographic factors. When probation departments are unable to supervise all court-assigned probationers, the practice used throughout most counties is to bank cases, which places probationers under less intensive or virtually no supervision. CPOs faced with management issues regarding the most effective use of limited resources frequently choose specialized intensive supervision for certain high-need populations (e.g., sex offenders, drug-involved offenders, gang violence offenders,

---

<sup>78</sup> Stakeholder Survey Results, pp. 9–19; Los Angeles Probation Department <[http://probation.co.la.ca.us/information\\_track/aboutthedept.html](http://probation.co.la.ca.us/information_track/aboutthedept.html)> (as of Nov. 28, 2001).

and domestic violence offenders), meaning that DPOs with general caseload assignments often carry a very high number of cases.<sup>79</sup> In most instances, the specialized intensive supervision caseloads are considerably smaller than regular probation caseloads, often because program requirements define a specific caseload ratio.<sup>80</sup>

Probation departments report that for many years adult misdemeanants simply have not been a priority because of the severely limited resources available to supervise adult offenders.<sup>81</sup> Out of necessity, probation departments focus on felons and other serious offenders. However, it is important to point out that adult misdemeanants may have been charged with a more serious crime, but later plea bargained in exchange for a misdemeanor violation. While misdemeanor probationers are likely to be placed in banked caseloads where they receive little or no supervision, they may indeed be disposed to commit serious crimes.<sup>82</sup>

Compared with adults, a substantially larger proportion of juvenile probationers had misdemeanor charges.<sup>83</sup> Probation departments have determined that intensive supervision services can break the cycle of juvenile crime and divert youths from an eventual progression into the adult criminal system. As discussed earlier, many counties in California already emphasize prevention, diversion, and front-end services for juveniles. This community approach has proven to be an excellent way of maximizing available resources.<sup>84</sup> The lower caseloads that often accompany the use of specialized and intensive supervision programs also are another important element in the successful supervision and rehabilitation of the juvenile probation population.

### *Strategies for Managing Workload*

The task force recognizes that to optimize probation services, caseloads must be at a manageable level. Workload measure rather than caseload size is the most accurate and effective gauge for equalizing work distribution among probation officers.

Workload measure rather than caseload size is the most accurate and effective gauge for equalizing work distribution among probation officers.

A common theme emerged during outreach events underscoring the difficulties probation departments face when they receive inadequate funding but are simultaneously expected to provide higher levels of service. The task force recognized that a close examination of workload and assessment

<sup>79</sup> Stakeholder Survey Results, p. 21.

<sup>80</sup> *Id.* at p. 23.

<sup>81</sup> *Id.* at p. 5.

<sup>82</sup> *Ibid.*

<sup>83</sup> *Ibid.*

<sup>84</sup> *Challenge Grant I Program Evaluation* <[http://www.bdcorr.ca.gov/cppd/challenge%20grant%20II/interim%20report/program\\_evaluation.htm](http://www.bdcorr.ca.gov/cppd/challenge%20grant%20II/interim%20report/program_evaluation.htm)> (as of Nov. 27, 2001).

of the viability and feasibility of standards were critical components of its charge. The task force is very concerned that probation departments have the ability to develop and define more realistic expectations relating to workload; however, a more thorough statewide examination is necessary to develop a proper implementation strategy. In the sections that follow, the task force offers findings that potentially could assist probation departments in the short term in addressing chronic workload challenges.

### *THE WORK OF PROBATION*

To gain a better understanding of the day-to-day operations of probation, particularly by those members who do not work directly in the field, the task force was provided with comprehensive briefings on the breadth of probation departments' responsibilities. This section details the statutory authority and the scope of required duties of probation departments.

Adult and juvenile probation services operate largely under separate statutory guidelines, specifically the Penal Code and the Welfare and Institutions Code, respectively. However, the Penal Code and the Welfare and Institutions Code do not completely delineate the scope of probation services. Other codes, such as the Administrative Code, Civil Code, Code of Civil Procedure, Family Code, and Probate Code, assign additional responsibilities. In an attempt to understand the complexity of probation services and the competing priorities placed on probation departments, in summer 2002 the task force compiled a list of laws and mandates relevant to probation.<sup>85</sup> This document does not enumerate every statutory reference to probation, nor does it include case law summaries related to probation. It does bring together those laws and mandates that delineate the bulk of probation's work. The task force anticipates that this document will serve as the basis of an effort to examine and make recommendations to improve the delivery of probation services for the benefit of probationers, communities, victims, and the courts.

Probation agencies are responsible for a variety of tasks. While the manner in which these tasks are performed may vary from county to county, general responsibilities can be grouped into the following categories:

- Intake and investigation services;
- Offender supervision services;
- Other services; and
- Custody services.

---

<sup>85</sup> See appendix H.

### *Intake and Investigation Services*

The role of probation officers begins before adult and juvenile offenders are placed on probation. Probation has responsibility for conducting bail and own-recognition investigations and reports, pretrial investigations, presentence investigations, and intake services. In some larger probation departments, probation officers specializing in these areas perform these tasks, but in some smaller counties, probation officers' intake and investigation duties may be combined with other probation responsibilities.

### *Offender Supervision Services*

Probation departments are responsible for supervising offenders in their jurisdiction. In addition to supervising probationers who commit an offense in their jurisdiction, probation departments also provide courtesy supervision of offenders who are on probation for offenses committed in other counties or states. There are as many activities that constitute offender supervision as there are differences in how the tasks may be carried out from county to county. All counties provide intensive supervision services for some offenders. Some type of specialized caseload supervision is provided in all counties, although the types of caseloads (e.g., drug-involved offenders, domestic violence offenders, and gang members) vary considerably.

Through its outreach efforts, the task force was able to identify many exemplary service programs. Many of these practices and programs involve partnerships with key community stakeholders and depend on a common commitment to the overriding goal of assisting probationers, victims, and communities. Practices and programs vary across the state due to variation in local need and resources. While a probation department serving a large jurisdiction may be able to create specialized programming for a particular offender population, probation departments in smaller jurisdictions may not have the resources or offender population to justify specialized services and programs. While at this time the task force is not recommending specific practices, the exemplary services and programs listed here may be appropriate for probation models in place now or in the future.

### **Exemplary Services and Programs**

*Through its examination and reports from the snapshot study and site visits, the task force noted numerous exemplary service programs that are currently being implemented in probation departments. Examples include, but are not limited to, the following:*

- Adult and juvenile drug courts;
- Domestic violence programs;
- Electronic monitoring;
- Juvenile automation systems;
- School campus partnerships;
- Neighborhood accountability boards;
- Wrap-around services programs for juveniles and families;
- Juvenile restorative justice programs;
- Continuum of sanctions programs for juveniles;
- Teen or peer courts;
- Partnerships between juvenile probation and public/private juvenile-serving agencies;
- Alternatives to juvenile detention;
- Systems management advocacy resource teams for juveniles; and
- Partnerships with other government branches working to maximize limited resources.

#### **Adult Services**

Section 1203 of the Penal Code defines probation for adults as “the suspension of the imposition or execution of a sentence and the order of conditional and revocable release in the community under the supervision of a probation officer.” Section 1203 also lays out the responsibilities of probation departments for adult offenders. Data indicates that most counties already have in place basic services for most adult offenders.<sup>86</sup> Many adult participants in the criminal justice system never encounter probation because they are misdemeanants. Probation provides supervision for adult offenders who are granted probation by the court, including those with domestic violence and drug offenses that are assigned to a specialized calendar. Survey responses show that adult drug courts are evolving into a core service of adult supervision. The probation officer’s participation in adult criminal matters is very different from his or her role in the supervision of juvenile probationers.

#### **Juvenile Services**

The Welfare and Institutions Code sets out the purpose of juvenile probation as follows: “(m)inors under the jurisdiction of the juvenile court as a consequence of delinquent conduct shall, in conformity with the interests of public safety and protection, receive care, treatment, and guidance that is consistent with their best interest, that holds them accountable for their behavior, and that is appropriate for their circumstances.”<sup>87</sup> Chapter

<sup>86</sup> Stakeholder Survey Results, p. 25.

<sup>87</sup> Welf. & Inst. Code, § 202(b).

2 of the Welfare and Institutions Code is the primary statutory authority for juvenile procedures and serves as an indispensable legal reference for all persons involved directly or indirectly in juvenile services. However, even though the same laws bind all California counties, the administrative procedures relating to the implementation of these laws are not always found in the statutes or the California Rules of Court. Instead, the manner of implementation and service levels vary from county to county, depending on local practices, needs, and resources.

An important distinction between adult and juvenile probation is the way in which the probationer is referred to the system. A referral to juvenile probation can come from law enforcement, parents, schools, or other community agencies, but in adult probation, the referral to the probation department is always made by the court and, generally, only after the defendant's conviction. Following a juvenile referral, the probation officer will assist the court by investigating and reporting back to the court with a recommendation for a just disposition or disposition consistent with the safety and best interests of the community. Many juvenile cases never make it to court but are instead diverted to informal probation, conditionally dismissed, or counseled and dismissed. It is the responsibility of the juvenile probation officer to deal with a juvenile both before and after his or her disposition, but the responsibility of adult probation officers focuses exclusively on what to do after an adult is convicted of a crime. In either instance, if probation is granted, the probationer is placed by the court under the supervision of the probation officer for a specified period of time and under specific terms and conditions imposed by the court.

The task force recognizes that greater resource availability for juvenile services permits and encourages innovation and collaboration. The many exemplary programs and

The task force recognizes that greater resource availability for juvenile services permits and encourages innovation and collaboration. The many exemplary programs and services for juveniles are readily transferable to the adult population should the funding and resources necessary to carry them out at that level be available.

services for juveniles are readily transferable to the adult population should the funding and resources necessary to carry them out at that level be available.

Another important function of probation agencies is to provide treatment and other services directly to offenders or, in many cases, to refer offenders to appropriate community agencies. In many instances, juveniles placed in non-restrictive and/or treatment facilities are in foster care placement and are

treated similarly to children in dependency foster care placement. Because of the strong correlation between substance abuse and crime, probation agencies provide services or refer offenders to substance abuse treatment. Many agencies contract for counseling services for offenders, and many have job development programs. Some agencies also provide education programs for driving-under-the-influence offenders.

### *Other Services: Collections and Victims Services*

Probation departments are frequently involved in the collection of money from offenders for restitution, fees, and fines. Even if probation agencies do not actually collect funds, some assess offenders' ability to pay or may be responsible for supervising offenders' monetary obligations and enforcement of payments. Probation departments also may delegate responsibility for collection to a central county collection agency. Often, the differences in services provided depend on the size of the county.

Many California probation departments provide services for victims of crime, although there are models in which another county agency, such as the district attorney's office, carries out this function. It is widely recognized that including and helping victims as part of the justice process is critical, and that it represents an important component of a balanced and restorative justice approach to probation.

### *Custody Services*

As described in further detail in the following paragraphs, responsibility for custody facilities is a core function of probation departments. Generally, this responsibility extends to three types of facilities—juvenile halls, county ranch/camp facilities, and adult work furlough facilities—as well as electronic monitoring programs. Although less common, some probation departments may operate day treatment centers, and, in one county, a regional treatment facility is available for high-need juvenile offenders. The sheriff's department has involvement in some of the custody services in certain counties.

#### **Juvenile Halls**

Probation departments are responsible for the juvenile hall facilities where youthful offenders under the juvenile court jurisdiction are temporarily detained as they go through the court process or are committed by the court. More than 10,000 juveniles are admitted to juvenile hall each month, with the length of stay averaging 30.7 days, according to the most recently available data.<sup>88</sup> Juvenile halls are generally used only for temporary detention assessment, for short court commitments, or as a detention alternative while a juvenile awaits other placement. When it becomes necessary to remove juveniles from the community or from parental custody, they may be placed in foster homes or private facilities, committed to county camps or ranches, or committed to the California Youth Authority (CYA).

---

<sup>88</sup> California Board of Corrections, *Juvenile Detention Profile Survey Report, 3<sup>rd</sup> Quarter Report 2002*. <[http://www.bdcorr.ca.gov/fsod/juvenile%20detention%20survey/2002/quarter\\_3/survey\\_results.pdf](http://www.bdcorr.ca.gov/fsod/juvenile%20detention%20survey/2002/quarter_3/survey_results.pdf)> (as of December 30, 2002).

### **County Ranch/Camp Facilities**

While most counties have juvenile halls, fewer have ranch or camp facilities. Ranch and camp facilities provide a local placement option for juveniles with a history of serious or extensive delinquent behavior. The stay in a camp or ranch facility now averages 112.5 days.<sup>89</sup> Generally, when a stay at a ranch facility is required, juveniles are under close supervision and required to participate in education and treatment programs. Failure to comply with conditions may result in termination of probation and possible commitment to CYA.

### **Adult Work Furlough Services**

Some probation departments are also responsible for operating adult work furlough programs. In these types of programs, probationers live in a facility under close supervision but are allowed to go to jobs during working hours. Programs generally combine close supervision with a rehabilitation element to ensure public safety.

### **Electronic Monitoring**

Increasingly sophisticated technology is making the close surveillance of offenders in the community easier and more affordable. Electronic monitoring provides the probation department with an alternative to in-custody supervision and is considered a very viable, economical option on the custody continuum. While it is impractical to have probation officers constantly watching offenders, electronic surveillance tools permit heightened surveillance at a fraction of the cost of traditional supervision. Many probation departments make use of electronic monitoring in conjunction with other forms of supervision, thus freeing time for probation officers to attend to the offender's rehabilitation needs while maintaining public safety.

### *PROBATION EMPLOYMENT ISSUES*

Although the task force charge does not specify a review of employment issues, the task force recognized early in its examination that employment issues are integrally connected to the delivery of quality services. During outreach efforts and task force discussions, a broad range of employment issues was raised. A complete assessment of probation employment issues was well beyond the scope, available time, and resources of the task force.<sup>90</sup> However, the task force determined that it was critical to undertake a preliminary assessment of the most prevalent probation employment issues. There is a clear recognition that employment issues affect service delivery and the perceptions of the community, victims, probationers, and the employees themselves regarding the probation system.

---

<sup>89</sup> *Ibid.*

<sup>90</sup> Task force members noted the somewhat analogous effort of the Task Force on Trial Court Employees (see <http://www2.courtinfo.ca.gov/tcemployees/>), which was a separate, statutorily created body (Stats. 1997, ch. 850) tasked with examining employment issues following the realignment of the responsibility for trial court operations. The work of the employee task force suggests the complexity and scope that might be expected in a comprehensive examination of probation employment issues.

### **Employment Issues**

*The task force identified and recognized major areas of concern relating to probation employees. These issues include, but are not limited to, the following:*

- Employment standards, including experience and education requirements;
- Sufficiency of training and safety equipment;
- Support for probation as a provider of essential community services;
- Sufficiency of pay and benefits to acknowledge and compensate the professional status of probation officers and custody facility employees; and
- Recruitment and retention of probation employees.

#### *Education and Experience*

Many stakeholders expressed great concern over the issue of qualification requirements for potential new probation employees and how these requirements related to compensation. Some observed that educational standards set for new probation employees are inequitable when compared to the hiring requirements for other justice system employees. For example, in most counties probation officers are required to have a college degree, while most law enforcement agencies do not require more than a high school diploma, yet law enforcement officers often receive higher salaries. Many job functions of probation and other peace officers are similar—performing investigations, making arrests, and protecting the public—and they generally work with the same clientele. The task force felt that this issue should be examined closely to remedy what is perceived by many to be a disincentive to probation employee recruitment.

The education and experience of the CPO also was raised as a critical issue. Stakeholders voiced strong concerns that department heads should be required to meet certain minimum educational standards and bring to the position appropriate experience and background in probation. The task force recognized that a statewide standard on the qualifications of the CPO might be appropriate at a future date if probation were to function under a state probation model. However, the task force, cognizant of the need for local flexibility, particularly under the current county-based system, deferred discussion on the merits of qualification standards.

### *Training*

From the late 1970s to the early 1990s, when probation departments were faced with diminishing resources, many agencies greatly, if not completely, reduced recruitment of new officers.<sup>91</sup> As a result, many probation departments now are faced with a gap in staff experience; with a wave of officers reaching retirement age, departments are left with very few staff members who have more than 10 years of experience. The remaining probation staff, for the most part, consists of probation officers with 5 or fewer years on the job. The result of this experience gap is that there are few journey- or mid-level employees to mentor younger, less experienced staff. Senior management has the added pressure of ensuring that the quality of probation managers and line staff services is maintained at an acceptable level of performance.

Many stakeholders have the perception that the training for new probation staff is insufficient. Many probation employees stated that they are being required to work beyond areas of training and expertise. Some stakeholders stated that there is a need for more training in mental health issues and perhaps even collaborative training with partner organizations. It should be noted that at the time of this writing, a statewide reimbursement program, the Standards and Training for Corrections Program (STC), has been proposed for elimination from the 2003–04 state budget. Since 1980, the STC program has supported critical skills development training for probation and sheriff department personnel who staff adult and juvenile detention facilities across the state. The elimination of this program would represent a \$16.8 million reduction in state reimbursements that help local agencies offset travel, tuition, per diem, and staff replacement costs associated with the training of probation and correctional officers. If this budget reduction is imposed, probation departments will face yet another extraordinary challenges in ensuring the delivery of quality services.

### *Equipment and Technology Issues*

Stakeholders frequently raised concerns regarding the provision of appropriate safety equipment to deputy probation officers. These discussions centered on both arming and the availability of tools necessary for probation officers to do their job. The current statutory framework<sup>92</sup> allows arming decisions to be made by the CPO at the local level, in a context in which the best information about the safety issues presented in that county can be considered. In view of the task force's fundamental principle 3, which emphasizes local control, the current statutory framework for arming appears appropriate.

---

<sup>91</sup> Stakeholder Survey Results, pp. 46–47.

<sup>92</sup> Pen. Code, § 830.5.

In addition, other safety equipment may be provided to probation employees when it is appropriate. The task force recognizes the need for probation to make the best use of available and innovative technologies to enhance service delivery. There are a number of tools and technologies that could be more fully integrated in a cost-efficient manner to deliver services more efficiently. Depending on local needs and circumstances, equipment and technologies such as cell phones, laptop computers, personal digital assistants, and automatic downloading by phone linkage could benefit local probation departments and lead to improved services delivery and working conditions for probation employees.

### *Probation Status*

Task force members devoted considerable discussion to public perception and the status of probation. During stakeholder events, many comments surfaced indicating that probation does not share the status of other public safety agencies in the community. Task force members recognize the need to address the status of probation in the community, encourage discourse about the unique and critical role of probation, and raise public awareness about the services and functions of probation agencies. A key function of the task force examination is to educate, and to encourage the ongoing education of, policy makers, the public, and probationers about probation, with a view toward enhancing the status of the system statewide.

The task force recognizes the need to address the status of probation in the community and to raise public awareness about the unique services and functions of probation departments.

In some jurisdictions outside of California, probation departments, as part of larger efforts to improve and expand their role and status in the community, have undergone a name change. Views expressed by stakeholders and task force members indicate that changing probation's name to, for example, the Department of Community Justice, might be an important shift yielding several benefits. The new designation would enhance the standing of probation by emphasizing its unique dual role, and it would identify probation as an essential community partner in the justice system. A major shift in the delivery of probation services or significant governance reform may warrant consideration of a name change.

### *Recognition and Compensation*

Retirement benefits available to probation employees was another key issue raised by stakeholders in various outreach forums. Currently, decisions to extend safety retirement—which offers a higher retirement benefit to peace officers than to other public employees—to probation officers are made at the local level, meaning that in neighboring counties great disparities in benefits could potentially exist. While the task force recognizes that safety retirement and compensation levels for probation officers are

significant issues, it is also important to point out that these decisions are currently and, under the existing governance structure, most appropriately made at the local level. Pay and benefits also must be commensurate with responsibility.

### *Recruitment and Retention*

Several recruitment and retention problems were highlighted for the task force through outreach efforts. The identified source of the problems varied. Many stakeholders mentioned that differences in levels of compensation and retirement benefits across jurisdictions often attract probation officers away to other counties. Another common theme was the instability perpetuated by grant funding: departments are often forced to make limited-term hires for specific grant-funded programs, and this lack of certainty and job security undermines employees' loyalty and sense of permanency. Specific recruitment and retention issues identified include the following:

- Loss of employees to other county, state, and federal law enforcement agencies due to higher salary and benefits packages;
- An increasingly less experienced pool of employees;
- High turnover, with employees leaving for other justice system careers shortly after the department devotes significant training resources; and
- Lack of incentives for advancement within probation departments.

Further study and improvement should be made in the area of recruitment and retention of probation employees.

### *COLLABORATION*

An overriding theme arising in the surveys, interviews, forums, and meetings of the task force is that more cooperation, coordination, and partnership agreements result in better practices, services, and satisfaction by stakeholders. Repeatedly, stakeholders testified

An overriding theme arising in the surveys, interviews, forums, and meetings of the task force is that more cooperation, coordination, and partnership agreements result in better practices, services, and satisfaction by stakeholders.

that partnership programs are perceived to be the most successful and are the most accepted services. Many probation departments participate in a system of care with other county departments, including mental health, education, drug and alcohol, and child protective services, to better serve juveniles and their families. This collaborative approach is encouraged by the Legislature as a more

effective way to serve community needs. For example, counties are required to establish juvenile justice coordinating councils<sup>93</sup> to be eligible for specified grant funding. Although these councils are mandated in the juvenile arena, the task force discussed that it would be appropriate to broaden their purview to examine and address adult concerns.

---

<sup>93</sup> Welf. & Inst. Code, §§ 225, 749.22.

## *CONCLUSION*

This section sets forth some of the task force's core observations regarding the current operations and status of probation. It is understandable that, given the sheer size of probation populations in California and the historic underfunding of the system, a number of complex challenges threaten the efficacy and success of probation department services. While the task force has been substantially educated about these challenges, the issues presented will require additional time and study by courts, counties, and other stakeholders before a specific plan for restructuring the California probation system can be formulated and implemented. As discussed in the next section, the task force concluded that a statewide probation system that conforms to the fundamental principles set forth in section II promises to be of greatest benefit to courts, counties, and probationers. However, the task force also recommends that the counties and the branches of state government establish a body tasked with developing a specific, long-term reform model and an implementation plan.

Thus far, this report has discussed where probation began and detailed its current operations. The next section, "Probation Future," discusses the recommendations of the task force for the future evolution of probation.



# SECTION V

## Probation Future

This section introduces the key recommendations being set forth by the task force. In large part, these recommendations serve as a guide to the assessment of probation services in California and of a new model for probation services. The task force encourages all participants in the probation system to carefully examine the recommendations with a view toward working on implementation, where applicable, without delay.

### *FUNDING*

Probation departments are funded through a mix of federal and state grants, local funds, and offender fees. Probation department budget increases seen in the late 1990s and up to 2002 have been supported largely by one-time grants and other unstable funding sources. It is highly unlikely that counties will be able to increase needed probation department resources in the foreseeable future. As California navigates a period of severe fiscal uncertainty, the need for a stable funding base becomes increasingly critical.

**RECOMMENDATION 1: Probation departments must have stable and adequate funding to protect the public and ensure offender accountability and rehabilitation.**

### *GOVERNANCE*

One of the primary reasons the task force was created was to address governance issues. California is the only state in the nation to follow a strictly local operational model.<sup>94</sup> The governance of probation rests at the local level and is shared between the judicial and executive branches of local government. One of the principal functions of probation departments is to carry out orders of the court, and, in most counties, the CPO is appointed by the court. The task force learned through its outreach efforts that the prevailing opinion is that probation clearly aligns itself with the court and that probation officers clearly view themselves as an arm of the court. However, probation is a county department, with the CPO serving as a county department head, and the executive branch ultimately has budgetary, management, and fiscal responsibility for the operations of the probation department.

<sup>94</sup> B. Krauth and L. Linke, *State Organizational Structures for the Delivery of Probation Services* (June 1999) table 3: Primary Funding Sources for Adult Probation Services, p. 8.

California's bifurcated governance model places pressures on the system. Anecdotally, task force members learned that the CPO could be presented with conflicts owing to the "two masters" structure. The court, for example, could request that the probation department provide a higher level of service than the county is able to fund. Or the county could be unable or unwilling to fund the probation department at a level sufficient to provide a service requested by the court. Another potential byproduct of the governance structure is that a CPO who reports to two entities may also have a sense that neither entity can actively champion the cause of probation.

There is a broad sense among stakeholders that retaining maximum local flexibility in the area of governance is optimal. However, the task force concluded that the current governance structure is unsatisfactory in many respects. While members were able to arrive at this conclusion with relative ease, the next step—identifying an alternative to the existing structure—proved to be the biggest challenge facing the task force. The task force went to extraordinary efforts to outline a new model for probation in California that would ensure effective services, establish clear lines of responsibility, encourage collaboration among justice system partners, and secure adequate and stable funding.

#### *The Process Undertaken for Developing a New Model for Probation*

In addition to its information gathering through roundtable discussions and other outreach efforts, the task force examined probation models from across the United States and surveyed the probation department in every county in California. As the task force began looking at development of the California Probation Model, it became increasingly clear that probation does, in fact, function as an arm of the court, and that certain probation services are intrinsically linked to the courts. Probation departments also serve an equally important, yet distinct, role in detaining juveniles in correctional facilities and providing community prevention services—activities that are not traditionally associated with the judicial branch.

The task force delegated initial responsibility for examining alternative governance models to the governance subcommittee. The subcommittee began its analysis of possible models for probation's organizational and funding structure by identifying eight models that either existed in other jurisdictions or that appeared to contain other viable or desirable elements. The subcommittee identified the components of each model, determining the appointing, evaluation, and removal authority with respect to the CPO. The subcommittee also determined who would be responsible for liability, funding, and the administration of probation services under each model. The models that were analyzed include the following:

- Local or state commission;
- State executive;
- Local executive;
- State judicial;
- Local judicial;
- Elected;
- Combination (county level); and
- Combination (state level).

Following the identification and brief examination of all models identified by the governance subcommittee, the task force met and narrowed the focus of its examination. The task force spent the bulk of its time examining the three alternative models—(1) local, (2) court, and (3) state executive—that appeared to be in accord with the fundamental principles (see section II). Consistent with fundamental principle 1 of the task force, each model assumed that the appointing authority of the CPO and the fiscal responsibility for probation services are connected. The task force called on national probation experts and probation/correction officials from other states to provide information on the strengths and weaknesses of their respective systems. However, the task force recognized that the size and complexity of California necessitates creation of a system tailored to the needs of California rather than the adoption of a system that, despite showing successes in another jurisdiction, is not suited to the needs of this state.

Table 9 sets forth the three probation models examined by the task force and the variations within each model. These variations generally involve differences related to which party has appointment, evaluation, and removal authority over the CPO. The local model is set forth in the set of three columns at the left. There are three variations of the local model: court, county, and hybrid systems. The court model, which is set forth in the two columns in the middle, has two variations: local oversight by the trial courts and oversight by the Administrative Office of the Courts. The state model is outlined in the two columns at the right. In this model, the state executive branch would oversee probation, with the court or a local committee administering the appointment, evaluation, and removal processes.

**Table 9. Probation Models: CPO Appointment, Removal, and Evaluation Processes**

| Model                        | Local Model                                         |                          |                                                                                                     | Court Model                               |                                 | State Model                     |                                                          |
|------------------------------|-----------------------------------------------------|--------------------------|-----------------------------------------------------------------------------------------------------|-------------------------------------------|---------------------------------|---------------------------------|----------------------------------------------------------|
|                              | Local – Court<br>(except in<br>Charter<br>Counties) | Local –<br>Executive     | Local – Hybrid                                                                                      | Local – Court<br>(Trial Court<br>Funding) | State – Court                   | State –<br>Executive<br>(Court) | State –<br>Executive<br>(Committee)                      |
| <b>Appointment Authority</b> | Court                                               | BOS                      | 1) Shared<br>2) Veto by nonappointing party<br>3) One selects acceptable candidates, other appoints | Court                                     | Court and AOC                   | Court                           | Local committee (BOS and court)                          |
| <b>Evaluation Authority</b>  | Court and/or BOS                                    | BOS                      | 1) Appointing authority<br>2) BOS<br>3) Court                                                       | Court                                     | AOC                             | Court                           | 1) Committee<br>2) Court<br>3) BOS<br>4) State executive |
| <b>Removal Authority</b>     | Court                                               | BOS                      | 1) Appointing authority<br>2) BOS<br>3) Court<br>4) Veto by nonappointing party                     | Court                                     | Court and AOC                   | Court                           | 1) Committee<br>2) Court<br>3) BOS<br>4) State executive |
| <b>Administration</b>        | Court and/or BOS                                    | BOS                      | 1) BOS<br>2) Court                                                                                  | Court                                     | AOC                             | Court                           | 1) Committee<br>2) Court<br>3) BOS<br>4) State executive |
| <b>Base Funding</b>          | County                                              | County                   | County                                                                                              | County                                    | County                          | County                          | County                                                   |
| <b>Base Funding (Grants)</b> | State and federal grants                            | State and federal grants | State and federal grants                                                                            | State and federal grants or AOC           | State and federal grants or AOC | State executive                 | State executive                                          |

| Model                     | Local Model                                         |                      |                             | Court Model                               |                  | State Model                                       |                                     |
|---------------------------|-----------------------------------------------------|----------------------|-----------------------------|-------------------------------------------|------------------|---------------------------------------------------|-------------------------------------|
|                           | Local – Court<br>(except in<br>Charter<br>Counties) | Local –<br>Executive | Local – Hybrid              | Local – Court<br>(Trial Court<br>Funding) | State – Court    | State –<br>Executive<br>(Court)                   | State –<br>Executive<br>(Committee) |
| <b>Additional Funding</b> | N/A                                                 | BOS                  | BOS                         | AOC                                       | AOC              | State executive                                   | State executive                     |
| <b>Liability</b>          | BOS                                                 | BOS                  | BOS/AOC<br>insurance policy | AOC                                       | AOC              | State executive<br>and/or AOC<br>insurance policy | State executive                     |
| <b>State Standards</b>    | None                                                | None                 | None or Judicial<br>Council | Judicial Council                          | Judicial Council | State executive                                   | State executive                     |

AOC: Administrative Office of the Courts  
BOS: Board of Supervisors

### **Local Model Variations**

The authority for the core governance functions—appointment, evaluation, and removal—could potentially take one of three shapes in a local probation system: (1) the court, (2) the board of supervisors, or (3) joint or shared authority between the board of supervisors and the court.

Under the first variation, the status quo would, in large part, be maintained. The CPO would continue to be appointed and removed by the court (except in charter counties) and evaluated by the court and/or board of supervisors, depending on local practice. The county would provide base funding, with state and federal grants furnishing supplemental funding. Legal and fiscal liability would rest with the county. Under this model, there would be no mechanism for the creation of statewide probation standards. The task force rejected this model because it perpetuates the inherent problems in the existing probation system, which will not be resolved until other reform occurs. The task force concluded that a different structure that conforms to the fundamental principles must be put in place to sufficiently elevate probation's status and improve services and funding.

Under the second variation of the local model examined, the CPO would be appointed, evaluated, and removed by the county board of supervisors. The funding and administrative structures would be retained at the local executive branch level. Promulgation of statewide standards or guidelines would be difficult under such a model. This model variation is undesirable because it removes the court from the governance of probation and because it contains the same deficiencies identified with the local court model.

Under the local hybrid model, a number of options would be available regarding the appointment, evaluation, and removal of the CPO. The court and county government could have equal appointing, evaluation, and removal authority. One party could appoint/remove the CPO, with the other party holding veto power; or one party could select acceptable candidates from which the other party would appoint the CPO. Any of these decision-making options would be applied to the evaluation and termination authority of the CPO as well. The board of supervisors, the court, or both would administer probation services. The existing funding structure would be retained, and legal liability would rest with the board of supervisors and/or the judiciary. The Judicial Council, with the assistance of a probation services advisory committee, could develop statewide standards and guidelines. While this model was discussed at length, it, too, presented major administrative complications that were not immediately resolved by the task force.

## **Court Model Variations**

A court-based probation system could be vested at the local or state level. Under a local court model, the local judiciary or a local probation service center, administratively distinct from the local court, would administer probation services. Authority for the appointment, evaluation, and removal of the CPO would rest with the local court. The board of supervisors would provide base fiscal support through the establishment of a maintenance-of-effort agreement (MOE), and the probation system would be supplemented by grants and state funds. Liability would rest with the state judiciary, and the Judicial Council, with the assistance of a probation services advisory committee, would promulgate statewide standards and guidelines.

Alternatively, the authority to appoint and remove the CPO could be vested with the court and the Administrative Office of the Courts (AOC), with CPOs evaluated by the AOC. Probation would be administered and funded by the AOC, with base funding coming from the county in the form of an MOE, and supplemental funding provided by grants and the judiciary. The Judicial Council, with the assistance of a probation services advisory committee, would develop statewide standards.

The task force spent much of its second phase grappling with the various implications of a model under which the judiciary would assume responsibility for probation or functions provided by probation. The task force explored ethical issues related to probation officers becoming employees of the judiciary such as whether a judge could hear (1) cases involving lawsuits against probation officers and (2) cases where the judge is asked to assess the credibility of employees at probation violation hearings. The task force also discussed the current ethical implications of having the presiding judge of the juvenile court inspect such facilities under Welfare and Institutions Code section 209 as well as the possible ethical implications of having judges administer detention facilities. After much discussion and debate, the task force concluded that while some of these questions raised issues needing resolution, the ethical issues should not serve as a hindrance to the judiciary's assumption of oversight responsibility for probation services.

With regard to the concerns related to probation officers becoming employees of the judiciary, the task force was fortunate to be able to draw on the procedures developed by the Task Force on Trial Court Employees, which was charged with establishing a personnel and governance structure for court employees. With regard to an employee of the court being a party to a lawsuit and ethical issues under the canons of judicial ethics and Code of Civil Procedure 170.1 related to disqualification, provisions were developed for assigned judges and sitting appellate justices from another appellate district to hear

those cases.<sup>95</sup> The task force believes that these or similar procedures would be equally applicable to probation employees in a court-centered probation model.

The task force also discussed the implications of probation employees testifying in probation violation hearings, where the court would be assessing the credibility of an employee and making a determination as to whether a probation violation had occurred. The task force distinguished judgment calls and credibility issues in that it is the probation officer's role to make judgment calls that the judge must then evaluate. There appeared to be no ethical concerns regarding judges' evaluation of judgment calls of their employees; in fact, other court employees—namely, family law mediators and child custody evaluators—are regularly called to testify. However, when the judge must assess the credibility of a witness who is an employee, the question becomes whether a reasonable person would conclude that a judge, in fact, could *not* be fair in assessing the credibility of such employee. In situations where the employee has a direct economic interest in the case, then the judge would have a conflict and should not hear that case. However, where the employee is a witness and the issue is just a matter of credibility related to a conclusion that does not have a direct impact on the employee, a strong argument can be made that a reasonable person would not conclude that the judge should recuse himself or herself due to an ethical conflict.

While the unique issues presented by probation officers becoming employees of the court did not raise insurmountable objections, the realignment of certain probation functions with the judiciary presented more serious concerns. The assumption of responsibility for detention and treatment facilities by the judiciary emerged as a major obstacle for both variations of the court-centered model. Issues of particular concern to the judicial representatives on the task force—should the model contemplate removing the detention function from executive branch oversight—included separation of powers, conflicts of interest, and liability. Additional concerns were raised regarding the financial responsibility for building new and maintaining existing facilities; the assumption of legal liability for injuries or losses that occur in and around facilities; and the responsibility for managing, staffing, maintaining, and responding to liability for facilities.

In an attempt to resolve concerns regarding the oversight of detention and treatment facilities, the task force formed working groups during its first phase to examine various models for administrative responsibility and liability for juvenile facilities. The four models examined were a court model; a state model; a model in which the CPO, as an employee of both the court and county, oversees juvenile facilities; and a model in which the county administers probation and associated facilities. In this last model, a collaborative appointment, evaluation, and removal process would be instituted.

---

<sup>95</sup> Stats. 2000, ch. 1010 (Sen. Bill 2140 [Burton]).

In examining and assessing the feasibility of the various facilities models, it became clear that the majority of the judiciary continued to oppose assumption of oversight responsibility for detention and treatment facilities for a variety of reasons. The principal opposition stemmed from problems relating to separation of powers between the executive and judicial branches of state government. Judicial stakeholders expressed firm beliefs that detention is an executive function and that judges cannot and should not run a facility to which they make regular referrals. The statutory obligation under Welfare and Institutions Code section 209 requiring the juvenile court presiding judge to inspect such facilities also raised major concerns for judicial representatives. The task force discovered that any ethical issues raised regarding facilities might already be problematic because of the court's current role as the appointing entity for the CPO. Judicial representatives on the task force clearly articulated the view that facilities administration presented the potential for numerous conflicts; simply put, how could courts both oversee detention facilities and respond to litigation regarding claims of overcrowding or substandard conditions in such facilities? Currently, the court may have a perceived vested interest as the appointing entity, and a shift in facilities governance would increase the role of the court in facilities administration and could alter the ability of judges to conduct neutral inspections.

Further, there is a general concern that assumption of responsibility for detention facilities places the judiciary, typically the neutral arbiter, in a position of advocacy and responsibility. While in recent years, with the advent of trial court funding, the judiciary has assumed an advocacy role with regard to court employees and court facilities (e.g., negotiating employment contracts), court staff are the personnel directly accountable for the operation of the court, and court facilities are the buildings in which the courts operate. Detention institutions are not established for the support of the court; instead, they are established for rehabilitation and detention. While judicial representatives acknowledged that shifting responsibility for detention facilities to the courts does have some merit, they also noted that such a shift would fundamentally alter the role of the judiciary and should be considered only after much examination and full study of potential implications.

The issues explored above emerged as severe hindrances to a recommendation that contemplates assumption of probation facilities by the judiciary. It should be noted that while the majority of the judiciary has serious concerns regarding the assumption of responsibility for detention facilities, a minority of the judiciary feels that these problems are not insurmountable under a state or judicial branch model as such systems exist in other states. Conversely, CPOs and probation stakeholders strongly believe that oversight of facilities belongs on a continuum of services that includes sanctions, and that administration of these facilities must remain administratively linked to the other services on that continuum. Furthermore, counties observed that unless services and facilities

were completely severed, they could not conceive of a system under which facilities could be operated without a close, rational connection to the programs and services provided within. Therefore, if operational authority over services and programs were to be realigned to a state entity, then counties must similarly be divested of the facilities.

### **Executive Model Variations**

Last, the task force examined the creation of a new state executive branch department to oversee probation. In the state executive model, the local court, possibly in conjunction with the board of supervisors or representatives from the state executive branch agency, would have authority to appoint, evaluate, and remove the CPO. The local court and/or board would also have administrative responsibility over probation. The county would provide base funding, and the state executive branch would provide additional funding. Liability would rest with the state executive branch, and the state executive branch would promulgate statewide guidelines and standards.

After examination of the three models selected from the original eight, and after looking closely at models in Arizona, Deschutes County (Oregon), and Texas, the task force recognized that each of the models under consideration presented major issues pertaining to facilities responsibility and liability, potential conflict of interest, and financial and administrative complexities. The task force attempted to take the differing interests of all parties into consideration when drafting the probation model described below.

#### *A New Model for Probation*

After nearly three years of study, the task force has made a number of key findings, all of which build on a core assumption: the status quo in the probation system is not acceptable. Despite the dedication of countless probation service providers, the probation structure as it exists today functions poorly on many levels. The split appointment authority, historic levels of underfunding, and the resulting variation in service levels and programs from county to county promise to further erode probation departments' collective ability to provide a unified and critical set of justice services upon which our courts, communities, victims, and probationers rely.

After nearly three years of study, the task force made a number of key findings, all of which build on a core assumption: the status quo in the probation system is not acceptable.

### **Significant Factors Challenging the Probation System**

*As this report discusses in detail, all of the following factors contribute to the current state of the probation system:*

- The split appointment authority creates internal and external conflict between courts and counties and interferes with both parties' ability to meet their respective responsibilities associated with probation.
- Few of the workload or cost drivers in the probation system are within a county's control. Probation departments must carry out duties as dictated by legislative mandate, state policies, state budget decisions and administrative directives, and court orders.
- Probation departments rely on county funding and state support through grants and subventions, which are largely unpredictable and insufficient.
- Programs and service levels vary from county to county, and, very often, funding availability drives programmatic decisions.

The task force concluded that these factors, taken as a whole, point to the need for a new governance structure for probation. In the paragraphs that follow, the task force lays out the rationale that led to the conclusion that the model promising to offer greater fiscal and programmatic stability, improved service delivery, and a rational governance structure is one that contemplates a realignment of probation services with the state.

**RECOMMENDATION 2: California should develop a new approach to probation governance that conforms to the five fundamental principles developed by the Probation Services Task Force.**

While the task force is cognizant of the remarkable fiscal difficulties facing California, it became clear to the task force that a stable and adequate source of funding must be provided to probation to ensure public safety and the rehabilitation of offenders. It also became evident that a reconfiguration of existing resources under a state model would alleviate the difficult circumstance that exists now for probation departments owing to a bifurcated governance system. The task force has established that the California probation system, although funded through the counties, is to a great extent closely aligned with the courts on both programmatic and functional levels. Further, it has been demonstrated that probation departments receive their funding and are administered as a county department, while their workload and costs are primarily driven by factors—legislative mandate and court orders—over which the county has no control. Counties bear the responsibility for all costs associated with probation, including those associated with activities that are not traditional court operations such as detention, prevention, and intervention.

Fortunately, in suggesting that the state begin to assume greater responsibility for probation, the task force notes that there is a model upon which to build: trial court funding. In centralizing the operations of the trial courts at the state level, primarily through the passage of the Trial Court Funding Act of 1997, the Legislature acted on its previously established principle that the funding of trial court operations is most logically a function of the state. Such funding, the state reasoned, was necessary to provide uniform standards and procedures, economies of scale, and structural efficiency and simplification. These same principles apply in the case of probation.

In keeping with the logic of trial court funding, structural improvement of the probation system and realignment of certain probation responsibilities would provide improved delivery of services, a more uniform and equitable court system that would increase access to justice for the citizens of California, and a rational governance system. The task force's proposal would transfer the responsibility for the cost of probation services to the state or to a state entity, such as the court system. This proposal represents a logical step in the ongoing reevaluation of the division of functions and responsibilities, as they relate to court-connected activities, between courts and counties.

As it did in the early stages of trial court funding reform that began in the 1980s, the Legislature should recognize that the state must phase in increasing support for probation. The current funding structure for probation leaves many departments in circumstances of great instability, especially when the state—as it does today—faces

As it did in the early stages of trial court funding reform that began in the 1980s, the Legislature should recognize that the state must phase in increasing support for probation.

extreme fiscal hardships that require dramatic reductions in state support of county operations and major cost shifts away from county treasuries. In reaching the conclusion that probation must become a more centralized program, the task force clearly recognizes that transfer of program responsibility is extraordinarily complex and may require a phased-in approach over a multi-year period. The task force views its work contained within this report as the establishment of the

foundation and framework for a major shift that could be accomplished through a process involving the many key stakeholders in the probation system. The task force joins in the finding stated in the Lockyer-Isenberg Trial Court Funding Act of 1997, which can equally be applied to the probation structure: “[i]t is increasingly clear that the counties of California are no longer able to provide unlimited funding increases to [probation] and, in some counties, financial difficulties and strain threaten the quality and timeliness of [probation services].”<sup>96</sup>

---

<sup>96</sup> Stats. 1997, ch. 850 (Assem. Bill 233 [Escutia]).

Transferring and centralizing program responsibility for probation would accomplish many important objectives. First, it would offer a centralized, stable funding base to probation departments. A statewide model would provide probation with a greater capacity to advocate for its needs on a statewide basis. Further, a statewide model would provide a direct connection between authority and responsibility for providing probation services.

Recognizing that the process by which a statewide probation model can be established may take many years, the task force recommends that increased collaboration between courts and counties be encouraged. Interim steps must be undertaken to ensure further advancement of a more realistic and practical realignment of probation responsibilities, and ongoing studies in a number of critical areas also are needed.

| <b>Additional Studies Needed</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><i>A number of additional studies need to be undertaken to address topics including, but not limited to, the following:</i></p> <ul style="list-style-type: none"><li>▪ A clear definition of core probation services proposed for transfer;</li><li>▪ The impact of the proposed statewide model on probation employment issues;</li><li>▪ An analysis of current laws and mandates that drive probation workload;</li><li>▪ A complete assessment of fiscal impacts; and</li><li>▪ The disposition of detention facilities.</li></ul> |

The task force has outlined steps toward a model that preserves probation's role in providing services to the community while enhancing its connection to the courts. Section VI sets forth specific steps for future study of these issues. The task force encourages counties, courts, and probation to continue to work together in gathering this vital information and moving toward a new model for probation.

#### *An Interim Model for Probation Governance*

The task force is cognizant of the fact that any change in probation governance must be based on a thorough understanding of the work of probation as well as the fiscal and operational impacts of such a change. Toward that end, the task force developed an interim model for the appointment, evaluation, discipline, and removal of the CPO for introduction in the 2003–04 legislative session. Under this interim model, probation would continue to operate as a county department, and the CPO would remain a county officer. The task force has encouraged court, county, and probation advocates to work collaboratively on a legislative effort to alter the current statutory scheme by codifying the concepts contained in the interim model (version 2) described below. It is not the intent of the task force to introduce a model that would apply to charter counties or those counties in which a merit

|                                                                                                                                                                                                                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>The task force concluded that certain issues—namely, those surrounding the appointment, evaluation, and removal of the CPO—need an immediate remedy while efforts continue to develop a long-term proposal for probation governance.</p> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

or civil service system defines the appointing authority. Nor is it the intent of the task force that current CPOs, for purposes of their current positions, should require reconfirmation under any new appointment procedures that may result from this proposal.

To develop a model acceptable to counties, courts, probation, and other stakeholders, the task force devoted significant time to developing the model and reviewing feedback received from stakeholders during the open comment process.<sup>97</sup>

Initially, the task force circulated a model (version 1) that would have created a local probation oversight committee with equal membership from the court and the county government to oversee the CPO's appointment, evaluation, discipline, and removal. The proposal was viewed as an initial step to address, at least in part, the issues of the appointment and retention of the CPO.

Version 1 of the interim model was circulated for comment in July 2002, and interested parties were given 30 days to comment. The task force met in September 2002 to examine public comment received and, based on public input, subsequently concluded that version 1 was unsatisfactory for a number of reasons, including the concern that the approach proposed was not flexible enough to accommodate existing successful local efforts. The task force then developed an alternative interim model (version 2).

In devising version 2, the task force attempted to address the concerns identified regarding version 1, particularly those comments indicating that many counties are already engaged in collaborative efforts at the local level. Therefore, version 2 contains two distinct tiers. The first tier requires the county and court to meet and develop a local agreement that formalizes a process for screening, hiring, evaluating, and disciplining/removing the CPO. While the task force strongly urges that local agreements contain a collaborative process, the process may take any form, as long as both the court and the county formally agree to its provisions. This agreement would remain in effect until such time as it is superseded by a new agreement or rescinded by either the court or county.

However, if the county and court within a jurisdiction are unable to enter into an agreement, or if either party rescinds an existing agreement, the default model set forth in tier II would go into effect. Under the tier II default process, candidates for the position of CPO would be nominated by a committee consisting of members of the county government (members of the board of supervisors) and the court (judges) in equal numbers following a screening process involving the juvenile justice commission. Members of the nominating committee would be required to unanimously approve all

---

<sup>97</sup> The interim model, versions 1 and 2, as well as accompanying comment charts can be found at Appendix G.

candidates forwarded to the appointing entity. The appointment of the CPO would be made by the entity that currently retains appointment authority. Once a CPO is appointed, the county and court would jointly conduct an annual evaluation of the CPO. With regard to personnel actions, the entity currently responsible for personnel actions against the CPO would retain that authority. However, the entity that does not have appointing authority may recommend personnel actions regarding the CPO to the appointing authority, and the entity with the appointing authority may not take negative personnel actions (regarding employment status) against the CPO without the approval of the other party (the entity without appointing authority).

The task force is hopeful that the concepts contained in version 2 will be enacted in the 2003–04 legislative session while counties, courts, and probation continue working toward a new model for probation in California.

#### *STANDARDS AND GUIDELINES*

As discussed in section IV, probation departments deliver quality programs and administer numerous exemplary services. However, substantial variation exists in the types of services offered in each of the 58 counties. While state law mandates certain probation services in all counties,<sup>98</sup> other programs are county specific based on local needs. Often, these programs are pilot or demonstration programs or operate on a limited-term basis supported by a fixed cycle of grant funding. Local needs, community requirements, funding constraints, and the absence of statewide standards in most core program areas have encouraged the growth of services and programs that best fit local needs.

**RECOMMENDATION 3: Probation standards and guidelines should be developed and maintained to enhance the delivery of services to courts, communities, victims, and probationers.**

The task force concluded that, while statewide standards and guidelines may be appropriate at a future date, given the current county-based probation system, statewide standards cannot be imposed on local jurisdictions without corresponding financial assistance. The task force was encouraged by the efforts of the Chief Probation Officers of California to further best practices and uniform procedures.<sup>99</sup> At a minimum, local probation departments should develop and maintain standards and guidelines for the delivery of probation services that meet community needs. The task force recognized that many probation departments already have standards and guidelines in place, but in an

---

<sup>98</sup> See appendix H.

<sup>99</sup> The task force commends probation standards developed by CPOC in January 1980 and encourages continuation of such efforts.

effort to encourage the use of standards and guidelines, it developed the sample guidelines found in appendix I.

#### *MISSION STATEMENTS WITH GOALS AND OBJECTIVES*

As discussed in section III, outreach efforts and stakeholder input clearly points to the value of probation departments' development of mission statements. Typically, a mission statement declares the main purpose of an organization. The objectives provide the specific action steps required at every level of the organization to implement the mission and ensure that all employees are working toward the same goals. Mission statements are especially significant in organizations that have many employees with limited experience, a phenomenon that reportedly exists in many probation departments statewide. Although 85 percent of the responding counties stated that they had written mission statements for their departments, survey results also indicated that some probation departments lacked mission statements and objectives. More than half of the counties with mission statements had written them during the past 5 years. Almost one-third of the responding counties indicated that their mission statements had not been reviewed in the past 10 years.<sup>100</sup>

**RECOMMENDATION 4: Probation departments should develop and annually review mission statements with clearly defined goals and objectives.**

The task force concluded that mission statements are most effective when they are targeted at the unique characteristics and needs of the local population and thus must be developed at the local level. Stakeholder collaboration and input are essential ingredients in the successful implementation of a probation department's mission statement. Many elements will be common to most mission statements and accompanying goals and objectives (e.g., an emphasis on public safety), but other elements will vary greatly because of the diversity of the locales and populations throughout the state.

A well-thought-out and clearly stated mission statement that is reviewed but not revised annually and that contains precisely communicated goals and objectives can be a useful tool for focusing a department and its collaborative partners on the tasks they set for themselves. To maximize the benefit to be derived from the formulation of mission statements, all aspects of the mission, goals, and objectives must be understandable and clearly defined.

While mission statements are necessary to properly manage a department, they also help the department communicate its mission and function to the public and community. A strictly internal mission statement may be useful, but a greater benefit will be achieved

---

<sup>100</sup> Stakeholder Survey Results, p. 31.

when a clearly defined mission statement accompanied by goals and measurable objectives is effectively communicated to the public. When there is successful external communication of probation's role in the community, then the public perception of probation can be based on probation's success or failure in achieving its goals and objectives.

In July 2002, the Chief Probation Officers of California (CPOC) developed the following mission for the organization and probation departments in California "The mission of CPOC is to provide leadership in the mobilization, coordination, and implementation of Probation programs that provide for public protection including detention and treatment, victim services and the prevention of crime and delinquency; and to ensure the provision of quality investigations and supervision of offenders for the Courts."

**RECOMMENDATION 5: Probation departments should incorporate measurable outcomes in developing goals and objectives.**

Measurable outcomes are necessary to determine not only what is working in a department, but also what is not. Once a probation department has developed a mission statement with goals and objectives, the next step in the process is to establish measurable outcomes so that the success or failure in achieving the stated goals and objectives can be objectively evaluated. Measurable outcomes range from items such as a reduced juvenile hall population to decreased truancy. To the extent possible, measurable outcomes should be stated in positive or growth-related terms (increased number of juveniles completing school or getting a GED), rather than in negative or deficit terms (decreased recidivism). Outcomes can be measured by educational progress, relationship formation, leadership roles, and the taxable income generated by probationers over an extended period of time.

#### *INFORMATION AND COMMUNICATION*

Communication and effective information systems are critical within probation departments, between probation departments, and in communications with other justice system participants. As the California justice system moves toward a coordinated approach, effective communication becomes increasingly important. Further, in a time of fiscal prudence, information takes on a key role in the identification of cost-effective services.

**RECOMMENDATION 6: Probation departments should develop a common statewide language to facilitate communication, delivery of services, and comparisons across jurisdictions.**

To encourage effective communication, probation needs a common language. For example, employee titles, services, programs, and outcomes frequently do not share common definitions across county lines or among different county departments. Effective communication between and among stakeholder groups is a fundamental prerequisite for the development of statewide guidelines or standards and effective mission statements and strategic plans and their component measurable goals and objectives. Where there is potential for misunderstanding, extra effort must be made at the outset to ensure that all interested parties share a common language.

**RECOMMENDATION 7: Probation technology resources should be maximized and augmented to enhance statewide communication and improve operational systems, resource allocation, and capacity for evaluation.**

Technology touches every element of probation. At a time when probation departments are being asked to do more with available resources, technology is one of the most important tools probation departments have to aid in the development, evaluation, and improvement of programs.

The task force has not performed an in-depth review of probation technology and information systems in California; such a review and its accompanying recommendations could serve as the focus of an entire task force effort. However, the task force discovered during the information-gathering phase that certain technology-related concerns were prevalent. Stakeholders repeatedly stressed technology's potential uses in developing and strengthening collaborative efforts and in enhancing the delivery of services. In addition to computer automation systems, there are a number of tools and technologies that could be more widely incorporated, as discussed in section III.

Currently, probation departments do not share an automation system nor are there statewide technology standards. The absence of a standardized system makes any meaningful intra- or intercounty sharing of data impossible. In a state as large and diverse as California, a one-size-fits-all technological solution is not feasible. There is, however, a clear need for technology to be implemented in a way that will allow interconnectivity countywide and statewide. Information collection efforts must be improved to provide the data necessary for the development of more effective collaborative systems.

At present, some counties do not have the resources to supply the hardware and/or software necessary to compile and deliver data for existing databases. The task force recognizes that even if a standardized system is developed, allowance must be made for flexibility and innovation at the local level if individual probation departments are to maximize strengths in their own diverse contexts.

Future legislation to fund technology development and improvement at the local level should be considered. The initial impetus for the creation of a state-level information system that allows county-to-county sharing of information will have to come at the county level. Most probation departments in California do not have enough staff to provide services and run an information system. Legislation may be necessary to fund technology for probation departments so that they have adequate personnel to maintain management information systems. Funding of necessary employee positions will be a major issue for medium- and small-sized probation departments if they are to implement and effectively use adequate technology systems. Systems will not be effective without staff support.

The technology issues of probation for adult and juvenile offenders are similar, but potential privacy issues relating to information about juveniles call for special attention. Legislation may also be necessary to deal specifically with privacy issues raised by the intra-agency sharing of information. Existing confidentiality statutes and regulatory provisions serve as barriers to information sharing.<sup>101</sup> Laws are designed to protect the rights of juveniles by ensuring confidentiality and restricting access to sensitive information. Laws also have the effect of limiting access to information about many juveniles who have come into contact with probation departments. The development of a statewide database to collect information regarding juveniles falling under any Welfare and Institutions Code designation would require a legislative change to existing laws.<sup>102</sup>

In an effort to explore models for a statewide probation services information system, the task force surveyed a cross-section of states<sup>103</sup> to determine whether the state had a statewide probation services information system and, if so, to gather information on the state's specific information system. The states provided input on interaction with other agencies, the transfer of electronic data, the entity responsible for maintaining the data, and the data entry process. In addition, each state was asked to provide information on any obstacles encountered while developing and/or implementing its system. Of the eight states that responded, Arizona, Florida, and Texas indicated that they have a statewide probation services information system.

---

<sup>101</sup> Several laws designed to ensure confidentiality and restricted access to sensitive records protect certain juvenile offenders. For example, Welf. & Inst. Code, § 285, permits data to be reported only in the aggregate, without identifying information. While aggregate statistics are certainly valuable, individual-level data is essential. At present, the law prohibits linkage of county databases into a single statewide database (J. L. Worrall and P. Schram, *Evaluation of California's State-Level Data Systems for Incarcerated Youth* (Jan. 2000) School of Social and Behavioral Sciences, California State University at San Bernardino, p. 14 <[http://www.csus.edu/calst/Government\\_Affairs/Reports/ffp37.pdf](http://www.csus.edu/calst/Government_Affairs/Reports/ffp37.pdf)> [as of Nov. 28, 2001]).

<sup>102</sup> *Ibid.*

<sup>103</sup> Arizona, Florida, Georgia, Illinois, Iowa, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Texas.

The task force was fortunate to discover that the American Probation and Parole Association (APPA) is the recipient of a grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, to develop a document defining functional standards that will assist probation agencies in implementing effective automated case management systems.<sup>104</sup> APPA notes that increased workload, changes in job tasks, and increased record-keeping requirements along with an enhancement in available technology for information management have prompted probation agencies to automate case management systems. However, APPA also recognizes that the use of automated case management systems is sporadic, and the quality of information management systems is uneven among probation agencies nationwide. Limited availability of shared information among agencies forces each agency to struggle with independent development of automated case management systems, leading to inefficiencies and duplications.

APPA, in partnership with the National Center for State Courts, has developed a document defining functional standards to assist probation agencies in implementing effective automated case management systems.

This effort is particularly important because nationwide there have been no guidelines or standards to assist probation agencies in the development, implementation, maintenance, or enhancement of automated case management systems. APPA notes that limited availability of shared information among agencies has forced each agency to struggle through an expensive independent development process that included identifying its organizational needs, translating those needs into functional requirements for a case management system, and communicating those needs appropriately to a systems architect. APPA has administered this project to produce standards to:

- Alleviate the burden faced by probation agencies for individual system development;
- Facilitate dialogue between probation agencies and case management system providers; and
- Encourage conformity in probation automated case management systems by recommending these as national standards.

The functional standards provide probation agencies with standards that can be used in developing an automated case management system. They also set forth clear definitions of terms. The functional standards are organized in a hierarchy of functional groups, functions, and standards, with the highest organizational level being functional groups. They identified two core functional groups (case processing and management), as well

---

<sup>104</sup> See < [http://www.appanet.org/grant%20and%20special%20projects/functional\\_standards.html](http://www.appanet.org/grant%20and%20special%20projects/functional_standards.html)> (as of May 20, 2003).

as three ancillary functional groups (file and document management, integrated justice information systems, and financial systems). The functional standards are inclusive and should be examined carefully to ensure that if implemented, they would meet the needs of individual jurisdictions. The task force and APPA encourage interested jurisdictions to engage in a planning process with careful consideration of (1) the goals and objectives of the planned technology system and (2) the development of a technology system that would relate to other entities and technology systems in the local justice system.

#### *MANAGING THE PROBATION PROCESS*

Probation performs a unique and critical role in the criminal and juvenile justice systems, often serving as a linchpin among the many stakeholders. Probation officers draft reports; provide evaluations and recommendations to the court; and direct offenders to mental health, education, substance abuse, and other appropriate services. They also assess and provide services to low-risk offenders and intensive supervision and services to high-risk offenders.

**RECOMMENDATION 8: Probation departments should develop assessment and classification systems and tools as part of an effective case management strategy.**

All offenders, adult and juvenile, must be properly assessed so they can receive appropriate services and supervision. Case assessment and planning are important at two levels. First, assessment is necessary to make decisions about appropriate alternatives and services for individual offenders. Second, assessment of risk and needs is essential to make agency or jurisdictional plans for probation services.<sup>105</sup>

Assessment and classification systems are necessary to properly supervise offenders along the continuum of services and sanctions. Although commonly associated with high-risk offenders, these systems work equally well with low-risk offenders. Supervision and treatment efforts are needed to deal with those at the highest risk of reoffending, and to accomplish that, appropriate assessment and classification strategies are needed. Identifying and working with high-risk offenders creates an opportunity to prevent future offenses, leading to decreased criminal behavior and enhanced public safety.

---

<sup>105</sup> Adult Probation White Paper, p. 32.

Use of a formal assessment and classification system brings greater validity, structure, and consistency to the assessment and decision-making process. This formal assessment also allows a more precise allocation of limited system resources, permitting probation departments to target the most intensive/intrusive interventions on the most serious, violent, and chronic offenders.

Meaningful program evaluation is also connected to assessment and classification.<sup>106</sup> Once offenders are directed to the appropriate programs and subgroups within programs, it is expected that the offenders' goals will be achieved successfully. Program outcomes can be measured to evaluate programs, and, if necessary, program components can be adapted to more fully accomplish goals.

An up-front technological investment in the area of risk and resiliency assessment may save time and resources later. As more probation departments focus on high-risk offenders, development and improvement of diagnostic tools that enable rapid and accurate identification of high-risk individuals so they can be supervised and managed effectively becomes crucial. These tools are being used effectively to address underlying issues such as substance abuse and mental health issues.

In the long run, eliminating the need to enter and store the same information in multiple locations will conserve resources. Some counties are already entering the kind of information necessary to make decisions about offenders, but the information is not being used effectively because there is no efficient way for the data to be shared. Many counties that do not have automated systems will require assistance to catch up with existing technology.<sup>107</sup>

**RECOMMENDATION 9: Probation departments should establish a graduated continuum of services and sanctions to respond to the needs of each offender.**

A continuum of graduated services tailored to the needs of offenders is also necessary. Once an offender's risk, resiliency, and needs have been assessed, it is imperative that probation departments provide the appropriate response and services. Probation departments need the flexibility to offer offenders services tailored to particular needs. Every effort must be made to implement or expand services on the continuum to ensure public safety and encourage rehabilitation. The services available cannot be of a one-size-fits-all variety. A range of services and programs that can be tailored to fit individual clients is needed. The sanctions within a continuum do not necessarily correspond to a level of supervision. Other dimensions must include severity of punishment, degree of accountability, treatment intensity, and cost.

<sup>106</sup> Adult Probation White Paper, p. 33.

<sup>107</sup> Six County Executive Summary, pp. 6–7.

Sanctions refer to a range of graduated, credible restrictions targeted at specific offender profiles and used as monitoring controls.<sup>108</sup> The theory behind sanctions is that offender populations present a broad range of risks that must be accompanied by an appropriate range of sanctioning options to match those risks. The sanctions range from less to more severe and can move up or down the continuum depending on the performance of the offender. The primary advantage of sanctions is that they give probation departments the tools and ability to respond appropriately to a diversity of offenses and offenders.

A continuum of services and sanctions also must be sufficiently nuanced and flexible to appropriately address the needs of the offender. There is a particularly strong need for gender-specific services, especially those targeted at female youthful offenders. In some counties, 25 percent of detained juveniles are female,<sup>109</sup> and often there are no gender-specific services in place.

Services are also needed for adults. The Welfare and Institutions Code is specific regarding probation services for juvenile offenders. The Penal Code, which generally governs the adult probation system, does not contain the same level of specificity as to services. Because probation departments are not mandated to provide as detailed a continuum of services to adult offenders, and because probation departments must make difficult decisions as to how best to spend limited resources, juvenile offenders are provided, relative to adult offenders, a broader continuum of services.

When possible, intervention should be based on strength building rather than flaw fixing.<sup>110</sup> Approaching a probationer with a perspective that focuses on strengths and competencies allows the probation officer and the probationer to mutually discover how these personal resources can be applied to the situation.<sup>111</sup> In the past, these types of efforts have failed because there was no effective extension from philosophy to practice. The philosophical first step is to believe that a probationer can build upon strengths and past successes in a way that can help keep troublesome behavior in check. Just as important is the second step of having practice methods that identify and marshal these strengths to effect the necessary behavior changes.

---

<sup>108</sup> Adult Probation White Paper, p. 48.

<sup>109</sup> California Board of Corrections, *Juvenile Detention Profile Survey Report, 3<sup>rd</sup> Quarter Report 2002*. <[http://www.bdcarr.ca.gov/fsod/juvenile%20detention%20survey/2002/quarter\\_3/survey\\_results.pdf](http://www.bdcarr.ca.gov/fsod/juvenile%20detention%20survey/2002/quarter_3/survey_results.pdf)> (as of December 30, 2002).

<sup>110</sup> Adult Probation White Paper, p. 21.

<sup>111</sup> M. D. Clark, *Strength-Based Practice: The ABC's of Working with Adolescents Who Don't Want to Work with You* (1999) Institute for Strengths in Juvenile Justice <<http://www.drugs.indiana.edu/prevention/assets/asset2.html>> (as of Nov. 28, 2001).

**RECOMMENDATION 10: Prevention and early intervention efforts in appropriate cases should be an essential component of effective and meaningful probation services.**

Much of the work being done in the area of prevention and early intervention focuses on the application of programs to juvenile services.<sup>112</sup> Prevention and early intervention programs are premised on the theory that early identification of at-risk youth and targeted programming is an effective means of rehabilitation. Prevention and early intervention can be prearrest, informal probation, or age-related intervention. Similar prevention and intervention efforts targeted at the adult system warrant further study. Adult drug court and domestic violence efforts have proven effective in addressing the needs of adult offenders; these efforts should be examined and expanded as appropriate.<sup>113</sup> Adult and juvenile services must target the appropriate population—what works for one offender may not work for another offender who committed the same offense.

**Strategies for Planning Effective Services**

*This strategy for planning effective services can be applied to programming in the juvenile or adult venue. This strategy encourages a disciplined approach to all prevention efforts and early-intervention services.*

- Strengthen families in their role of guiding, disciplining, and instilling sound values;
- Support core social institutions and their role in supporting families and helping them develop their maximum potential;
- Promote prevention strategies and activities that reduce the impact of negative risk factors and enhance the influence of positive protective factors in the lives of those at greatest risk to offend;
- Provide immediate, effective, and appropriate interventions at the first sign of trouble in an offender's life;
- Establish a meaningful system of graduated sanctions and a logical continuum of services to respond effectively and appropriately to the needs of each offender; and
- Use the least restrictive alternative to placement in an effort to keep families intact whenever possible and appropriate.<sup>114</sup>

<sup>112</sup> For example the Orange County Probation Department's 8% Solution program has successfully targeted high-risk juvenile offenders ages 15 and under at the time of their first or second contact with probation (<<http://www.oc.ca.gov/Probation/e8%25Solution/c8%ProblemProgramOverview.asp>> [as of Nov. 28, 2001]).

<sup>113</sup> A new statewide study shows that drug courts provide substantial savings to the criminal justice system by reducing prison and jail costs, victimization costs, and recidivism. See <<http://www.courtinfo.ca.gov/reference/documents/colljustrept2003.pdf>> as of May 22, 2003.

<sup>114</sup> Office of Juvenile Justice and Delinquency Prevention, Comprehensive Responses to Youth at Risk: Interim Findings from the SafeFutures Initiative (Nov. 2000) p. 4.

Efforts must be made to intervene at an early stage with those at greatest risk of violating the law. A clearly defined plan, measurable process and outcome thresholds, and broad-based collaboration are needed.

**RECOMMENDATION 11: Courts and counties should develop and implement partnerships and work collaboratively to ensure appropriate levels of services for adult and juvenile offenders.**

The decade of the 1990s saw the advent and growth of collaborative treatment-based programs in courts and probation departments.<sup>115</sup> These programs are grounded in probation interaction with other community resources to provide court-monitored comprehensive treatment programs for adult offenders. The goal of these programs is to reduce recidivism and restore the offender to useful status in society. Examples of such programs are drug courts, domestic violence courts, and mental health treatment courts.

Early data on these programs has demonstrated that they are effective in reducing crime and enhancing public safety.<sup>116</sup> The task force had neither the time nor the resources to fully explore the extent and efficacy of adult collaborative treatment programs in probation services. Further study should be given to collaborative adult prevention and treatment programs that exist in California or in other jurisdictions to help determine effective program options that would positively affect the adult offender population.

**RECOMMENDATION 12: Probation departments should adopt workload standards rather than caseload ratios.**

The term *caseload* is used to indicate the number of cases assigned at any one time to a probation officer. Of the many mechanisms that have been used to assess and study the issue of probation resources, a strict caseload measure that quantifies the number of cases assigned per officer has remained the most prevalent. The question “What is the ideal caseload size?” is difficult to answer because of the extreme diversity of probation departments.

Workload measure rather than caseload size is the most accurate and effective gauge for equalizing work distribution among probation officers.<sup>117</sup> Workload measure realistically considers the number of cases, contacts, and other responsibilities for each case, as well as job responsibilities not specifically related to case management. Probationers should be treated differently depending on the amount and type of supervision required. Each case should be given a weighted value depending on the risks and needs associated with

---

<sup>115</sup> Juvenile Probation White Paper, p. 87.

<sup>116</sup> Six County Executive Summary, p. 13.

<sup>117</sup> Stakeholder Survey Results, p. 19.

the probationer; this information will help the department more rationally and equitably distribute workload.

Caseload per officer is neither a fair nor accurate assessment of the amount of work being performed. Probation must move away from focusing on the number of cases per probation officer and instead focus on the actual amount of work assigned. The task force recognizes that this philosophical shift alone will not resolve the problem of heavy workload, because a root cause of the problem is the high ratio of probationers to probation officers. In addition to equalizing work distribution, a workload approach will also position probation departments to more accurately describe and quantify their workload challenges so they can make more solid policy and operational decisions and more persuasively make a case for additional resources.

Moving to a workload mentality helps achieve the goal of ensuring that each probationer is treated appropriately in terms of the amount and type of supervision received. This system recognizes that a probation officer may be expected to give different amounts of time and attention to each case. In practice, this will translate into different frequencies of personal contacts per case by the assigned officer.<sup>118</sup> If a probation department is adopting a management strategy that is based on differentiation of case supervision, then the method of assigning and accounting for those cases must accommodate that approach.

The following factors support the development of probation department workload measures:

- No national standards exist that define workload measures;
- Management and line staff are concerned about disparity in workload size;
- Standards ensure that probation employees are not asked to work beyond the appropriate work hours;
- As part of overall sound management standards, workload measures guarantee that each employee has nonclient activities built into his or her work schedule;
- Workload measures ensure that probation employees receive credit for all job-related functions in which they participate;
- Workload measures provide budget justification for needed resources;
- Workload standards allow more control over a department's direction; and
- Workload standards allow development of planned contingency options.<sup>119</sup>

---

<sup>118</sup> *Ibid.*

<sup>119</sup> APPA Position Paper on Caseload Standards <[www.appa-net.org](http://www.appa-net.org)> (as of Nov. 28, 2001).

Workload standards will not produce accurate time allotment unless the preceding factors are included in their development. During the outreach process, probation employees continually stressed the importance of workload equalization.<sup>120</sup> Translating assessed risk/needs into accurate time allotment is the key to equalizing workload for probation officers.

The task force's information-gathering process determined that the necessary tools for implementing a risk/needs assessment that is connected to a workload approach are already available.<sup>121</sup> These assessment tools are probation-officer friendly. They can be self-administered on personal computers and then scored and their results printed within 20 to 30 minutes. Advanced instruments have validation components that determine the truthfulness of each test taker. The best instruments have validation components and allow the test to be normalized to the probation population in each local jurisdiction. With the proper equipment, a single trained person can administer the assessment instrument to as many as 15 people at the same time.<sup>122</sup> With good assessments, staff can focus on identified needs. Assessment of adult and juvenile probationer's risk/needs is essential to maximize the limited resources available for supervising this population.<sup>123</sup>

A formalized assessment of each probationer must occur both before and after delivery of services by probation employees. A comparison of evaluations will allow progress to be measured and will also assist in the study of the value of services that the department provides. These assessments will also gather the information necessary to ensure that proper time units are allotted for different supervision and administrative tasks. The task force recognizes that there must be a clear connection between the use of validated risk/needs assessment (the time and resources each individual case requires) and workload standards (how work can be equitably distributed).

The traditional view of process and measurable outcomes is that process measures serve as aids in determining whether a program is implemented as designed. Measurable outcomes are used to determine whether the program or practice achieved the desired results. By collecting data that measures both the process and the outcome of services provided to each probationer, probation management will have the raw data necessary to make informed adjustments to service delivery.

---

<sup>120</sup> See Stakeholder Survey Results, pp. 19–22.

<sup>121</sup> Stakeholder Survey Results, p. 19.

<sup>122</sup> *Ibid.*

<sup>123</sup> *Ibid.*

### **Advantages of Workload Assignment Standards**

*Workload assignment standards, using process and measurable outcomes, would provide the following probation management advantages:*

- Equal workload distribution for all probation employees;
- Elimination of the mystique of what a full workload looks like;
- Accountability and measurability of probation services;
- Hard data for equalization of workloads among probation services;
- A management tool for making objective case-assignment decisions;
- Hard data for funding authorities for budget justification;
- Community credibility and legitimacy of probation's function and activities; and
- A reward system for probation employee efficiency.

Implementation of a workload standard will benefit the public by maximizing the use of available probation resources. Probation employees and probation management will benefit from the equalization of workload throughout departments and from the collection and aggregation of data necessary to justify increased funding for departments. This approach will also reduce the likelihood of and need for making uninformed policy decisions by providing objective, quantifiable process and outcome data.

#### *EDUCATIONAL ISSUES*

While the task force recognizes that inadequate education factors existed before the probationer entered the justice system, the task force examined the role of education as a preventative tool, the delivery of probation services that meet the educational needs of offenders, the provision of education in custody facilities, and the education and vocational training needs of adult offenders. Probation officers have neither the training nor the skills to address the educational needs of children in the delinquency system or those of adult offenders; however, probation plays a key role in identifying educational needs and connecting probationers with proper services.

**RECOMMENDATION 13: Probation departments should work with courts, schools, parents, and education agencies to ensure that adult and juvenile probationers are provided with appropriate general, special, and vocational educational services.**

Education and special education training for probation officers must be expanded if this issue is to be addressed. Probation officers should be trained to ensure that children's educational rights are investigated, reported, and monitored. Probation officers need to be trained to recognize whether a juvenile has a disability and to actively pursue necessary educational services. Probation officers must also be connected with local education representatives so that they work together to address the educational needs of children.

Training for appropriate staff needs to include such topics as identification of behavioral and learning disabilities, the causal relationship between certain disabilities and the juvenile justice system, the special education process, school discipline (e.g., expulsions and suspensions), and the legal framework regarding education. Probation officers should be apprised of federal and state special education law, as well as of the many types of disabilities that a juvenile may have.<sup>124</sup>

Communities also should consider school-based probation officers. School-based probation officers could more readily deliver the following services:

- Notify the school of a juvenile's probation conditions and any special educational or therapeutic needs;
- Monitor a juvenile's attendance, school performance, and behavior;
- Conduct home visits and coordinate intervention services from sources outside the school system;
- Coordinate reentry conferences for students returning to school following placement in a juvenile facility; and
- Provide services to children who are not necessarily wards, but rather were referred to the probation department because of school behavior and discipline problems, minor offenses, or family difficulties.<sup>125</sup>

Education is one of the most effective forms of crime prevention.<sup>126</sup> Probation departments should, whenever appropriate, support the efforts of parents and schools to identify children with exceptional needs or other educational disabilities to provide proper educational services. Advancing a child's educational proficiency and skills can be a deterrent for a child who may be in danger of violating criminal laws. Illiteracy and poor academic performance may not be direct causes of criminal behavior, but juveniles who have received inadequate education are found within the juvenile justice system in disproportionate numbers.<sup>127</sup>

Juveniles who have received inadequate education are found within the juvenile justice system in disproportionate numbers.

Because so many juvenile offenders are eligible for special education services, juvenile justice professionals, and especially probation services staff, should be apprised of the narrow, yet comprehensive, special education field of law. Both federal and state laws articulate special education services and legal entitlements for students.<sup>128</sup> Section 24 of

---

<sup>124</sup> L. Warboys et al., *California Juvenile Court Special Education Manual*, Youth Law Center (1994) pp. 74, 75.

<sup>125</sup> *Ibid.*

<sup>126</sup> Center on Crime, *Communities and Culture, Research Brief*, Occasional Paper Series (Sept. 1997) p. 1 <[http://www.soros.org/crime/research\\_brief\\_\\_2.html](http://www.soros.org/crime/research_brief__2.html)> (as of Dec. 20, 2001).

<sup>127</sup> *Id.* at p. 2.

<sup>128</sup> Individuals with Disabilities Education Act (IDEA) (20 U.S.C. § 1400 et seq.), and Educ. Code, §§ 56300, 56301, requiring each school district, special education local plan area, or county office

the Standards of Judicial Administration, relating to juvenile court matters, was amended in January 2001 to address the educational needs of children before the court. Section 24 provides guidance to the juvenile court regarding the educational rights of children. It includes a special education training component for judicial officers, court personnel, attorneys, volunteers, law enforcement personnel, and child advocates.<sup>129</sup> Section 24(g) and (h) provide principles concerning special education to guide the juvenile court and clarify the court's role in taking responsibility for the education of children under the jurisdiction of the juvenile court.

Probation officers can actively participate in the child's educational process in many ways. Many probation departments already work to address children's educational needs. School Attendance Review Boards, systems of care, and Juvenile Assessment Centers are in place in many jurisdictions. They must work with other court and education system participants to ensure that the child's educational needs are identified and met. Probation officers should consider the following responsibilities regarding the child's educational concerns. Probation officers should (1) ensure that cases stemming from school behavior that may be disability related are reviewed for appropriate special education procedures; (2) request special education records, evaluations, and assessments; (3) ensure that the child's educational records are transferred to the subsequent placement and that the child's placement or service provider can appropriately meet the child's educational needs; (4) work with the child's family members, attorney, Individualized Education Program (IEP) team, and other interested parties to coordinate the child's assessment; (5) participate in IEP meetings to effect changes in the child's education; (6) provide truancy services or make appropriate community referrals regarding truancy; (7) obtain all relevant education records and ensure that they are accurate and current; and (8) ensure that the child is not conveyed to the physical custody of the California Youth Authority until the child's IEP, for the individual with exceptional needs, has been furnished to the CYA.

There is an established link between truant behavior and delinquent behavior.

There is an established link between truant behavior and delinquent behavior, with truancy often a precursor to delinquency.<sup>130</sup> Probation departments should work with local education agencies to establish truancy prevention programs as a delinquency prevention measure. A child who is not regularly attending school, and is therefore without adult supervision, has a greater chance of engaging in misconduct. Recognizing the link between truancy and

---

of education to actively and systematically seek out all individuals with exceptional needs, including children not enrolled in public schools.

<sup>129</sup> Cal. Standards Jud. Admin., § 24(d)(2).

<sup>130</sup> California Task Force to Review Juvenile Crime and the Juvenile Justice Response, Final Report (Sept. 1996) p. 62.

delinquency, probation departments and other agencies can collaborate to establish truancy–juvenile delinquency prevention programs.

Education is critical to a child's success and can be used as a preventative measure against delinquency. Probation departments should work with schools and education agencies to ensure that juveniles in custody and on probation receive the educational services and appropriate curriculum required by law. To prevent recidivism and assist juveniles in getting back on track educationally, juveniles must receive the services to which they are legally entitled and must be provided with a challenging educational curriculum.

Juveniles in correctional facilities may require remedial education for a number of reasons: either they have missed a significant amount of schooling and have fallen behind, or they have not received the educational services to which they are entitled. Remedial education is intended to improve a person's deficient skills; however, this does not mean that the curriculum or assignments need to be easy to complete. Juveniles may require intensive assistance and varying levels of educational attention or oversight. Each juvenile has different educational strengths and weaknesses and, depending on the disability, may require various approaches to learning.

Understandably, juvenile facilities face numerous barriers to providing adequate and appropriate educational services. Facility overcrowding and understaffing are major concerns. These pressures may restrict education and treatment services. The differences among juveniles (e.g., age, gender, ethnicity, academic performance, and offense history) make clear the necessity of differential and individualized educational programming.<sup>131</sup>

Whether a juvenile receives GED preparation, prevocational and vocational education, literacy and functional skills education, or academic courses, juveniles in juvenile facilities are entitled to receive an appropriate education. Juvenile facilities must collaborate with educational and other community agencies to ensure that this population is obtaining an appropriate education.

---

<sup>131</sup> S. Meisel et al., *Collaborate to Educate: Special Education in Juvenile Correctional Facilities* <[http://www.edjj.org/Publications/pub01\\_17\\_00.html](http://www.edjj.org/Publications/pub01_17_00.html)> (as of Nov. 28, 2001).

Research has shown that education is one of the most effective forms of crime prevention for adults as well as for juveniles.

Probation departments also should work with education agencies to ensure that adult probationers have access to educational and/or vocational services. Research has shown that education is one of the most effective forms of crime prevention for adults as well as for juveniles.<sup>132</sup> Many adult probationers never completed high school or received an equivalency degree or GED. Probation departments must work with education agencies to ensure that adult probationers have access to education services and must also encourage probationers to complete their education.

Adult education serves three important goals. First, it assists the probationer in improving his or her educational level. For most probationers, learning to read, earning a GED, or gaining acceptance into a higher-education program marks the first time in their lives that they have actually attained a worthwhile milestone. Second, it deters future criminal behavior by advancing a probationer's educational level and thus providing him or her more opportunities for lawful, gainful employment. Many probationers are unemployed because they do not meet minimum educational requirements. Additionally, completion of the Education Services Program can persuade employers that the person can finish what he or she starts and that the person is functioning at a higher level of maturity and responsibility. Finally, adult education increases the number of productive, contributing members of society. Helping offenders earn a minimum education, and thereby helping them become employable, makes offenders more likely to steer clear of the criminal justice system and become responsible, tax-paying citizens who no longer depend upon public assistance/welfare.<sup>133</sup>

#### *JUVENILE DETENTION*

According to Board of Correction data, as well as stakeholder input and testimony during outreach efforts, juvenile custody facilities are often filled beyond intended and rated capacities.<sup>134</sup> There are many reasons for this overcrowding, but in part it is caused by the need for probation officers and judges to take the appropriate amount of time to consider a juvenile's case and apply the relevant legal standards to determine whether a juvenile should be released or detained. While many jurisdictions are engaged in detention reform efforts, further efforts need to be undertaken to improve custody conditions. The task force applauds jurisdictions adequately addressing appropriate detention and disproportionate minority confinement.

---

<sup>132</sup> Open Society Institute, *Education as Crime Prevention: Providing Education to Prisoners*, Criminal Justice Initiative, Research Brief Occasional Paper Series No. 2 (Sept. 1997).

<sup>133</sup> Marion County Indiana Superior Court Probation Department, Adult Division <<http://www.indygov.org/probation/report/1998/4ab.htm#1a>> (as of Oct. 22, 2001).

<sup>134</sup> California Board of Corrections; see historic reporting of capacity and population in *Juvenile Detention Profile Survey Results* dating back to 1999 at <http://www.bdcorr.ca.gov/fsod/juvenile%20detention%20survey/juvenile%20detention%20survey.htm> (as of Feb. 13, 2003).

**RECOMMENDATION 14: Juvenile detention reforms should be developed and implemented to ensure that juveniles are appropriately detained and to reduce overcrowding in detention facilities.**

One possible answer to overcrowding is to reform detention practices. Considerable work has been done on this issue. The Annie E. Casey Foundation's Juvenile Detention Alternative Initiative<sup>135</sup> is one of several approaches to detention reform that could be considered.

Alternatives to out-of-home-placement can help keep juveniles with their families and receiving services within their communities. Detention reform and disproportionate minority confinement must be considered together to address problems of overcrowding. Overrepresentation of minority juveniles in juvenile custody facilities is caused by many factors: the juvenile justice system, socioeconomic factors, the educational system, and the family.

The Annie E. Casey Foundation lays out a proven, successful program for reducing disproportionate minority confinement.<sup>136</sup> The first strategy is collaboration: the coming together of juvenile justice system stakeholders and other potential partners to confer, share information, develop systemwide policies, and promote accountability.<sup>137</sup> One goal of this collaboration is to build a consensus regarding the purpose of detention. It is suggested that secure detention be used to ensure that alleged delinquents appear in court at the proper times and to protect the community by minimizing serious delinquent acts while cases are being processed.<sup>138</sup> The strategy used to implement this purpose is the development of an objective, risk-based detention system that quantifies risk by measuring the issues defining it. The present offense, the past criminal record, and whether the offender has a history of failures to appear are all important factors in considering risk for detention.<sup>139</sup>

---

<sup>135</sup> R. Stanfield, *Overview: Pathways to Juvenile Detention Reform: The JDAI Story—Building a Better Juvenile Detention System, A Project of the Annie E. Casey Foundation* (Baltimore, Md: The Annie E. Casey Foundation, 1999).

<sup>136</sup> *Id.* at p. 32.

<sup>137</sup> K. Feely, *No. 2, Pathways to Juvenile Detention Reform: Collaboration and Leadership in Juvenile Detention Reform* (1999) p. 12.

<sup>138</sup> F. Orlando, *No. 3, Pathways to Juvenile Detention Reform: Controlling the Front Gates—Effective Admissions Policies and Practices* (1999) p. 10.

<sup>139</sup> *Id.* at p. 24.

### Evaluating Risk: Its Role in Detention Reform

*Research tells us that a good risk-based system can determine which cases are high, medium, or low risk.<sup>140</sup> This information is crucial in making a determination regarding appropriate placement and whether detention is the best alternative.*

- **Low-risk cases** can be released without additional services because they have little propensity to commit another crime in the time period from release until their next appearance, and, further, they will not miss their next court appearance.
- **Medium-risk cases** can be released with a detention alternative, such as home supervision/electronic monitoring.<sup>141</sup>
- **High-risk cases** are best kept in secure detention.
- Under **home supervision**, a juvenile is detained but released home under very close supervision, with daily visits by probation staff.
- **Electronic monitoring**, when combined with home supervision, gives the court another option for the possible release of cases of a little higher risk where the court is willing to take a chance.<sup>142</sup> It also provides a step up for those who are on home supervision and have a technical violation of their home supervision contract. Compared to the cost of incarceration, the home supervision and electronic monitoring alternatives are relatively inexpensive. Further, they are very successful in achieving the goal of not having youth miss court appearances or reoffend during case processing.

The next strategy recommended is to provide dispositional alternatives that are varied, graduated, strength-based, and located as much as possible within the local community.<sup>143</sup> The alternatives should be provided in the least restrictive setting. Counties should attempt to provide strength-based family preservation services wherever possible as an alternative to out-of-home placement. In California, all counties can participate in a system of care, and these alternatives should as much as possible follow that model.<sup>144</sup>

Using a system-of-care model, with partnerships with the community, some counties have proven that alternatives to residential placement can work and be very successful. It has been demonstrated that providing these kinds of services reduces lengths of stay in detention, keeps youths in their local schools, maintains family ties, and does not entail any additional criminal risk to society. Although there will always be cases in which residential placement is the most appropriate approach, research and practice have demonstrated that alternatives can work.

---

<sup>140</sup> *Id.* at p. 25.

<sup>141</sup> P. DeMuro, *No. 4, Pathways to Juvenile Detention Reform: Consider the Alternatives, Planning and Implementing Detention Alternatives* (1999) p. 32.

<sup>142</sup> *Id.* at p. 18.

<sup>143</sup> *Id.* at p. 11.

<sup>144</sup> California System of Care Web site <<http://www.dmh.cahwnet.gov/SpecialPrograms/child.htm#1>> (as of Dec. 20. 2001).

Probation departments should examine closely the reasons for facility overcrowding and identify any barriers to release, specifically from the perspectives of race and gender, that exacerbate the problem. Barriers may include communication, language, and transportation issues and the need for extra support services for parents who are unwilling at first to take back their children.

The final strategy necessary to alleviate unnecessary overcrowding is to look at the efficiency of the system in moving cases.<sup>145</sup> Close examination of the timeline from initial arrest to final disposition may reveal decision points or procedures that introduce inefficiencies and unnecessary delays. In a collaborative system, processes can be sped up by making the system sensitive to delay and anticipating possible outcomes. Some counties have developed the position of expediter, where the job of the expediter is to make sure that as few delays as possible occur. The cost savings frees resources that can be reallocated to underfunded areas and maximizes efficient delivery of probation services.

Custody facility overcrowding produces unsafe, unhealthy conditions for both detainees and staff. Overcrowding negatively affects all aspects of detention. When staffing ratios fail to keep pace with population, the incidence of violence and suicidal behavior increases. Staff in overcrowded facilities are invariably required to resort to increased control measures such as lock-downs and mechanical restraints.

The type of detention reform strategy described here, coupled with the development of accurate assessment tools, has proven successful in diminishing overcrowding. High-risk cases are still detained in the interest of public safety, but low-risk cases can be released at intake, as incarceration is not necessary. Medium-risk cases that might have previously been detained can be provided with alternative supervision, allowing them to be maintained successfully in their homes and their communities.

#### *CHANGING ROLE, CHANGING NAME*

Probation plays a dual role in the community, with a strong service component and an equally important enforcement component. Probation's essential task is to ensure public safety both by supervising probationers and enforcing court orders and by providing rehabilitation services. With this unique balance in mind, the task force has taken a long-range view in developing recommendations that clarify the balance between enforcement and services and take into account the diverse needs of the 58 counties and the state as a whole.

---

<sup>145</sup> D. A. Henry, *No. 5, Pathways to Juvenile Detention Reform: Reducing Unnecessary Delay, Innovations in Case Processing* (1999) p. 10.

**RECOMMENDATION 15: Probation departments should consider an approach to probation that balances offender accountability, victim restoration, competency development, and community collaboration.**

The task force examined philosophies that serve as a basis for the development of modern probation practices. In studying probation in the state and nation, the task force recognized that an approach to probation that emphasizes offender accountability, victim restoration, competency development, and community collaboration is in place in many jurisdictions and should be considered in other California counties.

The task force recommends that probation in California be delivered within a balanced justice framework. Public safety can be achieved by using community-based rehabilitation programs that are accountable to probation departments and to the courts. To facilitate this vision of community participation, deputy probation officers throughout the state must become proactive participants in the ongoing development of a balanced justice system.

First articulated as a mission for juvenile probation agencies, the balanced justice approach is increasingly part of the fundamental ideology guiding the development and delivery of both adult and juvenile justice services.<sup>146</sup> This approach includes victims, communities, and offenders. In a balanced justice approach, the focus is on the victim, and victims are given the option of playing an active role in the justice process from the beginning to its conclusion. But crime is looked upon as more than a specific offense committed against a particular victim. It is not just the victim's problem; crime is a problem that belongs to the entire community.

The balanced justice approach posits three primary goals of justice: community protection, accountability, and competency development.<sup>147</sup> These three goals are equally important in determining appropriate responses to offenses and in allocating resources. However, this approach allows individual assessment of offenders and differing emphases on various goals depending on the particular situation.

The goal of community protection bolsters the public's expectation of safety and security. Offenders should be maintained in the least restrictive environment (and at the most reasonable cost) in which public safety can be reasonably ensured. A tenet of a balanced justice framework is that offenders who are connected to their communities and who care about people in their neighborhoods are less likely to reoffend. It is important that offenders remain in their communities whenever possible, and that justice practices foster

---

<sup>146</sup> Juvenile Probation White Paper, p. 19.

<sup>147</sup> Juvenile Probation White Paper, p. 24.

positive relationships among offenders, their families, and community members.<sup>148</sup> Removing offenders from their communities for punitive purposes severs bonds with families and others and places offenders with other offenders who may reinforce antisocial values.<sup>149</sup> Research has shown that high levels of surveillance alone, without effective treatment, are not useful in reducing recidivism or in increasing public safety.<sup>150</sup>

Activities engaged in by probation agencies and the other constituents of the justice system (victims, offenders, and community members) may serve a variety of purposes. However, it is unlikely that specific activities will always be equally useful in accomplishing each of the goals discussed. Therefore, when selecting sanctions for offenders and tasks for other members of the justice system, care must be taken to balance them so that all goals are addressed. For example, research on offender rehabilitation suggests that victim restitution is not especially useful as a means of reducing offender recidivism.<sup>151</sup> However, it is a vital component of a restorative justice approach that helps victims recoup the losses they have suffered. Similarly, increased surveillance methods, including home confinement and electronic monitoring, are not particularly effective in reducing recidivism,<sup>152</sup> but these strategies may be important for public protection as offenders are receiving treatment services to increase behavioral controls.

**RECOMMENDATION 16: In conjunction with any change to the probation model in California, a change in name for probation could be considered to better reflect probation's function and status.**

The task force clearly acknowledges the significance of probation's dual enforcement and services roles. However, many stakeholders perceive that the services component is diminishing in favor of a greater focus on enforcement. Probation departments now tend to hire deputy probation officers with criminal justice backgrounds rather than individuals with liberal arts degrees.

---

<sup>148</sup> Adult Probation White Paper, p. 21.

<sup>149</sup> *Ibid.*

<sup>150</sup> J. Petersilia and S. Turner, "Evaluating Intensive Supervision Probation/Parole: Results of a Nationwide Experiment" (May 1993) *National Institute of Justice Research in Brief*, pp. 1–11.

<sup>151</sup> P. Gendreau, "The Principles of Effective Intervention with Offenders," in A. T. Harland (ed.), *Choosing Correctional Options That Work: Defining the Demand and Evaluating the Supply* (Thousand Oaks, Calif.: Sage Publications, 1996).

<sup>152</sup> *Ibid.*

The task force recommends that if, ultimately, probation moves toward a community-centered focus, a name change should be considered to more accurately describe probation's role in the community. Some jurisdictions, including Texas and Oregon, have already implemented a name change. Examples of descriptive names in other jurisdictions that reflect the community focus include Department of Community Justice and Department of Community Corrections.

*ONGOING EFFORTS*

Over the last three years, the task force made great strides toward an enhanced probation system by examining the history of probation, its current operation throughout the state, and the significance of its work within the context of the justice system. This represents perhaps the most comprehensive examination of California's probation system; however, a great deal of work in implementing the vision of the task force remains.

**RECOMMENDATION 17: Counties and the branches of state government should establish a body tasked with developing a specific long-term reform model for probation and an implementation plan.**

The task force expects that through further study and continued commitment of interested stakeholders, improved probation services and governance for the benefit of all Californians will be achieved. The task force encourages counties, courts, and probation to maintain the level of commitment and collaboration demonstrated these last three years in order to achieve the significant reforms envisioned by the task force that promise to enhance probation.

# SECTION VI

## Conclusion and Future Steps

This report details the processes undertaken by the Probation Services Task Force that set out to investigate where probation has been, where it is now, and where it should be. It sets out key findings about the prominent role probation plays in the criminal and juvenile justice system and highlights the ways in which the system itself does not adequately support probation departments in carrying out their critical role.

The task force was charged with assessing the programs, services, organizational structures, and funding related to probation services provided by counties to the courts, probationers, and the public and with formulating findings and making policy recommendations to the Judicial Council, CSAC, the Legislature, and the Governor following this assessment. Specifically, the task force charge included all of the following:

- Identifying and evaluating practices and options for funding probation services;
- Identifying the nature and scope of probation services provided by counties to the courts, probationers, and the general public;
- Identifying and evaluating practices and options for the appointment and accountability of the CPO;
- Identifying and evaluating various organizational structures for adult and juvenile probation services;
- Identifying and evaluating practices of other jurisdictions with regard to the range and level of probation services, organizational structure, and funding; and
- Identifying the appropriate relationship between probation and the courts as it relates to court services and alternatives for achieving the preferred outcome.

The task force has made great strides toward addressing this broad charge. It has conducted extensive outreach efforts, including a detailed survey and stakeholder roundtable discussions; identified core areas of concern; advanced key findings; and developed recommendations that are proposed for implementation now and in the future. Central findings and recommendations of the task force are based on its view that collaboration, cooperation, and education are key to the provision of quality services.

Among the most enriching and educational aspects of the task force's effort were the outreach sessions conducted primarily in 2000 and 2001, during the first 12 months of the task force examination. As noted in section I, the task force conducted numerous information gathering efforts ranging from discussion sessions with stakeholders to probation surveys and site visits. While the task force's three-year study represents

perhaps the most comprehensive examination of California’s probation system in recent memory, the task force was limited—given fiscal constraints and the sheer time necessary to examine the many complex issues connected to this effort—in its ability to fully develop a comprehensive picture of probation in California. As the task force struggled to develop a new model for probation in California, it became clear that further information beyond the scope and capacity of the task force was needed. Continued collaborative and individual efforts by the counties, courts, and probation are necessary to examine, craft and implement an enhanced viable model for probation.

#### *PROPOSED RESEARCH PROJECTS*

To assist future efforts and build on the extensive knowledge and information compiled these past three years, the task force has developed the following four-phase research agenda to more fully answer the question, “What is probation?”<sup>153</sup>

#### *Baseline Information on the Roles of Probation Officers and the Services Provided by Probation Departments*

No consistent, statewide information base exists that details the role of probation officers or the range of services provided by probation departments, including services provided in correctional facilities. More complete information needs to be gathered and analyzed to assess the following:

- How resources are being used;
- Whether mandates are being met;
- Which services constitute core probation services; and
- The impact, on finances, staff, and programs, of any changes to the structure of probation services in California.

#### **PHASE 1. Statewide Study: Function, Services, Mandates, and Funding**

Phase 1 of the research project contemplates a statewide study of probation departments, including surveys, to quantify all of the following:

- The roles and functions provided by probation officers and other service providers;
- The number and proportion of probation officers in each functional category at the local level and statewide;
- The range of youth and adult services provided by probation departments;
- The population served in each category;
- The mandates met by programs and services;

---

<sup>153</sup> Appendix J contains a document describing the various research functions and resources referenced below.

- The resources, including staff, project costs, and facilities, required to operate programs and services; and
- The levels and sources of funding for programs and services.

This project would survey the CPO in each county. The survey instrument would be developed through working groups that would include the participation of courts, counties, probation, and other stakeholders. The results would be used to quantify the range of service models in the state; assess the administrative and fiscal impact of changes in probation services; and provide a research baseline for future studies of probation officer workload, probation service models, and caseflow.

In addition to the survey of CPOs, each probation department will be asked to provide financial information, including departmental budgets, expenditures from the prior fiscal year, and revenue information that would account for indirect or other costs not readily identifiable in the department's budget.

#### *Practices in Assessment and Classification*

Assessment and classification of offenders should be consistent and in accordance with current research and best practices. Probation service providers need access to current research in assessment. They should also receive technical assistance in the development of assessment and classification tools and in validation of these tools for the target population.

#### **PHASE 2. Examination of Research and Practice: Assessment and Classification of Offenders**

The phase 2 research project would seek to synthesize current research and practice in the assessment and classification of offenders. The inventory of probation services described in the phase 1 project would help identify services or populations where assessment and classification tools are most needed. This project would entail the following:

- Literature review;
- Nationwide appraisal and collection of assessment and classification practices and instruments;
- Release of findings through research reports, conferences, and training; and
- A long-range effort to develop statewide standards in assessment and classification.

### *Practices in Evaluation*

A range of evaluation practices exists in probation services. Grant-funded programs are often evaluated, some with a high level of consistency in methodology and dissemination of results. Programs not funded by grants are often not evaluated. When rigorous evaluations have been performed, the results are often not accessible to practitioners. Decisions to implement programs are often made without use of relevant information on the effectiveness of the program model.

#### **PHASE 3A. Analysis and Classification of Program Evaluations**

Phase 3A of the research project would synthesize existing evaluations of programs for use by CPOs, judicial officers, and policy makers and would include summaries of literature and assessment of the relevance of programs to California populations and conditions. The results of this process would be categorized by major service area and made available to probation departments.

#### **PHASE 3B. Technical Assistance in Evaluation Design and Implementation**

In phase 3B, probation departments would receive technical assistance in evaluation design and implementation, through training, consultation, and model evaluations of selected programs.

### *The Population of Juvenile and Adult Probation*

Very little consistent, statewide information is available on the demographics, needs, or perspectives of youth and adults in probation in California. Without this information, it is impossible to assess whether probation has changed to meet changes in the population (such as growth in the numbers of female offenders, offenders with children, and non-English speaking offenders). It is also difficult to identify which populations, whether characterized by offense or by demographics, are receiving which services. Without knowing the population served, it is difficult to assess whether services provided are properly targeted or whether some groups are disproportionately served. Having consistent information on probationers also enhances accountability to the community.

#### **PHASE 4. Probation Population Census**

Phase 4 of the research project would build upon the survey of probation services and programs collected in phase 1. That information would be used to develop a census or snapshot of the probation population that would detail such factors as demographics, education, employment and income, prior experience in the juvenile justice or adult criminal justice system, services received, and perceptions of probation service. The gathered data would serve as a rich source of information for use in assessing the current status and future of probation. A statewide population survey would require considerably more resources and support from stakeholders than the administrative survey described in phase 1 and ought to be considered a long-range goal.

#### *CONCLUSION*

The task force believes that through further study and continued commitment of interested stakeholders, improved probation services and governance for the benefit of all Californians will be achieved. The task force encourages continued collaborative and individual efforts by the counties, courts, and probation to examine, craft, and implement an enhanced model for probation. During the almost three years of study examining the history and practices of probation in California, task force members, faced with a daunting charge, worked together with respect, dedication, and enthusiasm and with a commitment to improve and enhance the probation system for communities, courts, victims, and probationers. The task force recommends, when appropriate, that an advisory group be formed to continue this effort.



# SECTION VII

## Recommendations

The Probation Services Task Force makes the following specific recommendations:

**RECOMMENDATION 1:** Probation departments must have stable and adequate funding to protect the public and ensure offender accountability and rehabilitation.

**RECOMMENDATION 2:** California should develop a new approach to probation governance that conforms to the five fundamental principles developed by the Probation Services Task Force.

**RECOMMENDATION 3:** Probation standards and guidelines should be developed and maintained to enhance the delivery of services to courts, communities, victims, and probationers.

**RECOMMENDATION 4:** Probation departments should develop and annually review mission statements with clearly defined goals and objectives.

**RECOMMENDATION 5:** Probation departments should incorporate measurable outcomes in developing goals and objectives.

**RECOMMENDATION 6:** Probation departments should develop a common statewide language to facilitate communication, delivery of services, and comparisons across jurisdictions.

**RECOMMENDATION 7:** Probation technology resources should be maximized and augmented to enhance statewide communication and improve operational systems, resource allocation, and capacity for evaluation.

**RECOMMENDATION 8:** Probation departments should develop assessment and classification systems and tools as part of an effective case management strategy.

**RECOMMENDATION 9:** Probation departments should establish a graduated continuum of services and sanctions to respond to the needs of each offender.

**RECOMMENDATION 10:** Prevention and early intervention efforts in appropriate cases should be an essential component of effective and meaningful probation services.

**RECOMMENDATION 11:** Courts and counties should develop and implement partnerships and work collaboratively to ensure appropriate levels of services for adult and juvenile offenders.

**RECOMMENDATION 12:** Probation departments should adopt workload standards rather than caseload ratios.

**RECOMMENDATION 13:** Probation departments should work with courts, schools, parents, and education agencies to ensure that adult and juvenile probationers are provided with appropriate general, special, and vocational educational services.

**RECOMMENDATION 14:** Juvenile detention reforms should be developed and implemented to ensure that juveniles are appropriately detained and to reduce overcrowding in detention facilities.

**RECOMMENDATION 15:** Probation departments should consider an approach to probation that balances offender accountability, victim restoration, competency development, and community collaboration.

**RECOMMENDATION 16:** In conjunction with any change to the probation model in California, a change in name for probation should be considered to better reflect probation's function and status.

**RECOMMENDATION 17:** Counties and the branches of state government should establish a body tasked with developing a specific long-term reform model for probation and an implementation plan.

# **APPENDIX A**

## **Probation Services Task Force Biographies**

# **PROBATION SERVICES TASK FORCE**

## **Biographical Information**

---

### **Hon. Patricia Bamattre-Manoukian, Chair**

#### **Associate Justice of the Court of Appeal, Sixth Appellate District**

Justice Patricia Bamattre-Manoukian has served as an associate justice of the Sixth Appellate District since 1989. From 1988 to 1989, she was a superior court judge in Santa Clara County, where she served as the family law supervising judge in 1989. From 1983 to 1988, she served as a municipal court judge in Santa Clara County and Orange County. Prior to joining the bench, she was employed as a deputy district attorney in Orange County.

Justice Bamattre-Manoukian has served on the Judicial Council, the Appellate Court Security Committee, the Appellate Advisory Committee, the Blue Ribbon Commission on Jury Improvement, the Center for Judicial Education and Research (CJER) Governing Committee, the American Inns of Court, and other Judicial Council committees and California Judges Association committees. She is involved in judicial and legal education programs. She has taught and lectured at the California Judicial College, Santa Clara Law School, Stanford Law School, Santa Clara Bar Association programs, and CJER institutes. She has participated in school and community programs and has judged moot court competitions at the high school level and at Santa Clara University Law School and Monterey College of Law.

Justice Bamattre-Manoukian is the recipient of the California Judges Association Bernard E. Jefferson Award (1995), the St. Thomas More Award (1992), and the Orange County Narcotics Officers Association Judge of the Year Award (1985). She received a Ph.D. in public administration from the University of Southern California, a law degree from Loyola Law School, a master's degree in public administration from the University of Southern California, and a bachelor of arts degree from the University of California at Los Angeles.

**Hon. Juan Arambula**  
**Supervisor, Fresno County**

*Served on the task force August 29, 2000–February 23, 2001. Position filled by Supervisor Ronn Dominici.*

Juan Arambula is the chair of the board of supervisors in Fresno County. He has served on the board of supervisors since his election in 1997. During his term as supervisor, he has been a member of the California State Association of Counties Board of Directors. Prior to that, he served on the board of trustees of the Fresno Unified School District, from 1987 to 1996, serving as president in 1990 and 1994. Supervisor Arambula is involved in numerous community and charitable activities, including the Fresno County Local Agency Formation Commission, the Fresno County Workforce Development Board, and the Fresno County Access to Justice Taskforce.

Supervisor Arambula is a graduate of Harvard University, with high honors in comparative literature. In addition, he received a master's degree in administration and policy analysis from Stanford University and a law degree from the University of California, Berkeley.

**Hon. Irma J. Brown**  
**Judge of the Superior Court of California, County of Los Angeles**

*Served on the task force January 1, 2002–present. Filled position vacated by Judge Terry Friedman.*

Irma J. Brown has been a superior court judge with the juvenile division since January 2000 and is currently assigned to juvenile delinquency. Prior to that, she served as a municipal court judge, following her appointment by Gov. Deukmejian in 1986, and held the position of commissioner from 1982 to 1986. Judge Brown has handled every level of municipal court assignment at the courthouse, from traffic court to felony preliminary hearings, and has served as both presiding and supervising judge. In addition, Judge Brown is a past board member of the California Judges Association and secretary of the former Municipal Court Judges Association and has served as a special master for the California Supreme Court in disciplinary hearings. Judge Brown served as chair of the governing committee of the Center for Judicial Education and Research (CJER) during 2000–2001 and in that capacity served as liaison to the Family and Juvenile Law Advisory Committee and the Probation Services Task Force. She has also taught classes on fairness and ethics for CJER and conducted orientations for new judges. Judge Brown is a graduate of Loyola Law School and Marymount College. She has been honored by state, local, and community organizations.

**Hon. Denny Bungarz**  
**Supervisor, Glenn County**

Denny Bungarz was elected to the Glenn County Board of Supervisors for a four-year term in November 1994; he was re-elected, unopposed, in June 1998 and in March 2002. He served as chair of the board from January 1999 to January 2000 and is serving as chair of the board in 2003. Prior to his election to the county board of supervisors, he served on the Willows City Council and as mayor of Willows from April 1990 to March 1991. Supervisor Bungarz retired from the U.S. Forest Service in 1989, after 36 years of government service. From 1978 until his retirement, he was the forest fire management officer for the Mendocino National Forest, where he was responsible for fire, law enforcement, and electronic communications. His entire Forest Service career was spent in California, in the Shasta-Trinity, Six Rivers, Plumas, Los Padres, and Mendocino National Forests.

Supervisor Bungarz is a past chair of the Sacramento River Conservation Area Board of Directors; the current chair of the Northern California Emergency Medical Services Board of Directors; and a member of the State Board of Fire Services, appointed by Governor Pete Wilson in September 1995 and again in 1998. He also serves on numerous boards and commissions.

**Hon. Patricia Clarke**  
**Supervisor, Shasta County**

*Served on the task force June 12, 2001–present. Filled position vacated by Supervisor Barbara McIver.*

Patricia “Trish” Clarke of Anderson has been a Shasta County supervisor since 1991 having been re-elected in 2001 for a fourth four-year term. She currently is the chair of the board of supervisors, having previously served in this position in 1993 and 1998. She chaired the executive board of the California Association of Local Agency Formation Commissions (CALAFCo) in 1998 and 1999 and was chair of the Shasta County LAFCo from 1997 until 2001. She was a member of the Commission on Local Governance for the 21st Century (1998–2000), appointed by Governor Pete Wilson. From 1985 to 1990, she was a planning commissioner and member of the city council, served as the mayor of the city of Anderson (1989–1990), and served as chair of the Anderson Fire Protection District.

Supervisor Clarke is a member of many civic and nonprofit organizations, including California Women in Timber, Shasta County Cattlewomen, Soroptimists International, and the Anderson Women’s Improvement Club. She is a current member and past-president of the Anderson Chamber of Commerce. She chaired the California State Association of Counties Administration of Justice Policy Committee for three years, from January 2000 to January 2003.

**Mr. Alan M. Crogan**  
**Chief Probation Officer, San Diego County**

The San Diego County Board of Supervisors appointed Alan M. Crogan with full concurrence of the superior court to the position of chief probation officer for the County of San Diego in November 1993. Mr. Crogan has more than 34 years of experience in community corrections. He served 4 years on the Youthful Offender Parole Board and 8 years as the chief probation officer of Santa Barbara County. Governor George Deukmejian twice appointed him to the Board of Corrections, where he served for 5 years.

Mr. Crogan has been actively involved with the Chief Probation Officers of California Association for over 18 years, including serving on the legislative committee as vice-chair and chair. He also chaired the legislative committee of the San Diego County Criminal Justice Council. He has been instrumental in writing successful legislation to fund capital improvements for juvenile correctional facilities. Former Governor Pete Wilson appointed Mr. Crogan to the Office of Criminal Justice Planning, Strategic Action Group, and Mr. Crogan currently serves as past president of the Chief Probation Officers of California.

**Mr. William H. Davidson**  
**Chief Probation Officer, Merced County**

William "Bill" H. Davidson began his career in probation in 1970. He has served as a deputy probation officer, supervising probation officer, facility superintendent, and assistant chief probation officer. He was appointed as chief probation officer for Merced County in August 1996.

Mr. Davidson has served on both local and state committees dealing with juvenile justice matters as they relate to probation operations. He has a B.A. in psychology from California State University at Sonoma and an M.S. in administration of justice from California State University at Fresno.

**Hon. Ronn Dominici**

**Supervisor, Madera County**

*Served on the task force April 30, 2001–present. Filled position vacated by Supervisor Juan Arambula.*

Ronn Dominici serves on the Madera County Board of Supervisors and is a member of numerous committees, including the Mentally Ill Offender Crime Reduction Strategy Committee, the Workforce Development Council, the Interagency Children and Youth Council, and the California State Association of Counties' Administration of Justice Policy Committee. In January 2000, he retired from the California Highway Patrol after more than 32 years of service, during which he held many specialized positions as an officer. Supervisor Dominici organized Madera County's Sober Graduation Program and chaired it for 10 years. He served for 15 years as liaison among allied agencies including law enforcement, probation, courts, and the district attorney. He was named Lawman of the Year in 1980, 1985, 1999, and 2000 by the Exchange Club, the Veterans of Foreign Wars, and the American Legion and was named Man of the Year for 1977 by the Young Men's Institute.

Supervisor Dominici continues to be involved in community and civic organizations. He currently is a member of the California Association of Highway Patrolmen and the Madera Elks Lodge; chairs the Madera Breakfast Lions Eye Foundation; and is treasurer of the Tri-County Youth Football League, for which he served as commissioner for 21 years. He is a life-long resident of Madera County; is married; and has three adult children, four adult stepchildren, and seven grandchildren.

**Hon. Terry Friedman**

**Judge of the Superior Court of California, County of Los Angeles**

*Served on the task force August 29, 2000– December 31, 2001. Position filled by Judge Irma J. Brown.*

Since his election in 1994, Terry Friedman has been a superior court judge working in the juvenile court through 2001, where he served as presiding judge for two years. He was a member of the California State Assembly from 1986 to 1994, sitting on a wide variety of committees and authoring 75 new laws. He has been widely published and has a great deal of teaching experience.

Judge Friedman has been active on numerous committees and has received many awards, among them the Public Service Award for Excellence from the University of California at Los Angeles Alumni Association, the President's Award from the Western Center on Law and Poverty, and the Wilmont Sweeney Juvenile Court Judge of the Year award from the Juvenile Court Judges of California, a section of the California Judges Association.

**Ms. Sheila Gonzalez**

**Regional Administrative Director, Judicial Council of California, Administrative Office of the Courts, Southern Regional Office**

Sheila Gonzalez is the regional administrative director of the Judicial Council of California, Administrative Office of the Courts, Southern Regional Office. Prior to her appointment to the AOC, Ms. Gonzalez was the executive officer and clerk of the Superior Court of California, County of Ventura.

Ms. Gonzalez has served as a member of a number of statewide committees, including the Judicial Council's Trial Court Budget Commission; Probation Services Task Force; Court Executives Advisory Committee, which she chaired for two years; Attorney General's Criminal Justice Advisory Committee; California Criminal Justice Integration Subcommittee, which she chaired; NACM/COSCA Joint Technology Committee; and National Task Force on Court Automation and Integration (SEARCH). She serves as the chair of the Oversight Committee for the California Court Case Management System.

On November 2001, Ms. Gonzalez was inducted into the Warren E. Burger Society for demonstrating the highest commitment to improving the administration of justice through extraordinary contributions of service and support to the National Center for State Courts.

Ms. Gonzalez has also been the recipient of the following honors: the 1999 Ernest C. Friesen Award of Excellence from the Justice Management Institute for her vision, leadership, and sustained commitment to the achievement of excellence in the administration of justice; the 1997 Award of Merit from the National Association for Court Management; the 1995 Judicial Council Distinguished Service Award for contributions to and leadership in the profession of judicial administration; and the 1993 Warren E. Burger Award presented by the National Center for State Courts for outstanding achievements in the field of court administration.

She served as president of the National Association for Court Management from 1994–1995 and president of the Association of Municipal Court Clerks of California in 1987.

Ms. Gonzalez formerly served as an advisory member of the Judicial Council of California, co-chair of the Judicial Council's Court Technology Task Force, a member of the Judicial Council's Commission on the Future of the Courts, a member of the Judicial Council Standing Advisory Committee on Technology, and an advisory member of the Trial Court Budgeting Committee.

She has been a member of the faculty at the National Judicial College, Reno, Nevada; the Institute for Court Management; the Center for Judicial Education and Research; the National Association for Court Management; and the California State Bar; and she formerly served on the board of directors of the National Center for State Courts.

**Hon. Steven E. Jahr**

**Judge of the Superior Court of California, County of Shasta**

*Served on the task force January 1, 2002–present. Filled position vacated by Judge William Lebov.*

Steven E. Jahr was appointed to the bench in 1986 and has served as a superior court judge since 1991. He was presiding judge for Shasta County in both the municipal and superior courts. He has been a member of the Judicial Council, chairing its internal Rules and Projects Committee and serving on the Litigation Committee. As both member and chair, Judge Jahr has served on Judicial Council working groups and advisory committees implementing trial court funding. Judge Jahr is active in judicial education as a faculty member for the Center for Judicial Education and Research (CJER) and Continuing Judicial Studies Program (CJSP). In 1997, the Judicial Council awarded Judge Jahr the Jurist of the Year award.

**Mr. Bryce Johnson**

**Probation Officer, Mariposa County**

*Served on the task force August 29, 2000–December 31, 2001. Position filled by Mr. Paul Nicolosi.*

Bryce Johnson has been a probation officer in Mariposa County for 16 years. He currently supervises a caseload of drug offenders and operates the drug court. He enjoys being both a court officer and field deputy in this position. He has been active in the D.A.R.E. program and is a member of State Coalition of Probation Organizations.

Mr. Johnson received a B.S. in psychology from Brigham Young University, where he played football. Upon graduation, he joined the U.S. Marine Corps and was commissioned a second lieutenant. Most of his military training involved desert warfare exercises at the Marine Corps base in Twenty-Nine Palms, California. After achieving the rank of captain, he left the Marines to pursue other interests.

Mr. Johnson is married and has two daughters. He enjoys sports and outdoor pursuits, including kayaking, running, and backpacking.

**Mr. Michael D. Johnson**  
**County Administrative Officer, Solano County**

Michael D. Johnson has served as county administrative officer (CAO) of Solano County since 1992. He provides day-to-day management and program oversight for all county operations under the policy direction established by the board of supervisors. He is responsible for the development of the county budget, which for fiscal year 2002–2003 is approximately \$587 million, with a workforce of 3,200 employees. As CAO, he is also responsible for the hiring, evaluation, and discharging of appointed department heads and the coordination of the board of supervisors' weekly agenda. Mr. Johnson has chaired the CAO Administration of Justice Committee since 1997. He has represented the CAO Association on the Joint Court-County Working Group on Trial Court Funding, 1999–2001; on security issues with the Judicial Council and the California State Sheriff's Association, 1999–2001; and on the Trial Court Budget Commission and Budget Evaluation and Appeals Committee, 1995–1997. From 1987 to 1992, he served as chief executive officer of Shasta County. In that capacity, he acted as the agent of the board of supervisors in all county administrative and fiscal matters, which included supervision of all appointed department heads, direction of the day-to-day operations of county government, coordination of the weekly board of supervisors agenda process, and preparation of the county's budget.

**Mr. Philip Kader**  
**Probation Services Manager, Fresno County**

Philip Kader has been a probation officer for 19 years, working in all facets of probation, as well as spending 2 years as a group counselor in the county juvenile hall. His areas of expertise include juvenile crime prevention, grant procurement, balanced and restorative justice, and collaborative projects. He is a consultant member of the core planning group for the Judicial Council's Family and Juvenile Law Advisory Committee delinquency conference and in that capacity has helped plan three major conferences.

Mr. Kader held the position of deputy probation officer from 1984 to 1997. While working as a probation services manager (beginning in 1997), Mr. Kader managed the Juvenile Division Community Connections Unit. As a member of the Peace Officers Safety Training Commission's Youth Violence Subcommittee, he helped produce a teleconference and a handbook. He is the administrator of the Fresno County Probation Department's Juvenile Crime Prevention Services Unit. He currently manages the Youth Challenge Community Program and the Students Targeted with Opportunities for Prevention Program, which are school/community-based crime prevention projects for at-risk youth. Mr. Kader remains as the department's restorative justice coordinator and is the co-author of the "Fresno Framework" and has conducted presentations on that

subject and on juvenile justice issues at statewide and national conferences. He is a graduate of the University of California at Santa Barbara and is an adjunct instructor at Fresno Community College.

**Hon. William S. Lebov**

**Judge of the Superior Court of California, County of Yolo**

*Served on the task force August 29, 2000– December 31, 2001. Position filled by Judge Steven E. Jahr.*

William S. Lebov was the senior judge at the Superior Court of Yolo County in Woodland until his retirement in February 2003. He began his tenure with the court in December 1982, when he was appointed to the Yolo Municipal Court; he was elevated to the superior court in 1998. In 1975, he was appointed as a deputy district attorney for Yolo County, where he worked until his appointment to the bench. Prior to that, he was an assistant public defender for Yolo County.

Throughout his career, Judge Lebov has served on statewide and local committees. He has been actively involved in continuing education for judges from rural counties, and he recently completed a term as chair of the Cow Counties Judges Association. Over the years, he has served on several Judicial Council committees, including the Trial Court Funding Committee in 1991 and the Trial Court Presiding Judges Advisory Committee in 1997. He is currently a member of the Rural Courts Education Committee, the Criminal Law Advisory Committee, and the Probation Services Task Force.

Judge Lebov was born in Bridgeport, Connecticut, and graduated from Bucknell University in Lewisburg, Pennsylvania, with a B.A. in psychology. He received his J.D. degree from Willamette University College of Law in Salem, Oregon.

**Mr. Bill Mahoney**

**Assistant County Executive Officer, Orange County**

Bill Mahoney is assistant county executive officer in charge of strategic and intergovernmental affairs for the County of Orange. For 25 years, he was a sole practitioner specializing in general business and estate planning law in the Orange County area. He graduated from Western State University College of Law.

Mr. Mahoney was elected to the city council of La Habra in 1982, where he served for 12 years in various capacities, including mayor for three terms. His peers in the Orange County League of California Cities elected him as one of the original board members of the then-newly formed Orange County Transportation Authority. During his 9-year tenure on the board of directors of the Orange County Sanitation Districts, he was elected chair

for three terms. In addition, during his service as an elected official, Mr. Mahoney served on various city and county boards and commissions. He also serves as a member of the Orange County Juvenile Justice Coordinating Council.

**Hon. Kevin M. McCarthy**

**Judge of the Superior Court of California, County of San Francisco**

Kevin M. McCarthy is a member of the Judicial Council's Criminal Law Advisory Committee and has served as a member on the planning committees for the Center for Judicial Education and Research (CJER) Criminal Law and Juvenile Law Institutes. He is a member of the Ethics Committee of the California Judges Association, the Qualifying Ethics Education Committee, and the Qualifying Ethics Training faculty.

Judge McCarthy has taught in numerous CJER programs and is an adjunct professor at Hastings College of Law, teaching first-year criminal law as well as trial advocacy. His judicial assignments have included adult criminal, juvenile delinquency, and unlimited civil trials. Prior to taking the bench, he was a deputy public defender in Alameda County.

**Hon. Barbara McIver**

**Supervisor, Tehama County**

*Served on the task force August 29, 2000–May 30, 2001. Position filled by Supervisor Patricia Clarke.*

Barbara McIver was elected to the Tehama County Board of Supervisors, District One, in 1992. Supervisor McIver has served as the Tehama County representative on the California State Association of Counties (CSAC) Board of Directors since 1994, as the chair of the CSAC Administration of Justice Policy Committee for two years, and as a member of the Board of Corrections Executive Steering Committee for Challenge Grants. Supervisor McIver is a member of the National Association of Counties' Justice and Public Safety Steering Committee, as well as a number of other committees as a member of the board of supervisors.

**Mr. Ralph Miller**

**President, Los Angeles County Probation Union**

Ralph Miller has served as a deputy probation officer in Los Angeles County for the past 25 years. He is currently the president of American Federation of State, County, and Municipal Employees Local 685, where he represents more than 3,500 union members. He is a delegate of the Los Angeles County Federation of Labor, which services over 535 local unions; a member of the Coalition of Black Trade Unionists, the Asian Pacific Alliance, the Mexican American Corrections Association, the Asian Pacific Probation

Association, and the Black Employee Association; and a board member of the Los Angeles Labor Management Advisory Committee, and a member of the AFSCME International Judicial Panel. Mr. Miller is treasurer of the Coalition County Union Members and a member of the board of directors of the California Coalition of Law Enforcement Association, the Southern California Alliance of Law Enforcement, and the Los Angeles County Organization of Police and Sheriffs.

**Hon. Mike Nevin**

**Supervisor, San Mateo County**

*Served on the task force August 29, 2000–December 31, 2001. Position filled by Supervisor John Tavaglione.*

Michael Nevin was elected to the San Mateo County Board of Supervisors in 1992. From 1989 to 1992, he served on the Criminal Justice Council of San Mateo County and on its Narcotics Task Force. He was elected to the Daly City Council in 1982 and served as mayor of Daly City in 1984 and 1989. During his term as mayor in 1984, Daly City was recognized as an outstanding city by the U.S. Conference of Mayors. Through that conference, Supervisor Nevin introduced the Economic Development Program to Daly City. He served as a member of the Daly City Planning Commission from 1979 to 1982 and also served as chair during a portion of that time.

Supervisor Nevin attended San Francisco City College and the University of San Francisco and joined the San Francisco Police Department in 1965. He spent 27 years in the police department and held the rank of inspector. He has been married to his wife Kathleen for 34 years, and they have three adult children: Mike, Jr., Michelle, and Tim.

**Mr. Paul Nicolosi**

**Deputy Probation Officer II**

**Contra Costa County**

*Served on the task force June 11, 2003–present. Filled position vacated by Mr. Bryce Johnson.*

Mr. Nicolosi has been a probation officer with the Contra Costa County Probation Department since January of 1994 after serving as a temporary probation counselor in the Juvenile Hall. He has been a deputy probation officer II since October 1996. He started in the adult felony investigations unit but quickly transferred to the Orin Allen Youth Rehabilitation Facility as the probation officer in charge of aftercare program as part of a Safe Futures grant.

**Hon. Frank J. Ochoa**

**Judge of the Superior Court of California, County of Santa Barbara**

Frank J. Ochoa was elected to the Santa Barbara Superior Court in 1996. He has handled all court assignments, including criminal, juvenile, and civil, and he started two adult drug courts and two juvenile drug courts in Santa Barbara. Judge Ochoa served as presiding judge of the court from 1998 to 2001, managing the court through the unification process. From 1983 to 1996, he sat on the Santa Barbara Municipal Court. He has served as judge pro tem for the California Court of Appeal. Prior to his appointment to the bench, he was the directing attorney for the Yolo County Law Office of Legal Services of Northern California and executive director of Santa Barbara County Legal Aid.

Judge Ochoa served on the Judicial Council's Trial Court Budget Commission and its Presiding Judges Advisory Committee. He was a member of the Transitional Executive Committee of the Trial Court Presiding Judges Advisory Committee. He is a Probation Services Task Force liaison to the Judicial Council's Proposition 36 Implementation Workgroup.

Judge Ochoa is a former president of the board of directors of the Santa Barbara and Ventura Colleges of Law and has taught legal process, statutory law, and legal ethics at the Santa Barbara campus. He has served on the executive board of the California Judges Association (CJA) and as chair of the CJA Court Administration Committee. He served a term on the executive board of the Juvenile Court Judges of California and was a team captain on its Legislative Review Committee.

Judge Ochoa received the Santa Barbara County Bar Association's Judicial Service Award in 1999. He was honored in 2000 as a University of California at Davis School of Law Distinguished Graduate and as the Southern California Mediation Association's Judge of the Year.

Judge Ochoa is an eighth-generation Californian. He earned degrees in English and history at the University of California at Santa Barbara and graduated from the University of California at Davis School of Law.

**Mr. John P. Rhoads**

**Chief Probation Officer, Santa Cruz County**

*Served on the task force August 29, 2000–August 1, 2002. Position filled by Mr. John Wardell.*

John P. Rhoads served as the chief probation officer of Santa Cruz County until his retirement in August 2002 and has been involved in probation services for more than 30 years. He has served as a probation officer in both Santa Cruz and Sacramento counties and as the manager of juvenile facilities. Mr. Rhoads is active in the Chief Probation Officers of California Association. He is a current member of the Judicial Council's Family and Juvenile Law Advisory Committee. Mr. Rhoads is a licensed marriage, family, and child counselor.

**Mr. Michael M. Roddy**

**Regional Administrative Director, Judicial Council of California, Administrative Office of the Courts, Northern/Central California Regional Office**

Before assuming his current position as a regional administrative director of the Administrative Office of the Courts, Michael M. Roddy served as court executive officer of the Superior Court of Sacramento County. He previously served as the assistant executive officer over court operations for the San Diego County Superior Court after beginning his court career in 1980 with the Los Angeles Superior Court.

Mr. Roddy was a member of the Judicial Council's Court Technology Advisory Committee, Court Security Work Group, and Court Executives Advisory Committee and is a past president of the California Association for Trial Court Administrators. He was also a member of the Blue Ribbon Commission on Jury System Improvement, chairing the Juror Pool, Treatment, and Management Subcommittee and the Trial Court Budget Commission.

Mr. Roddy received his bachelor's degree from the University of California at Los Angeles in 1980 and his master's degree in judicial administration from the University of Southern California.

**Hon. John Tavaglione**  
**Supervisor, Riverside County**

*Served on the task force January 1, 2002–present. Filled position vacated by Supervisor Mike Nevin.*

John Tavaglione was elected to represent the Second Supervisorial District on November 7, 1994, and was sworn into office on January 3, 1995. The Second District includes the unincorporated communities of Coronita, El Cerrito, Home Gardens, and Jurupa Valley and the cities of Corona, Norco, and the western half of Riverside. Supervisor Tavaglione is currently in his ninth year of office and has run unopposed in the last two elections.

Supervisor Tavaglione currently serves as chairman of the board of supervisors, and in 2002, was chair of the Riverside County Transportation Commission (RCTC). He is in his ninth year as a member of Riverside County's Local Agency Formation Commission (LAFCO) and in 1999 served as chair. In January 2002, he was appointed to the Inland Empire Health Plan (IEHP), an agency that serves the Medical and Healthy Families populations in the Riverside/San Bernardino County Region. Supervisor Tavaglione is also a member of the Riverside Transit Agency (RTA) Board of Directors. Supervisor Tavaglione currently serves as treasurer of the California State Association of Counties (CSAC) and is a member of the CSAC Executive Committee. He was recently appointed by CSAC as one of three California county supervisors to the board of directors of the National Association of Counties (NACO).

Supervisor Tavaglione is a fourth-generation resident of Riverside County and has spent much of his life dedicated to the Inland Empire Region. Prior to his election to the board of supervisors, he served on the Riverside City Council and was a member of the Riverside Public Utilities Commission. His professional career spanned nearly 25 years as a commercial real estate executive. Supervisor Tavaglione received his bachelor's degree in business administration from California Baptist College.

As a member of the board of supervisors, he has been credited for his leadership in regional transportation issues and community and economic development and for his strong fiscal and organizational management. Supervisor Tavaglione is dedicated to improving the economic and social future for the residents of Riverside County and the Inland Empire Region.

As an advocate for youth, Supervisor Tavaglione is a strong supporter of collaborative programs that provide educational and growth opportunities for the county's youth population. He is a board member and past president of the Southern California Dollars for Scholars Governing Board. He and his wife, Jan, proudly host an annual fundraiser where all proceeds go toward scholarships for graduating seniors in his district.

Supervisor Tavaglione and his wife have two children, Heidi and Chris, and a daughter-in-law, Jennifer. He and his wife reside in Riverside with their two cats, Max and Lucy. His hobbies are woodworking, singing, playing guitar, recording in his home studio, and spending time with his family.

**Mr. John Wardell**

**Chief Probation Officer, Butte County**

*Served on the task force August 14, 2002–present. Filled position vacated by Mr. John Rhoads.*

John Wardell was recently appointed as chief probation officer for Butte County after serving as chief probation officer for Nevada County since 1997. He began his career in 1982 as a juvenile hall counselor and progressed to supervising probation officer in 1989 with Butte County. In his 15 years of service to Butte County, Mr. Wardell worked in every area of probation, including adult and juvenile intake and supervision units, specialized drug units, specialized domestic violence units, and victim/witness and work furlough programs out of the county jail. Over the past 20 years, Mr. Wardell has served on numerous committees at both the state and local levels. He has co-authored language for legislative bills at both the state and federal levels, representing those bills in Sacramento. He is currently a member of the Chief Probation Officers of California (CPOC) where he chairs a committee dealing with the arming of probation officers and serves on the Federal Funding Committee.

# **APPENDIX B**

## **Six County Snapshot Study Executive Summary and Consultant Biography**

**EXECUTIVE SUMMARY**

**CALIFORNIA**

**SIX COUNTY PROBATION SITES**

Prepared for the  
Probation Task Force  
**California Administrative Office of the Courts**

By

**Alan M. Schuman**  
**Corrections Management Consulting**

September 2000

**EXECUTIVE SUMMARY**  
**CALIFORNIA**  
**SIX COUNTY PROBATION SITES**

**PURPOSE OF REPORT**

The Judicial Council of California, Administrative Office of the Courts (AOC), contracted with Alan M. Schuman, Corrections Management Consultant, to describe the operations of six county probation departments. The counties were selected by the AOC and are Fresno, Glenn, Los Angeles, Placer, Santa Clara, and Santa Cruz. Reports were prepared for each of these counties. The data in the reports will provide background information for the newly appointed Probation Services Task Force. The primary purpose of the task force is to assess programs, services, organizational structures, and funding related to probation services provided by counties to the courts, and to report its findings and recommendations to the Judicial Council, the Governor, and the Legislature.

**REPORT PREPARATION PROCESS**

On-site interviews were held in the six selected counties. In preparation for the interviews, the consultant developed an 18-category set of questions. During an orientation meeting held in San Francisco on July 6, 2000, these categories and the specific questions related to each were reviewed jointly by the AOC, the judiciary, county supervisors, and probation department representatives from each of the six counties. The questionnaire was finalized, and the same questions were used for all on-site visits.

It was determined that seven stakeholder groups would provide a comprehensive view of probation. These included the judiciary and court administration, senior probation officer staff, first-line supervisors and line staff, county supervisors or their representatives,

prosecutors and defense bar, county community services agencies, and private community services agencies.

The interview process separated juvenile and adult services, and interview sessions were held for each. With the exception of senior probation managers and the county supervisor's representatives who were interviewed about both, the seven stakeholder groups addressed questions specific to either juvenile or adult services.

The design for on-site visits included one day for Glenn County because of the small department size, two days each for Fresno, Placer, Santa Clara, and Santa Cruz counties, and four days for Los Angeles County.

The on-site interviews began July 17, 2000, and were completed on August 18, 2000. Interviews with each stakeholder group ranged in length from one to two hours. There were 65 separate groups interviewed, which included a total of 283 stakeholders. Everyone involved was selected by the local sites to represent a cross-section of the departments or agencies involved.

Each of the counties made advanced preparation prior to the on-site interviews. Their written reports addressed the 18 categories of questions. Special recognition is made of the probation staff who prepared the written documents. The reports to the AOC could not have been completed in the allotted time frame without the contributions of the local staff. In almost every case, on-site cooperation was outstanding and professional.

The project's restricted time frame did not permit follow-up questions or clarifications, and the information provided in the final report to the AOC represents a snapshot review of each department.

Several stakeholder groups addressed the same questions. A separate report addressing juvenile and adult services has been prepared for each county, with the exception of a single combined report for Glenn County. Although many of the answers in both reports

are the same or similar, the questions were addressed separately by both juvenile and adult services stakeholders. In some instances contradictory responses were given. These areas of contradiction are reported under the question to which they apply.

Eighteen categories of questions related to juvenile and adult services were developed:

- I. Demographic Information
- II. Organizational Structure
- III. Department Mission and Objectives
- III. Policies and Procedures
- IV. Monitoring and Evaluation Process
- V. Management Information Systems
- VI. Funding Sources
- VIII. Probation Services
- IX. Specialized Court Services
- X. Probation and Private Service Provider Partnerships
- XI. Staff Development and Training
- XII. Communication Systems
- XIII. Program and Service Gaps
- XIII. Partnership with Judiciary
- XIV. Partnership with Prosecutors and Defense Attorneys
- XV. Partnership with Other Collaborative County Departments
- XVI. Juvenile Probation Partnership with Education System
- XVIII. Strengths of Probation Department

## **CONDENSED HISTORICAL REVIEW OF PROBATION FUNDING**

### **RESOURCES**

An important issue streams through California's funding for county probation departments. There was a long period of time when probation department resources diminished dramatically. Adult and juvenile probation services were reduced to a bare minimum. With very limited resources, chief probation officers were charged with

providing services to offenders and protecting their communities. Public safety was the first priority. Then, ranking was necessary for the allocation of the remaining limited resources to juvenile and adult services. For the past six years, resources have increased considerably, and new and innovative services and programs have been integrated into probation departments. Uniformly, the major innovations have been in the juvenile service area. Prevention and early intervention for juveniles have become common priorities for probation departments. This effort is applauded as it has the greatest potential for reducing crime and juvenile involvement in the justice system.

Because of the diminishing resources and because no probation officers were hired during a long period of time, probation departments are faced with a gap in staff experience. Many officers are reaching retirement age. This leaves departments with very few staff with 10 to 15 years of experience, and many officers with 5 or fewer years. The result is too few experienced staff to mentor younger staff. Senior management has the added pressure of ensuring that the quality of probation managers and line staff services is maintained at an acceptable level of performance. More emphasis on proper staff training, clear missions and objectives, and clear policies and procedures is essential.

### **COMMON PROBATION DEPARTMENT ISSUES**

This summary report will highlight the most common themes and practices of the six probation departments. Each point will be addressed within the appropriate category used in the interview process.

#### **▪ DEPARTMENT MISSION AND OBJECTIVES**

Five of the six counties visited have mission statements. At varying intervals, these statements all have been reviewed and updated. The mission statement is a declaration of the main purpose of the department. The objectives provide the specific action steps required at every level of the organization to implement the mission and ensure that all

employees are working toward the same goals. Mission statements become especially significant in departments that have many new employees with limited corrections experience. None of the six counties have departmental objectives for every level of the organization. Specific objectives are in place for grant-related programs.

#### ▪ **MONITORING AND EVALUATION PROCESS**

All six counties have evaluation components for grant-funded programs and for a few contracted services. None have evaluation elements for the majority of services and programs. Everyone recognized that monitoring and evaluation of all programs and services is a desirable goal. Probation departments with limited resources find it difficult to allocate funding for evaluation units or to contract with private vendors when they have such great needs for line officers. This is a catch-22 because the public is demanding governmental accountability in the form of quantifiable, performance-based measures. People want to see results.

Performance-based measures are not being utilized to any extent in any of these six counties. There are two types of performance-based measures. First are process measures that ask whether the program was implemented as designed. Second are outcome measures that ask whether the program or practices achieved the desired results: Did the services address offender needs? Probation departments must have concrete information that demonstrates their value if they are to compete successfully for limited financial resources. The white papers prepared for this task force address the issues of performance-based measures.

#### ▪ **MANAGEMENT INFORMATION SYSTEMS**

There was a strong recognition that fully integrated information systems are crucial for an efficient and effective justice system network. Many of the counties do not have a completely integrated information system, but all felt that the issue is being addressed. Several cited the current necessity of making duplicate data entries as a waste of valuable

staff time. Most of the sites indicated that they have limited capability for data analysis by management and line staff. Some of the departments do not have users committees whose membership is made up of representatives from all levels within the department. These committees help determine the highest priority technology needs. There is finite technology information exchange with other county agencies, especially in the juvenile service arena. The Juvenile Automation System in Fresno County is recognized as an ideal prototype of an integrated system that includes and has the capacity to include all primary juvenile-serving agencies.

Probation staff at all levels recognize the need for information technology staff who are accessible to interpret sophisticated information systems. Staff also expressed the need for training to function effectively with a new technology system.

#### ▪ **FUNDING SOURCES**

For the past five fiscal years, all probation departments interviewed have shown a dramatic increase in total department funding. The increases ranged from 24 to 83 percent. The general fund contributions to the total budget ranged from 35 to 58.3 percent. Four of the six departments receive general funds of less than 50 percent of the total budget, with one department receiving less than 40 percent. With the exception of one unreported department, all others indicate that their general fund contributions have decreased. In one jurisdiction, the decrease since 1997 is 35 percent, and in another the decrease is 18 percent.

The revenue increases have come from fee increases as well as federal and state funds. In the juvenile service area a substantial amount of funding has come from grants. It is important to recognize this changing source of funding for probation departments. Many of the specialized programs and services are grant funded. A considerable number of positions are financed with grant money.

This same scenario occurred in the 1970s, at which time the Law Enforcement Assistance Administration (LEAA) distributed large amounts of money to state and local probation departments. When that funding ended, many progressive probation programs that were LEAA supported were eliminated. The reputation of probation was severely damaged, and it took more than a decade to recover from the loss of service. The current abundance of grant money for special programs and services will diminish, and counties need to prepare to finance programs proven to be effective.

The funding priorities in all six counties emphasize juvenile services. A deliberate (and commendable) focus has been given to juvenile prevention and early intervention services. What cannot be ignored is the limited staff assigned to supervise a predominantly felony adult probation population. All jurisdictions reported that the banked caseloads include offenders in need of direct and intensive supervision. All departments agreed that more resources are needed for adult probation services.

## ▪ **PROBATION SERVICES**

### **Automated and Validated Needs/Risk Tools**

Five of the six counties do not have needs/risk assessments for juveniles as part of the disposition report process. Probation staff administers no specialized juvenile assessment tools for substance abuse, domestic violence, mental health, or sex offenses. A limited number of outside providers provides specialized assessment services. Some grant-funded programs have assessment components.

Four of the six counties administer needs/risk assessments of adult offenders. In each county where these assessments are administered, the needs determined through the evaluation are not being met because of limited staff resources. Some grant-funded programs have assessment components.

The submitted white papers on juvenile and adult probation services stress the importance of properly assessing all offenders. Considerable research on assessment instruments has been conducted, and a number of good instruments have been developed. Today, assessment tools are probation officer friendly. They are self-administered on personal computers, they are scored, and the results are printed, all in 20 to 30 minutes, with none of this requiring time from probation staff. The more advanced instruments have a validation component that determines the truthfulness of the test taker. The better instruments are validated and normed to the probation population in each local jurisdiction. With the proper equipment, a single trained person can administer the assessment to as many as 15 people at a time. This represents considerable timesaving for staff. With good assessments, staff can focus on identified needs and not spend time on a shotgun approach to problems.

### **Probation Supervision Workload Standards**

Staff was asked about the system that is used to determine equal workload distribution among probation staff. All jurisdictions replied that there is no system in place. There are no workload standards for any juvenile or adult probation program in the six counties visited. Grant-funded positions have reduced caseloads in some departments. Only one county sets a maximum number of cases for specialized caseloads. Otherwise, workload standards are determined by the number of staff available to handle the total number of cases. One department reduced the number of adult probation cases to a 100:1 offender-to-officer ratio and then banked the remainder. One department determines workload size during the collective bargaining process with the union. None of the six counties reviewed has conducted a recent time study to determine workload capacities.

Workload measure rather than caseload size is the most accurate and effective gauge to equalize work distribution among probation officers. The white papers indicate that workload measures realistically consider the number of cases, contacts, and other responsibilities of each case, as well as job responsibilities not specifically related to case management. Probationers should be treated differently depending on the amount and

type of supervision they require. Each case is weighted, which helps determine an equal distribution of workloads over a period of time. Probation officers can then be held to the same standards of performance.

- **SPECIALIZED COURT SERVICES**

A myriad of specialized courts and services for both juvenile and adult probationers is offered in the six selected probation departments. Adult and juvenile pre- and postconviction drug courts are available or in the planning phase in all counties. Peer courts for juvenile offenders are found in every county, with the exception of Glenn because of its limited number of juveniles. Mental health calendars, informal traffic courts, domestic and family violence courts, victim services programs, and gang prevention programs are common juvenile services in most departments.

Common adult probation services include pre- and postconviction drug courts, domestic violence courts, mental health calendars, sex offender programs, and batterers treatment programs.

In specialized programs, the working relationship between probation and the other stakeholders is outstanding. In both the juvenile and adult probation systems, the adversarial factors are greatly diminished. Judges, probation, prosecutors, defense attorneys, and community-based service agencies and advocates work together as partners. The specialized programs appear to have the effect of bringing everyone together for a single purpose.

It is important to note that a considerable amount of the funding for these specialized programs has come from state and federal funding sources. Counties must plan for the time when these resources are diminished or eliminated. Dropping programs and services that have been accepted by the community as proven and effective deterrents to criminal behavior would be a major loss.

- **STAFF DEVELOPMENT AND TRAINING**

California's mandatory training for line staff and supervisors is far above the national norm. In addition, most departments have a training unit or officer to coordinate training activities.

Two points were frequently raised during the interview process. First, there are no training courses offered to line officers to begin preparing them for supervisory roles prior to their being selected for supervisory or management positions. This training is especially important in the environment where staff members with fewer years of experience are being promoted to supervisory levels. It is crucial that staff be selected for management positions who have demonstrated the desire and have the skills to perform in that capacity.

Second, the training provided by the state appears adequate, but there are very few opportunities for training outside of the state. Exposure to professionals from other states and jurisdictions would result in new and innovative ways to manage caseloads and add successful new programs and services.

- **PARTNERSHIP WITH JUDICIARY**

The overall report from juvenile and adult court judges is that the relationship with probation is excellent and is one that is built on mutual respect. Probation staff unanimously responded that they work for the judiciary and that they value this partnership. Judges indicated that, quite appropriately, probation officers are independent of prosecutors and defense attorneys. Judges expressed strong approval and support for probation court officers and felt they should be assigned to all trial court calendars. Their confidence in experienced officers is higher than their confidence in those with less experience. Judges expressed frustration over limited and timely availability of resources for sentencing options. The lack of resources causes frustration for all parties and places

a strain on the relationship between the judiciary and probation. Several references were made to the lateness of court reports.

The relationship between juvenile court judges and probation was a recurring theme. Some counties expressed concern about the relationship between probation and the judiciary. Judges reported that probation officers are becoming less social work and more law enforcement oriented. This manifests itself in probation's requests for commitments to camp. The judiciary frequently denies these requests. Infrequent requests are made by probation to deviate from the sentencing guidelines in favor of community supervision. There is a concern that probation officers are becoming too criminal justice oriented.

There was strong sentiment that the relationship could be enhanced with frequent meetings between the judiciary and probation, and jointly among judges, probation officers, prosecutors, and defense attorneys. The judiciary should be included in the planning process for the strengthening of services to juvenile and adult offenders. Joint training of judges and probation staff was frequently suggested. Judges need to be better educated about the functions of probation.

▪ **PARTNERSHIP WITH OTHER COLLABORATIVE COUNTY DEPARTMENTS**

The relationships with other collaborative agencies varied considerably among counties and between juvenile and adult probation services. The relationships are most favorable when the agencies are working jointly on projects. The specialized drug courts, peer courts, school campus programs, joint narcotic units, and wrap-around services are some of the partnerships that have achieved outstanding collaborative efforts, with all parties working toward the same goals and objectives. The most favorable results occur when the county supervisor's office plays an active leadership role. All the exemplary programs and services include community partners.

## **STRENGTHS OF PROBATION DEPARTMENT**

All the stakeholder groups in every county identified numerous strengths of probation. A general sentiment was that probation is doing a remarkable job with limited resources, especially in the area of adult supervision. The consensus was almost unanimous that the top leadership of probation is competent, visionary, and open to new programs, ideas, and suggestions. The efforts directed toward juvenile prevention and early intervention were highly praised by all stakeholders. Probation officers were described as committed to their communities, innovative, and receptive to partnerships with community agencies and services. Presentence investigations were recognized for their high quality, and probation officers' understanding and interpretation of the sentencing laws were considered invaluable to judges and prosecutors.

## **EXEMPLARY PRACTICES AND PROGRAMS**

Eleven exemplary practices and programs were identified in the six county probation departments: a Juvenile Automation System; a school campus partnership; a wrap-around services program for juveniles and their families; a juvenile restorative justice program; a continuum of sanctions program for juveniles; teen or peer courts; partnerships between juvenile probation and public and private youth-serving agencies; dependency and delinquency issues between judiciary, probation, prosecutor and defense attorney; alternatives to juvenile detention approaches; a system management advocacy resource team for juveniles; and a partnership of the three branches of government working to maximize limited resources.

These exemplary practices and programs all involve partnerships with key community stakeholders and depend on a common commitment to the overriding goal of assisting juveniles and their families. It is significant that the emphasis placed on prevention and early intervention has resulted in model programs and practices that represent some of the best practices in the nation. It is also notable that no adult programs or practices have

been cited by any county as exemplary. This will change with additional resources and increased emphasis on service of the adult probation population. The talent is available, but the resources are not.

**ALAN M. SCHUMAN**  
**Corrections Management Consultant**

1701 Briar Ridge Road, McLean, VA 22101  
703-241-3910 FAX 703-241-7804  
aschuman@erols.com

---

**Work History**

1993 - Present      **Corrections Management Consultant**

**Judicial Council of California**

Reviewed current probation practices of 58 California County Probation Departments including development of comprehensive probation services surveys, and on-site intensive interviews with key stakeholders. Compiled and analyzed survey results and coordinated the design and implementation of two National White Papers on Juvenile and Adult Probation Services. Serve as a consultant to the California Probation Services Task Force.

**Judicial Branch, State of Connecticut; Court Support Service Division**

Assessed internal structure, designed and implemented a new structure for the Connecticut Judicial Branch that merged statewide pre-trial, juvenile probation, juvenile detention, family services, adult supervision and privately operated alternative sanctions into a dynamic single operation.

**Virginia Community Criminal Justice Boards**

Planned and facilitated retreats throughout the Commonwealth for board members to focus on their mission, goals, and action plans.

**Expert Witness**

Served as an expert witness on legal matters pertaining to community corrections for the state of Florida and for law firms in Virginia and Colorado.

**Talent Search Contractor**

Conducted a national search to identify qualified candidates for the Chief Probation Officer position with the First Judicial District of Pennsylvania.

**Cook County Circuit Court, Adult Probation Department**

Worked with all levels of department managers to implement the department's vision, mission, and measurable objectives. Provided coaching to top level managers, and team building skills for all management staff.

**State of Arkansas, Department of Community Punishment**

Assessed the internal structure and worked with top level managers to develop long term management and program objectives for the newly legislated department responsible for statewide probation, parole, and community corrections facilities.

**Madison County, Illinois**

Facilitated the development and implementation of a court supervised drug treatment program.

**National Association of Housing and Redevelopment Officials**

Represented the interests of the Justice Department in a model nationwide partnership program with Departments of Health and Human Services, Labor, and Housing and Urban Development. Program combined resources of four federal agencies to create jobs with career potential and support services for public housing residents. Throughout the US, educated site staff about probation and parole functions to insure the inclusion of offenders in the project.

**States of Texas, Virginia, Wisconsin, South Dakota, New Jersey, North Carolina**

Lead trainer for Coordinated Drug Training Program involving substance abuse treatment providers and criminal justice professionals.

**Department of Health and Human Services: Center for Substance Abuse**

Lead consultant, Arkansas Project. Developed a Drug Court for the state of Arkansas which became a national model that included partnerships with the judiciary, Arkansas Substance Abuse Bureau, and the Arkansas Health Department. Directed activities of a team of consultants.

Technical reviewer for state of Indiana to analyze treatment needs and recommend responsive statewide services for juvenile substance abusers.

Faculty to train state legislators, court officials and state directors of substance abuse programs on treatment of alcohol and drug abuse.

Facilitator for state of Michigan to develop service linkages for criminal justice staff and substance abuse treatment providers.

**National Coalition for the Mentally III**

Senior advisor on the development of programs and services for adult and juvenile probationers with mental health needs.

**Commonwealth of Massachusetts, Probation Department**

Consultant to top-level probation managers to develop statewide visionary and leadership training.

**Director of Social Services, Superior Court of the District of Columbia 1972 - 1993**

Directed operations of 380 member staff serving 58 judges by providing pre-sentence investigations and full range of probation services to an annual number of more than 14,000 adult and juvenile offenders, including domestic relations and child abuse cases. Administered annual budget of \$18M+; acquired \$12M+ in grants. Created and implemented targeted programs including High Intensity Treatment Supervision, Family Counseling Center, Child Guidance Clinic, batterers groups, multi-media learning centers, mediation services, restitution/community service programs, and victims assistance programs. Developed and implemented client management classification system. Initiated citywide system of service linkages including Day Reporting Center for substance abusers, home detention electronic monitoring, and diversion programs. Contracted services with private vendors. Conceptualized and designed, with judges, a Drug Court.

**Department of Corrections of the District of Columbia, 1967 - 1972**

**Director of Youth Services** 1970 - 1972

Directed operations of an institution for 420 incarcerated adult offenders sentenced under the Federal Youth Corrections Act. Administered parole services and community treatment centers. Piloted experimental community based alternative to incarceration project for convicted felons. Established first institutional college program in DC.

**Superintendent, Lorton Youth Center** 1968 - 1970

**Associate Superintendent for Treatment and Programs** 1968

**Executive Assistant to the Director** 1967 - 1968

**Staff Specialist, President Johnson's Crime Commission** 1965 - 1967

**Probation Officer, District of Columbia Juvenile Court** 1962 - 1965

**NATIONAL LEADERSHIP**

**American Probation and Parole, President** 1993 - 1995

**National Association of Probation Executives,** 1985 - Present  
Co-founder and Vice President; member

**Urban Chief Probation Network, Co-founder and member** 1989 - 1993

|                                                                                           |             |
|-------------------------------------------------------------------------------------------|-------------|
| <b>National Evaluation of Treatment Alternatives to Street Crimes, Board</b>              | 1992 - 1995 |
| <b>Bureau of Justice Assistance, Advisory Board on Correctional Options</b>               | 1993        |
| <b>National Institute of Justice, Advisory Board on Correctional Options</b>              | 1993 - 1997 |
| <b>National Center for State Courts: Institute for Court Management, Faculty</b>          | 1981 - 1992 |
| <b>National Organization for Victims Assistance, Chairman, Criminal Justice Committee</b> | 1988 - 1990 |
| <b>National Council on Crime and Delinquency, Board and Member</b>                        | 1982 - 1988 |
| <b>Middle Atlantic States Correctional Association, President</b>                         | 1982        |
| <b>Center for Dispute Settlement, Board</b>                                               | 1972 - 1993 |
| <b>Weed and Seed, Steering Committee</b>                                                  | 1992 - 1993 |
| <b>Prison Law Reporter, Board</b>                                                         | 1987        |
| <b>Children's Hospital Sex Abuse Advisory Council, Member</b>                             | 1986 - 1988 |

**TRAINING/TECHNICAL ASSISTANCE/POLICY EVALUATION**

|                                                                    |                |
|--------------------------------------------------------------------|----------------|
| <b>National Institute of Corrections</b>                           | 1981 - Present |
| <b>National Center for State Courts</b>                            | 1981 - Present |
| <b>National Narcotics Intervention Project</b>                     | 1989 - 1993    |
| <b>National Coordinated Interagency Drug Training</b>              | 1990 - 1996    |
| <b>National Association of Alcoholic and Drug Abuse Counselors</b> | 1992           |
| <b>National Institute for Sentencing Alternatives</b>              | 1985 - 1988    |

|                                                                                                                                                                                                                                                                              |                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| <b>National Conference of Chief Justices and State Court Administrators</b>                                                                                                                                                                                                  | 1990           |
| <b>National Symposium for Legislators, Judges and Corrections Administrators</b>                                                                                                                                                                                             | 1993           |
| <b>National Coalition for the Mentally Ill</b>                                                                                                                                                                                                                               | 1993           |
| <b>States of Arkansas, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, North Carolina, Massachusetts, Michigan, New Jersey, Ohio, Oklahoma, Pennsylvania, South Carolina, Texas, Utah, Virginia, and the District of Columbia</b> | 1982 - Present |

### **AWARDS AND RECOGNITION**

**Walter Dunbar Memorial Award**, American Probation & Parole Association

**Paul C. Reardon Award**, National Center for State Courts

**Selected Fellow**, Aspen Institute

**Distinguished Service Award**, Middle Atlantic States Correctional Association

**Merit Award**, National Organization for Victims Assistance

**Outstanding Contribution**, American Probation and Parole Association

**Agency of the Year**, National Association of Blacks in Criminal Justice

### **PUBLICATIONS**

"President's Message," *Perspectives*: Quarterly from 1993 - 1995

"Intervening With the Serious Offender: High Intensity Treatment Supervision Program," *Perspectives*: Spring, 1992

"The Cost of Corrections: In Search of the Bottom Line," *Research in Corrections*: February, 1989

"A Correctional Program for the Not Too Distant Future," *Community Mental Health Journal*, Volume 10, 1974

*Crime Report*, President's Commission on Crime in the District of Columbia, 1967

**EDUCATION**

MSW Psychiatric Social Work

Loyola University of Chicago

B.S. Psychology

University of Illinois

Fellow Graduate

Institute of Court Management

Trained Mediator

Center for Dispute Settlement

# **APPENDIX C**

## **Stakeholder Survey and Results**

|               |             |         |
|---------------|-------------|---------|
| Name:         | Title:      |         |
| Organization: | County:     |         |
| Phone Number: | Fax Number: | E-Mail: |
| Address:      | Room #:     |         |
| City:         | State: CA   | Zip:    |

**Part 1: Agency Staffing and Workload**

*Please Answer all Questions for Fiscal Year 1999-00*

**Staffing:**

1. Total number of *authorized* Deputy Probation Officers or equivalent staff positions:

In your response to 1, please include *all* staff positions that provide supervision of offenders including supervisors and managers. Do *not* include detention staff.

1a. Total number of *filled* probation department positions:

1b. Total number of probation department vacancies:

*(Note: The sum of 1a + 1b should be equal to the number you report in question 1.)*

**Size of the offender population under supervision by probation department:**

2. Average *daily* number of *all* offenders under supervision by the probation department:

In your response to 2, please include *all* adults and juveniles who are banked or under active supervision. Do *not* include offenders in detention or offenders under "informal probation" or court supervision.

*Of the daily average of offenders under supervision, How many are:*

|                            | Misdemeanor          | Felony                 | Total                  |
|----------------------------|----------------------|------------------------|------------------------|
| 2a. Adult probationers?    | <input type="text"/> | + <input type="text"/> | = <input type="text"/> |
| 2b. Juvenile probationers? | <input type="text"/> | + <input type="text"/> | = <input type="text"/> |

*(Note: the sum of the Totals (2a + 2b) should be equal to the number you report in 2.)*

*Of the daily average of juvenile probationers, please indicate the following:*

3. Daily average number of youths receiving in-home services

4. Daily average number of youths receiving out-of-home placement services

5. Please list below the daily average population in all juvenile correctional facilities and their rated capacity.

|                                                | Name of Facility | Average Daily Population | Rated Capacity |
|------------------------------------------------|------------------|--------------------------|----------------|
| 5a.                                            | Juvenile Hall    |                          |                |
| 5b.                                            |                  |                          |                |
| 5c.                                            |                  |                          |                |
| 5d.                                            |                  |                          |                |
| 5e.                                            |                  |                          |                |
| <i>(Attach additional sheets if necessary)</i> |                  |                          |                |

*(Note: the sum of 3 + 4 + 5a + 5b + 5c + 5d + 5e should be equal to the Total reported in 2b.)*

**Caseload and Case Assignment of Probation Officers:**

Please indicate the average daily caseload *per* Deputy Probation Officer for the following types of probationers:

**Adults:**

|                                                                                              | Average Caseload |        |
|----------------------------------------------------------------------------------------------|------------------|--------|
|                                                                                              | Misdemeanor      | Felony |
| 6. Intensive supervision<br><i>(Please specify type, e.g., drug, sex offender caseload.)</i> |                  |        |
| 6a.                                                                                          |                  |        |
| 6b.                                                                                          |                  |        |
| 6c.                                                                                          |                  |        |
| 6d.                                                                                          |                  |        |
| 6e.                                                                                          |                  |        |
| 6f.                                                                                          |                  |        |

*(Attach additional sheet if necessary)*

|                         | Misdemeanor | Felony |
|-------------------------|-------------|--------|
| 6g. Regular Supervision |             |        |
| 6h. Banked              |             |        |

**Juvenile:**

|                                                                                                   | Average Caseload |        |
|---------------------------------------------------------------------------------------------------|------------------|--------|
|                                                                                                   | Misdemeanor      | Felony |
| 7. Home-Intensive Supervision<br><i>(Please specify type, e.g., drug, sex offender caseload.)</i> |                  |        |
| 7a.                                                                                               |                  |        |
| 7b.                                                                                               |                  |        |
| 7c.                                                                                               |                  |        |
| 7d.                                                                                               |                  |        |
| 7e.                                                                                               |                  |        |
| 7f.                                                                                               |                  |        |

*(Attach additional sheet if necessary)*

|                                                          | Misdemeanor | Felony |
|----------------------------------------------------------|-------------|--------|
| 7g. Home-Regular Supervision                             |             |        |
| 7h. Home-Banked                                          |             |        |
| 7i. Placement<br><i>(e.g., foster care, group homes)</i> |             |        |

8. Do you use a risk assessment tool for:

- 8a. Adult?       Yes                       No  
 8b. Juvenile?     Yes                       No

*If "Yes," Please attach risk assessment tool.*

9. How are *adult* cases assigned?

*(Check all that apply)*

- Specialized case type
- Rotation
- Amount of work  
*(to achieve balanced workload)*
- Other *(Please specify how)*

---

---

---

---

---

---

10. How are *juvenile* cases assigned?

*(Check all that apply)*

- Specialized case type
- Rotation
- Amount of work  
*(to achieve balanced workload)*
- Other *(Please specify how)*

---

---

---

---

---

---

**Part 2: Probation Services**

1. Please indicate the types of services that the probation department provides for Adults and Juveniles (Check *all* that apply).

|                                       | <i>Adult</i>             | <i>Juvenile</i>          |
|---------------------------------------|--------------------------|--------------------------|
| Anger Management                      | <input type="checkbox"/> | <input type="checkbox"/> |
| Batterers programs                    | <input type="checkbox"/> | <input type="checkbox"/> |
| Community services                    | <input type="checkbox"/> | <input type="checkbox"/> |
| Deferred entry of judgment            | <input type="checkbox"/> | <input type="checkbox"/> |
| Detention services                    | <input type="checkbox"/> | <input type="checkbox"/> |
| Disposition reports                   | <input type="checkbox"/> | <input type="checkbox"/> |
| Domestic violence services            | <input type="checkbox"/> | <input type="checkbox"/> |
| Drug court services                   | <input type="checkbox"/> | <input type="checkbox"/> |
| Drug testing in schools               | <input type="checkbox"/> | <input type="checkbox"/> |
| Electronic Monitoring                 | <input type="checkbox"/> | <input type="checkbox"/> |
| Foster Care                           | <input type="checkbox"/> | <input type="checkbox"/> |
| Gang grant services                   | <input type="checkbox"/> | <input type="checkbox"/> |
| Group Homes                           | <input type="checkbox"/> | <input type="checkbox"/> |
| Home Supervision Services             | <input type="checkbox"/> | <input type="checkbox"/> |
| In Patient Mental Health              | <input type="checkbox"/> | <input type="checkbox"/> |
| Informal probation                    | <input type="checkbox"/> | <input type="checkbox"/> |
| Intake                                | <input type="checkbox"/> | <input type="checkbox"/> |
| Out-of-county/jurisdiction transfer   | <input type="checkbox"/> | <input type="checkbox"/> |
| Out-of-home placements                | <input type="checkbox"/> | <input type="checkbox"/> |
| Out-Patient Mental Health             | <input type="checkbox"/> | <input type="checkbox"/> |
| Out-patient Substance Abuse Treatment | <input type="checkbox"/> | <input type="checkbox"/> |
| Pre-sentence investigation reports    | <input type="checkbox"/> | <input type="checkbox"/> |
| Residential Substance Abuse Treatment | <input type="checkbox"/> | <input type="checkbox"/> |
| Restitution to victims                | <input type="checkbox"/> | <input type="checkbox"/> |
| Reviews                               | <input type="checkbox"/> | <input type="checkbox"/> |
| Revocation hearings                   | <input type="checkbox"/> | <input type="checkbox"/> |
| Serve as hearing officers             | <input type="checkbox"/> | <input type="checkbox"/> |
| Sex offender services                 | <input type="checkbox"/> | <input type="checkbox"/> |
| Sexual Offender Treatment             | <input type="checkbox"/> | <input type="checkbox"/> |
| Supervision                           | <input type="checkbox"/> | <input type="checkbox"/> |
| Victim impact statements              | <input type="checkbox"/> | <input type="checkbox"/> |
| Other (Please Specify below)          | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/>                                 |                          |                          |

2. Please indicate the types of specialized *court* programs available to adults and juveniles in your county (Check all that apply).

|                                     | <i>Adult</i>             | <i>Juvenile</i>          |
|-------------------------------------|--------------------------|--------------------------|
| Day Reporting Center                | <input type="checkbox"/> | <input type="checkbox"/> |
| Domestic Violence Court             | <input type="checkbox"/> | <input type="checkbox"/> |
| Drug Court                          | <input type="checkbox"/> | <input type="checkbox"/> |
| Early Disposition Programs          | <input type="checkbox"/> | <input type="checkbox"/> |
| Gang Prevention Unit                | <input type="checkbox"/> | <input type="checkbox"/> |
| Informal Juvenile and Traffic Court | <input type="checkbox"/> | <input type="checkbox"/> |
| Mental Health Court                 | <input type="checkbox"/> | <input type="checkbox"/> |
| Neighborhood Accountability Boards  | <input type="checkbox"/> | <input type="checkbox"/> |
| Peer Court                          | <input type="checkbox"/> | <input type="checkbox"/> |
| Pretrial Informal Supervision       | <input type="checkbox"/> | <input type="checkbox"/> |
| Victim Offender Reconciliation      | <input type="checkbox"/> | <input type="checkbox"/> |
| Other (Please Specify below)        | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/>                               |                          |                          |

**Part 3: Goals and Priorities of Probation Department**

1. Does your probation department have a written mission statement?

Yes       No

*If "Yes," Please Attach the Mission Statement and Answer the Following:*

1a. When was your department's mission statement written? \_\_\_\_\_

1b. How often is the mission statement reviewed? \_\_\_\_\_

*If "No," please briefly describe the probation department's philosophy.*

---



---



---



---

2. Does your probation department have written annual objectives for:

2a. Adult services?       Yes       No

2b. Juvenile services?       Yes       No

*If "Yes," Please attach the annual objectives for adults and juveniles.*

3. Please list, *in order of importance* , your top five priorities for probation?

*(e.g., Rehabilitation, Compliance, Monitoring, Education, Public Safety, Offender Accountability, Reintegration, Training, etc.)*

*Top Adult Priorities*

*Top Juvenile Priorities*

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

5 \_\_\_\_\_

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

5 \_\_\_\_\_

4. Has probation tried any innovative programs in the last 3 years that have proven effective?

Yes       No

*If "Yes," please identify and explain below.*

*(If reported in Annual Report, please provide page reference.)*

---



---



---



---



**Part 4: Appointment, Evaluation & Term of Chief Probation Officer (CPO)**

1. Who has the *legal authority* to appoint the CPO? (Select One)

- Appointed by Presiding Judge
- Appointed by committee of judges
- Appointed by entire bench
- Appointed by the Board of Supervisors
- Appointed by County Executive or Administrative Officer
- Appointed by Commission, such as Juvenile Justice Commission
- Other (Please Specify) \_\_\_\_\_

1a. If CPO is appointed by a Commission,  
What agency or individual selects the members of the commission?

\_\_\_\_\_

2. *In practice*, if the CPO is appointed by a single entity or person, is that selection made through *formal* consultation or concurrence with any other entity or person? (Select One)

- Yes, in formal *consultation*
- No, not in formal consultation nor in concurrence
- Yes, in formal *concurrence*

2a. If "Yes," With what entity or person does formal consultation or concurrence take place?

\_\_\_\_\_

2b. Please describe briefly how this process works.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Does a formal process of evaluation of the CPO exist?

- Yes
- No

*If you answered "No" to Question 3, Please skip to Question 4.*

*If you answered "Yes" to Question 3, Please answer the following.*

3a. Who has the authority for conducting the evaluation?

- Board of Supervisors
- County Executive or Administrative Officer
- Court Executive Officer
- Court Presiding Judge
- Other \_\_\_\_\_

3b. How often is formal evaluation conducted?

- Once a year
- Once every two years
- Other (Please Specify) \_\_\_\_\_

3c. Please describe briefly the process of formal evaluation

---

---

---

---

---

---

---

---

4. Does an *informal* process of evaluation of the CPO exist?

- Yes                       No

*If you answered "No" to Question 4, Please skip to Question 5.  
If you answered "Yes" to Question 4, Please answer the following.*

4a. Who conducts the informal evaluation?

- Board of Supervisors  
 County Executive or Administrative Officer  
 Court Executive Officer  
 Court Presiding Judge  
 Other \_\_\_\_\_

4b. How often is informal evaluation conducted?

- Once a year  
 Once every two years  
 Other (Please Specify) \_\_\_\_\_

4c. Please describe briefly the process of informal evaluation

---

---

---

---

---

---

---

---

5. Is the CPO: (*Check One*)

- Appointed for a specified term?  
 An "at will" employee?  
 Only removed for cause?

5a. If the CPO is appointed for a specified term, How long is that term? \_\_\_\_\_

6. Is there a formal process for removal of the CPO?

- Yes                       No

6a. If "Yes," Who is responsible for the removal of the CPO?

---

6b. Please briefly describe the removal process

---

---

---

---

---

---

7. Is there a process for disciplining the CPO?

- Yes                       No

7a. Please briefly describe the discipline process.

---

---

---

---

---

---

8. In the past 10 years, has there been disagreement over the appointment, removal, or discipline of the CPO?

- Yes                       No

8a. If "Yes," Please briefly describe how the disagreement was resolved.

---

---

---

---

---

---

---

---

---

---

**Part 5: Your Opinion about the Appointment System**

1. In your opinion, how well is the current appointment system working? (Select *One*)

|                          |                          |                          |                          |                          |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Very Well                | Well                     | Neither Well Nor Poorly  | Poorly                   | Very Poorly              |
| <input type="checkbox"/> |

2. Please explain briefly why you believe the appointment system does or does not work.

---

---

---

---

---

---

---

---

3. Is there another type of appointment system that you believe would work better than the current system?

*(e.g., Court appointment, Board of Supervisors appointment, County Executive or Administrative Officer appointment, Appointment by Court with concurrence of Board of Supervisors, Appointment by Board of Supervisors with concurrence of Court, Election of CPO or Appointment of CPO by Commission such as Juvenile Justice Commission)*

Yes                       No

Please Specify: \_\_\_\_\_

4. We welcome your thoughts on how the appointment system could be improved.

---

---

---

---

---

---

---

---

---

---

# PROBATION SERVICES TASK FORCE

## SURVEY RESULTS

### [Part 1: Agency Staffing and Workload](#)

### [Part 2: Probation Services](#)

### [Part 3: Goals and Priorities of Probation Department](#)

### [Part 4: Appointments, Evaluation & Terms Of Chief Probation Officer \(CPO\)](#)

### [Part 5: Your Opinion about the Appointment System](#)

The Probation Services Task Force (PSTF) determined, at their meeting on January 11-12, 2001, that a written report would be completed by Alan M. Schuman, Corrections Management Consulting, in preparation for the March 22-23, 2001 meeting in San Francisco. This report will include an analysis of Part 1: Agency Staffing and Workload, Part 2: Probation Services, and Part 3: Goals and Priorities of Probation Department. A written report on Part 4: Appointments, Evaluation & Terms of Chief Probation Officer (CPO), and Part 5: Your Opinion about the Appointment System, was completed and presented at the January 11-12, 2001 meeting.

A summary of responses on Parts 1-5 of the Stakeholder Survey is included on pages **58-59**.

In each of the fifty-eight counties the six stakeholder groups include:

- Board of Supervisors (BOS)/County Executive or Administrative Officer (CEO/CAO)
- Court Presiding Judge (PJ)/Court Administrator (CA)
- Chief Probation Officer (CPO)
- Probation Officer (PO)
- District Attorney (DA)
- Public Defender (PD)

A profile of responses for Parts 1-3 indicate that:

- There were **135 responses from 56 counties.**
- There was at least one response from 97 percent of the counties surveyed.
- The mix of counties by size and location is good.
- Eighteen counties responding have from one to five judges on the bench.
- Nineteen counties responding have from six to ten judges on the bench.
- Seven counties have eleven to twenty judges on the bench.
- Eleven counties have more than twenty judges on the bench.
- One county was unidentified.

*Narrative survey responses were consolidated and grouped into appropriate categories.*

## **PART 1: AGENCY STAFFING AND WORKLOAD**

### **1. Total number of *authorized* Deputy Probation Officer or equivalent staff positions**

- 41 counties responded
- Staff totals ranged from 2 to 487
- Data from 41 counties

| <u>Positions</u> | <u>Responses</u> |
|------------------|------------------|
| ▪ 1-10           | 7                |
| ▪ 11-20          | 5                |
| ▪ 21-50          | 8                |
| ▪ 51-100         | 7                |
| ▪ 101-200        | 7                |
| ▪ 201-300        | 2                |
| ▪ 301-400        | 4                |
| ▪ 400 +          | 1                |

- **Comments:** A high percentage of California’s probation departments are small to mid-size. Twenty-nine percent reported 20 or fewer staff. Forty-nine percent reported 50 or fewer staff. Sixty-six percent reported 100 or fewer staff.

**1b. Total number of *vacant* probation department positions:**

- Forty counties responded; one was invalid. Information from 40 counties follows.

| <u>Vacancies</u> | <u>Responses</u>        |
|------------------|-------------------------|
| ▪ Zero           | 7                       |
| ▪ 1-3%           | 10                      |
| ▪ 4-5%           | 4                       |
| ▪ 6%             | 2                       |
| ▪ 7%             | 2                       |
| ▪ 8%             | 5                       |
| ▪ 9%             | 2                       |
| ▪ 11%            | 2                       |
| ▪ 13%            | 1                       |
| ▪ 15%            | 1                       |
| ▪ 16%            | 1                       |
| ▪ 20%            | 2 (both small counties) |
| ▪ 21%            | 1 (large county)        |

**Comments:** Probation departments appear to be doing a good job of keeping positions filled despite the movement of staff between counties or into other professions. Eighty percent of the counties reporting have fewer than 10% vacancies, and fifty-three percent have 5% or fewer vacancies.

**2. Average *daily* number of *all* offenders under supervision by probation departments:**

- Forty-one counties responded to this question

| <u>Average</u>     | <u>Responses</u> |
|--------------------|------------------|
| ▪ 500 or fewer     | 4                |
| ▪ 501 to 1,000     | 8                |
| ▪ 1,001 to 2,000   | 3                |
| ▪ 2,001 to 3,000   | 7                |
| ▪ 3,001 to 4,000   | 1                |
| ▪ 4,001 to 5,000   | 4                |
| ▪ 6,001 to 7,000   | 1                |
| ▪ 7,001 to 8,000   | 2                |
| ▪ 8,001 to 9,000   | 2                |
| ▪ 12,001 to 13,000 | 1                |
| ▪ 14,001 to 15,000 | 1                |
| ▪ 15,001 to 16,000 | 1                |
| ▪ 17,001 to 18,000 | 2                |
| ▪ 18,001 to 19,000 | 2                |
| ▪ 21,001 to 22,000 | 1                |
| ▪ 26,001 to 27,000 | 1                |

**Comments:** Twenty-nine percent of the 41 counties responding report 1,000 or fewer total juvenile and adult offenders on probation. Fifty-four percent have 3,000 or fewer. Fifteen percent have a combined juvenile and adult probation caseload of more than 17,000. Probation department size varies widely throughout the state. **A variety of solutions and strategies need to be considered when discussing the issues facing large, medium, and small probation departments.**

## 2a. Adult Probationers (misdemeanor-felony-total)

- Forty-one counties responded to this question.
- Four of the 41 reported only *total* probationer data.
- Thirty-three of the 37 responses (89%) had more felons than misdemeanors in their caseloads.
- Twenty-two or 59% of the caseloads have at least twice as many felon probationers.
- *Seven counties with total adult probation populations of at least 1,300 have **ten times more felony offenders as compared with misdemeanors.***
- There appears to be a higher percentage of felonies in the larger jurisdictions. Three of six counties with probation populations over 10,000 have more than **ten times** the felony offenders as compared with misdemeanors.

**Comments:** Adult misdemeanants are not a priority for probation services. This is directly related to the limited resources available for adult offenders. This approach is logical and reasonable. With limited resources, probation departments are choosing to focus on felons. **In reality, many felony charges that have been plea-bargained to misdemeanors. Is there really a difference between misdemeanor and felony adult probationers? Are we placing local communities at risk with minimal or no supervision for misdemeanants?**

## 2b. Juvenile probationers (misdemeanors-felons-total)

- Forty-one counties responded
- Fourteen of the 41 responses had only *total* juvenile probation numbers.
- **Thirteen of the 27 (48%) of the counties have more juvenile felons than misdemeanors compared to 89% for adults.**
- Only one small county has more than three times the number of juvenile felony offenders over misdemeanors.

**Comments:** A much higher percentage of juvenile probationers have misdemeanor charges as compared with adults. This is consistent with the discretion given to district attorneys to prosecute serious juvenile felony offenders in adult court. California has a

more amenable juvenile probation population to work with than many states that do not prosecute many of their serious juvenile felony offenders in adult court. Comprehensive services can have a major positive impact on California’s juvenile population. Intensive services break the cycle of juvenile offender's progression into the adult system.

**Many counties in California use the informal and prevention system that emphasizes prevention, diversion, and front-end services. This is an excellent community approach that maximizes available resources.**

**3. Daily average number of youths receiving in-house services**

- Thirty-nine counties responded to this question.
- In-home services should represent a much higher number than out-of-home placement services. Some of the counties may have had a different definition for in-home services. Five counties reported having in-home services that account for only 6%, 44%, 11%, 4%, and 48% of the combined in-home and out-of-home total.
- Thirty-two counties reported having the following percentage breakdown of juvenile *in-home services*:

| <u>% In-home service</u> | <u>Responses</u> |
|--------------------------|------------------|
| ▪ 60-70%                 | 2                |
| ▪ 71-80%                 | 8                |
| ▪ 81-90%                 | 16               |
| ▪ 91-100%                | 7                |

**Comments: Twenty-three of 33 (70%) of counties responding report that 81-100% of juvenile probation services are in-home.**

**4. Daily average number of youths receiving out-of-home placement services**

- There were a total of 41 counties responding. Two were not complete.
- It is not totally clear how out-of-home services are defined from the perspective of each county.

- Thirty-nine counties have the following percentage breakdown of juveniles in *out-of-home services*:

| <u>% Out-of-home service</u> | <u>Responses</u> |
|------------------------------|------------------|
| ▪ 2-5%                       | 8                |
| ▪ 6-10%                      | 13               |
| ▪ 11-15%                     | 9                |
| ▪ 16-20%                     | 5                |
| ▪ 21-25%                     | 3                |
| ▪ 26-30%                     | 1                |

**Comments:** Thirty of 39 counties (77%) report 15% or less receiving out-of-home services. **There does not appear to be any pattern of out-of-home service usage for small, medium or large counties. Only 10% report that more than 20% of their juvenile population receives out-of-home services.** It would be interesting to know if the out-of-home services have increased or decreased over the past five years given the probation department budget increases.

**5. List the daily average population in all juvenile correctional facilities and their rated capacity**

- Thirty-six counties responded with Juvenile Hall (JH) data.
- Four counties reported having more than one JH.
- Twenty-two of the 36 counties had data on juvenile correctional facilities (JCF).
- Eight counties reported on more than one JCF.

**Juvenile Halls (JH)**

- Twenty-three of the 36 counties responding (64%) have an average daily population that *exceeds* the rated capacity.
- Average daily population in JH's ranges from 2 to 580

- Average daily population in JH

| <u>Population</u> | <u>Number</u> | <u>Percentage</u> |
|-------------------|---------------|-------------------|
| ▪ 0-20            | 6             | 17%               |
| ▪ 21-50           | 12            | 36%               |
| ▪ 51-100          | 4             | 11%               |
| ▪ 101-200         | 6             | 17%               |
| ▪ 201-300         | 2             | 5%                |
| ▪ 301-400         | 2             | 5%                |
| ▪ 401-500         | 2             | 5%                |
| ▪ 501-600         | 1             | 3%                |

Note: There were a total of 38 responses from 36 counties

**Comments:** Fifty-three percent of the counties reporting show a daily average of juvenile population of 50 or fewer. Forty-seven percent ranged from 50 to 580. **Eighteen percent of the Juvenile Hall facilities have a daily average over 200. These are potentially very difficult facilities to operate while providing appropriate program services, especially when almost two-thirds of these facilities exceed the rated capacity. This is a major issue raised by stakeholders at the six counties Alan Schuman visited in the summer of 2000. Many issues relating to Juvenile Halls need to be addressed as part of an overall plan to improve juvenile probation services.**

**The warning light flashes when JH's are almost two-thirds (64%) over rated capacity. One logical direction to take would be a comprehensive effort at creating safe and effective alternatives to JH's. Several of the jurisdictions visited during the summer of 2000 expressed concern that juveniles who can be better served in alternative detention options are in secure JH's. Some counties in California, such as Santa Cruz, have developed comprehensive alternatives to JH's. Not only is this a less restrictive and safe approach, it is also very cost effective when compared to building new JH's.**

### **Juvenile Correctional Facilities (JCF)**

- Many smaller jurisdictions do not have a JCF in their county. Those counties refer to other counties or use the California Youth Authority (CYA).
- Only 22 of 35 counties responding have JCF's
- Eight counties reported having more than one JCF
- Four counties have an average daily population that exceeds their rated capacity
- Ten counties have an average daily population at exactly the rated capacity
- Twenty-four counties have an average daily population under the rated capacity.
- There were a total of 38 responses from 35 counties.

**Comments:** Thirty-four of the 38 responses (89%) have JCF population at the rated capacity or lower. Overcrowding at these facilities is not a major problem. **At least three reasons were identified during county interviews in 2000 that relate to this issue: 1) limited county resources to pay for JCF's especially in counties that do not have their own facilities; 2) lack of confidence in the quality of services provided in JCF's; 3) reluctance by the judiciary to give up on serving the juveniles in programs provided in their local counties.**

**The PSTF should address this issue and make recommendations that would result in a statewide strategy and philosophy that will maximize the available JH and JCF resources with the needs of the juvenile probation population.**

### **CASELOAD AND CASE ASSIGNMENT OF PROBATION OFFICERS**

#### **6. Indicate the average daily caseload *per* Deputy Probation Officer**

##### **Adults Intensive Supervision**

##### **a. Sex Offender**

- Twenty-one counties have this program

- Average caseload sizes ranged from 15-174

| <u>Caseload</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ 0-25          | 5             |
| ▪ 26-50         | 7             |
| ▪ 51-75         | 3             |
| ▪ 76-100        | 3             |
| ▪ 101-125       | 2             |
| ▪ 126-150       | 0             |
| ▪ 151-175       | 1             |

- Twelve of 21 counties (57%) have average caseloads of 50 or fewer.
- Nine of 21 counties (43%) have average caseloads of 51-175.

**Comments: The key question is how are individual counties defining intensive supervision? Based on what measure? Based on what contact and service delivery expectation? Probation must beware of creating a false illusion of what "intensive" means. There appears to be no statewide definition of intensive supervision based on a workunit process that allows each program to have realistic outcome measures.**

**Some of these intensive supervision services may have started with a specific caseload capacity, but increasing needs resulted in caseload numbers that grew beyond a realistic capacity. Programs labeled “intensive” must have the capacity to close intake or face the consequences of having no positive impact on the identified offender population. The resulting outcome is reduced community confidence in the mission of probation. These comments pertain to all the intensive programs discussed in question six.**

**b. Drug Court and Drug Caseload**

- Thirty counties offer this intensive supervision
- Fifteen of 30 (50%) have average caseloads of 50 or fewer
- Fifteen of 30 (50%) have average caseloads of 51-200
- The average caseload ranged from 3 to 200

**c. Domestic Violence**

- Twenty-six counties have intensive domestic violence programs
- Ten of 26 (38%) have average caseloads of 50 or fewer
- Nine of 26 (35%) have average caseloads of 51-100
- Seven of 26 (27%) have average caseloads of 101-275

**Comments:** There is apparently a myriad of services for domestic violence in each of the counties reporting. This makes it difficult to determine if we are measuring the same programs. **Is California using a domestic violence caseload standard? A reasonable goal would be to set a standard workload based on necessary services and programs so the state can be assured of some level of consistency in addressing the issues of domestic violence.**

**d. Gang Violence**

- Eight counties have intensive gang violence programs.
- The average caseload size ranges from 15-100.
- Four of 8 (50%) reporting have average caseloads of 50 or fewer
- Four of 8 (50%) reporting have average caseloads of 51-100

**e. Other Listed Intensive Services**

| <u>Service</u>           | <u>Counties</u> | <u>Average Caseloads</u> |
|--------------------------|-----------------|--------------------------|
| ▪ Mental Health          | 4               | 30, 32, 32, 73           |
| ▪ High Priority          | 2               | 75, 100                  |
| ▪ Drug Testing           | 2               | 19, 35                   |
| ▪ Child Abuse            | 1               | 40                       |
| ▪ Elder Abuse            | 1               | 40                       |
| ▪ Cal Works              | 1               | 54                       |
| ▪ Family Violence        | 1               | 35                       |
| ▪ Welfare Fraud          | 1               |                          |
| ▪ Violence Against Women | 1               | 30                       |
| ▪ Men & Their Children   | 1               | 35                       |
| ▪ Intensive WPD          | 1               | 66                       |
| ▪ Intensive SCPD         | 1               | 40                       |
| ▪ PC1000                 | 1               | 900                      |
| ▪ Placement              | 1               | 65                       |

**Adult Regular Supervision Average Caseload**

- Thirty-seven counties provided data.
- Four counties have no regular adult probation supervision. Probationers are probably in banked, intensive, or specialized caseloads.

Average regular supervision caseload data:

| <u>Caseload</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ 0-50          | 1             |
| ▪ 51-100        | 4             |
| ▪ 101-150       | 5             |
| ▪ 151-200       | 5             |
| ▪ 201-250       | 3             |
| ▪ 251-300       | 3             |
| ▪ 301-350       | 2             |
| ▪ 351-400       | 1             |
| ▪ 401-450       | 3             |
| ▪ 451-500       | 3             |
| ▪ 601-700       | 1             |
| ▪ 801-900       | 1             |
| ▪ 1,401-1,500   | 1             |

- Five of 33 (15%) of counties responding have average caseloads of fewer than 100.
- Ten of 33 (30%) have caseloads averaging between 101-200.
- Six of 33 (18%) average between 201-300.
- Three of 33 (9%) average between 301-400.
- Six of 33 (18%) average between 401-500.
- One of 33 (3%) average between 601-700
- Two of 33 (6%) average more than 801.

**Comments:** Fifty-five percent of all counties reporting have average regular caseloads over 200 and 36% over 301. **This gives a clear picture of the limited resources and the priority given to supervising the regular adult probation caseload. This is**

**alarming when we look at the percentage of adult probationers convicted of felony offenses. Other sections of this report name public safety as the highest priority by those counties reporting. Unsupervised adult felons are a major public safety concern that needs to be addressed.**

**Adult Banked Average Caseloads**

- Thirty-two counties provided banked caseload data.
- Average banked caseloads ranged from 15 to 11,500.

| <u>Caseload</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ 0-250         | 4             |
| ▪ 251-500       | 5             |
| ▪ 501-1,000     | 8             |
| ▪ 1,001-2,000   | 4             |
| ▪ 2,001-3,000   | 3             |
| ▪ 3,001-4,000   | 2             |
| ▪ 4,001-5,000   | 1             |
| ▪ 5,001-6,000   | 1             |
| ▪ 6,001-7,000   | 2             |
| ▪ 11,001-12,000 | 2             |

- Seventeen of 32 county responses (53%) have average banked caseloads of fewer than 1,000.
- Fifteen of 32 responses (47%) have average banked caseloads of over 1,000.
- Two of 32 responses (6%) have average banked caseloads of over 11,001.

**Comments:** There must be many felony offenders on banked caseloads that would benefit from some direct probation supervision. **What is the new offense rate of adult offenders on banked caseloads? Are there any comparisons with reasonable average regular supervision caseloads? How is the risk to the community from banked caseloads being addressed? It is inappropriate and basically unfair to continue to under-fund probation departments and at the same time have higher**

**performance expectations than are realistic. Probation departments are currently set up to fail as service providers and community protectors.**

## **7. Juvenile Home-Intensive Average Supervision Caseload**

### **Gang Violence**

- Ten county responses
- Average caseload ranged from 19-66

| <u>Caseload</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ 0-20          | 1             |
| ▪ 21-30         | 3             |
| ▪ 31-40         | 2             |
| ▪ 41-50         | 2             |
| ▪ 51-60         | 0             |
| ▪ 61-70         | 2             |

### **Transition Aftercare**

- Eight counties responded
- Average caseload ranged from 14-46

| <u>Caseload</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ 0-20          | 3             |
| ▪ 21-30         | 2             |
| ▪ 31-40         | 1             |
| ▪ 41-50         | 1             |
| ▪ 51-60         | 0             |
| ▪ 61-70         | 1             |

### **Drug Programs**

- Six counties responded
- Average caseload ranged from 12-61

| <u>Caseload</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ 0-20          | 2             |
| ▪ 21-30         | 1             |
| ▪ 31-40         | 0             |
| ▪ 41-50         | 1             |
| ▪ 51-60         | 1             |
| ▪ 61-70         | 1             |

### **Family Caseload**

- Six counties responded
- Average caseload range from 14-46

| <u>Caseload</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ 0-20          | 1             |
| ▪ 21-30         | 3             |
| ▪ 31-40         | 0             |
| ▪ 41-50         | 2             |

### **Drug Court**

- Eight counties responded
- Average caseload ranged from 5-60

| <u>Caseload</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ 0-20          | 3             |
| ▪ 21-30         | 2             |
| ▪ 31-40         | 1             |
| ▪ 41-50         | 1             |
| ▪ 41-50         | 0             |
| ▪ 51-60         | 1             |

### **Sex Offender**

- Five counties responded
- Average caseload ranged from 3-60

| <u>Caseload</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ 0-20          | 2             |
| ▪ 21-30         | 1             |
| ▪ 31-40         | 1             |
| ▪ 41-50         | 0             |
| ▪ 51-60         | 1             |

### **High Risk**

- Three counties responded
- Average caseloads: 23, 30, 35

### **Intensive Supervision**

- Three counties responded
- Average caseloads: 50, 53, 64
- **School**
  - Two county responses
  - Average caseloads 32, 47
  - Two responses with caseloads of 31, 34
- **Day Reporting Center**
  - One response with caseload of 20
- **Wrap Around Services**
  - One response with caseload of 15
- **ROPP**
  - One response with caseload of 15
- **Drug Testing**
  - One response with caseload of 9
- **SB 1095**
- **Women/Children Watch**

- **Service Integrated Teams**
  - One response with a caseload of 20
- **Juvenile Auto Theft**
  - One response with caseload of 20
- **601/co. Day School**
  - One response with a caseload of 80
- **Challenge II**
  - One response with a caseload of 15
  - **Crossroads (Mental Health)**
    - One response with a caseload of 10
  - **Placement Intervention**
  - **System of Care**
    - One response with a caseload of 9

**Juvenile Home-Regular Supervision**

- Thirty-nine counties responded. One had no regular probation supervision.
- The average caseloads ranged from 8-705

| <u>Caseload</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ 0-25          | 3             |
| ▪ 26-50         | 8             |
| ▪ 51-75         | 5             |
| ▪ 76-100        | 2             |
| ▪ 101-150       | 8             |
| ▪ 151-200       | 1             |
| ▪ 201-300       | 5             |
| ▪ 301-400       | 0             |
| ▪ 401-500       | 3             |
| ▪ 501-600       | 0             |
| ▪ 601-700       | 2             |
| ▪ 701-800       | 1             |

**Comments:** Eleven of 38 (29%) have average caseloads under 50. Eighteen of 38 (47%) have average caseloads of 100 or fewer. Fifty-three percent have average caseloads of over 101 including 16% with caseloads averaging more than 401. **The use of specialized and intensive supervision programs with lower caseloads is a useful strategy to supervise the juvenile probation population.**

**Juvenile caseloads in California appear to be too high. This can only be verified with a work-unit counting system that measures the types of services and contacts a juvenile needs, determines how much time it takes to complete every activity involved, and provides enough probation officers to do the job. *It is recommended that an accurate analysis of the actual workload of probation staff in each county must be addressed by PSTF.* That is the only objective means to verify resource needs.**

#### **Juvenile Home-Banked**

- Nineteen counties responded with numbers for average banked caseloads
- The average banked caseloads ranged from 2 - 1,070

| <u>Caseload</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ 0-100         | 7             |
| ▪ 101-200       | 4             |
| ▪ 201-300       | 3             |
| ▪ 301-400       | 1             |
| ▪ 401-500       | 0             |
| ▪ 501-600       | 1             |
| ▪ 601-700       | 0             |
| ▪ 701-800       | 2             |
| ▪ 1,001-1,100   | 1             |

**Comments:** Eleven of 19 responses (58%) have average banked caseloads of 200 or fewer and another 42% have average banked caseloads between 201 - 1,070.

## Juvenile Placement

- Thirty-nine counties responded
- The number of placements varied between 2 – 325

| <u>Caseload</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ 0-25          | 15            |
| ▪ 26-50         | 18            |
| ▪ 51-76         | 2             |
| ▪ 76-100        | 2             |
| ▪ 101-200       | 1             |
| ▪ 201-300       | 0             |
| ▪ 301-400       | 1             |

## **Probation Supervision Workload Standards Recommendations**

During the site visits to six California county probation departments in the summer of 2000, staff was asked about the system that is used to determine equal workload distribution to probation staff. **All jurisdictions replied that there is no system in place. There are no workload standards for any juvenile or adult probation program in any of the six counties visited.** It has been determined that grant funded positions have reduced caseloads in some departments. In only one county, specialized caseloads have a maximum number of cases. Otherwise, **workload standards are determined by the number of staff available to cover the total number of cases.** One department reduced the number of adult probation cases to 100:1 officer, then banked the remainder. One department determines workload size during the collective bargaining process with the union. **None of the six counties reviewed has conducted a recent time study to determine workload capacity.**

*Workload measure rather than caseload size is the most accurate and effective gauge to equalize work distribution among probation officers. The White Papers indicate that workload measures realistically consider the number of cases, contacts, and other responsibilities for each case, as well as considering job responsibilities not specifically related to case management. Probationers should be treated differently*

depending on the amount and type of supervision required. Each case has a weighted value depending on risk/need that helps determine an equal distribution of workloads over a period of time. Probation officers can then be held to the same standards of performance. *The PSTF should recommend a strategy for determining accurate workload measures in each county.*

**8. Do you use a risk assessment tools?**

**8a. Adult**

- Thirty-nine counties responded
- Twenty-two of 39 counties (56%) responded "yes"
- Seventeen of 39 counties (44%) responded "no"

**8b. Juvenile**

- Thirty-nine counties responded
- Twenty-four of 39 counties (62%) responded "yes"
- Fifteen of 39 counties (38%) responded "no"

**Comments:** It is difficult to determine through a survey technique alone how risk/needs assessment tools are used for both juvenile and adult offenders in each county. **These same questions were asked of probation managers during the six site visits. It was determined that risk/needs assessments are not administered to the total juvenile probation population. Assessments were most frequently used with specialized programs that are grant related. For the adult offender, risk/needs assessments were administered in four of the six counties. In none of the six counties were the needs implemented through the assessment tools used. The high caseload averages and large number of banked caseloads prevented some staff from addressing offender needs.**

**The Juvenile and Adult White Papers stress the importance of properly assessing all offenders. Today, assessment tools are probation officer friendly. They are self administered on personal computers, scored, and results printed within twenty to**

thirty minutes. None of this requires time from probation staff. The more advanced instruments have a validation component that determines the truthfulness of the test taker. The better instruments are validated and normed to the probation population in each local jurisdiction. With the proper equipment, a single trained person can administer the assessment instrument to as many as fifteen people at the same time. This represents considerable timesaving for staff. With good assessments, staff can focus on identified needs and not spend time on a "shotgun" approach to problems. Assessment of juvenile and adult probationer's risk/need are essential for maximizing the limited resources available to serve this population. The PSTF should address this issue as part of the mandate for improving probation services.

#### 9. How are adult cases assigned?

- There were a total of 78 responses. Many counties had more than one method of assigning cases.
- The type and number of case assignment responses follows:
  - Specialized case type            37
  - Rotation                                12
  - Amount of Work                    19
  - Geographic                            12

**Comments:** Thirty-seven of 80 responses (46%) assign according to specialized case type. CPO's faced with management issues of the most effectively utilization of limited staff chose specialized intensive supervision, such as sex offender, drug court and drug caseloads, gang violence, domestic violence, and other specialized programs. These specialized intensive supervision caseloads are considerably smaller than regular probation caseloads.

It is significant to note that 44% of the 39 counties reporting do not administer *any* risk/need assessment instruments and the other 56% probably do not provide assessments to their entire adult probation population.

**How are we determining the eligibility and needs of adult offenders in the specialized intensive supervision caseloads, other than by offense? Are probation departments providing relevant resources to the appropriate offender population? Without risk/needs assessments of the entire probation population, we are guessing and most likely inappropriately utilizing limited staff resources.**

**10. How are juvenile cases assigned?**

- There were a total of 82 responses. Many counties have several methods of assigning cases.
- The type and number of case assignment responses were as follows:
  - Specialized case type            34
  - Rotation                                8
  - Amount of work                    18
  - School                                    5
  - Geographic                            17

**Comments:** Although, the regular juvenile caseloads are lower than their adult counterparts, 41% of the responses assign to specialized intensive supervision caseloads or programs.

**Comparing Juvenile and Adult Caseloads**

- Current regular and banked caseloads representing the *majority* of offenders on probation vary significantly from adult to juvenile caseloads.
- **Fifteen percent of adult average caseloads are 100 or fewer as compared with 47% for juvenile caseloads.**
- **Forty-five percent of adult average caseloads are 200 or fewer as compared with 69% for juvenile caseloads**
- **Twenty-seven percent of adult average caseloads are between 301-500 as compared with 8% for juvenile caseloads.**
- Again, limited resources drive CPO's to identify specialized categories of offenders for intensive services.

## PART 2: PROBATION SERVICES

### 1. List the types of services that the probation department provides for Adults and Juveniles

#### Adult Services

- Fifty-four counties responded
- Eight services have more than 40 "yes" responses
- Thirty-three different services are provided in at least one county
- There is a total of 801 services provided in 54 counties for adult probationers
- A list of adult services and the number of counties using them follows:

| <u>Service</u>                          | <u>Number</u> |
|-----------------------------------------|---------------|
| 1. Anger Management                     | 28            |
| 2. Batterers Programs                   | 39            |
| 3. Community Services                   | 36            |
| 4. Deferred Entry of Judgment           | 44            |
| 5. Detention Services                   | 11            |
| 6. Disposition Reports                  | 37            |
| 7. Domestic Violence Services           | 45            |
| 8. Drug Court Services                  | 37            |
| 9. Electronic Monitoring                | 29            |
| 10. Gang Grant Services                 | 14            |
| 11. Group Homes                         | 2             |
| 12. Home Supervision Services           | 20            |
| 13. In Patient Mental Health            | 5             |
| 14. Informal Probation                  | 10            |
| 15. Intake                              | 16            |
| 16. Out-of-County/jurisdiction transfer | 33            |
| 17. Out-of-Home Placements              | 4             |
| 18. Out-Patient Mental Health           | 26            |

|                                           |    |
|-------------------------------------------|----|
| 19. Out-Patient Substance Abuse Treatment | 31 |
| 20. Pre-sentence Investigation Reports    | 52 |
| 21. Residential Substance Abuse Treatment | 27 |
| 22. Restitution to Victims                | 51 |
| 23. Reviews                               | 46 |
| 24. Revocation Hearings                   | 49 |
| 25. Serve as Hearing Officers             | 12 |
| 26. Sex Offender Services                 | 35 |
| 27. Sex Offender Treatment                | 26 |
| 28. Supervision                           | 52 |
| 29. Victim Impact Statements              | 48 |

#### **Additional Adult Services**

- Monitor Batterers & Drug Treatment Programs
- Work Furloughs (2)
- Drug Dog Officer
- Narcotics Enforcement Unit
- Drug Testing
- House Arrest
- Family Preservation
- Drug Education
- Partnership Mentally Ill Offenders
- DUI
- Adult Stalker
- Conflict Resolution
- Community Services Work Program (2)
- OR

**Comments:** Eight services had over 40 responses; 1) deferred entry of judgement, 2) domestic violence services, 3) pre-sentence investigations, 4) restitution to victims, 5) reviews, 6) revocation hearings, 7) supervision, and 8) victim impact statements. Most of

these services provide the basic information a judge needs to sentence and track the general progress of adult offenders.

**The PSTF now has data that indicates that most counties have basic services for adult offenders. With the limited resources available for adult probationers, recommendations for standards of performance for services already in place is a realistic approach to improve adult probation services.**

### **Juvenile Services**

- Fifty-four counties responded
- Fourteen services have 40 or more "yes" responses
- Twenty-one services have 30 or more "yes" responses
- Fifty-six different services are provided in at least one county
- There were a total of 1,119 juvenile services reported from 54 counties
- A list of juvenile services and the number of counties providing them follows:

| <u>Service</u>                | <u>Number</u> |
|-------------------------------|---------------|
| 1. Anger Management           | 36            |
| 2. Batterers Programs         | 10            |
| 3. Community Services         | 42            |
| 4. Deferred Entry of Judgment | 29            |
| 5. Detention Services         | 46            |
| 6. Disposition Reports        | 46            |
| 7. Domestic Violence Services | 15            |
| 8. Drug Court Services        | 25            |
| 9. Drug Testing in Schools    | 29            |
| 10. Electronic Monitoring     | 36            |
| 11. Foster Care               | 40            |
| 12. Gang Grant Services       | 23            |
| 13. Group Homes               | 39            |
| 14. Home Supervision Services | 47            |
| 15. In Patient Mental Health  | 15            |

|                                           |    |
|-------------------------------------------|----|
| 16. Informal Probation                    | 46 |
| 17. Intake                                | 47 |
| 18. Out-of-County/Jurisdiction Transfer   | 47 |
| 19. Out-of-Home Placements                | 47 |
| 20. Out-Patient Mental Health             | 32 |
| 21. Out-Patient Substance Abuse Treatment | 31 |
| 22. Pre-sentence Investigation Reports    | 22 |
| 23. Residential Substance Abuse Treatment | 23 |
| 24. Restitution to Victims                | 46 |
| 25. Reviews                               | 44 |
| 26. Revocation Hearings                   | 42 |
| 27. Serve as Hearing Officers             | 31 |
| 28. Sex Offender Services                 | 31 |
| 29. Sexual Offender Treatment             | 26 |
| 30. Supervision                           | 49 |
| 31. Victim Impact Statements              | 43 |

### **Additional Juvenile Services**

- Restorative Justice
- Campus Probation Officers (3)
- Drug Testing (2)
- ROPP (2)
- Work Crew (3)
- Prevention Services
- Gang Task Force
- Court Day School
- Community Services Work Program (2)
- Children's System of Collaboration
- Boot Camps
- Paternity Programs
- Family Assessments

- Victim Awareness Training
- Life Skills Training
- Day Reporting Center
- Visual Learning Therapy
- Youth Accountability Boards
- Police Probation Diversion
- Independent Living Skills (2)
- Alternatives to Placement
- Truancy Reduction
- Behavior Modification
- In-School Suspension
- Culture & Diversity Services

**Comments: Juvenile probation offers 55 different services as compared with 33 services for adult offenders. There is a wide variety of treatment services and programs for juvenile probationers as well as a range of community agencies involved in partnerships and collaborations with juvenile probation.**

**Comments on Juvenile and Adult Services Comparisons**

**The juvenile probation population in California, as in all states, is many times smaller than the adult probation population. A budget analysis of the six counties visited in 2000, show an almost equal distribution of funds for juvenile and adult probation services. This is reflected in the number and types of services provided to the juvenile and adult probation populations. Juvenile probation services in California provide 55 different services compared to 33 services for adult probationers. This is even more significant when you factor in the much smaller juvenile population. The total number of probation services offered in the 53 counties responding to the survey show a total of 1,119 for juvenile compared to 801 for adult.**

**The types of services provided to the juvenile population is far more creative and involves many more community agencies and partnerships. The models and relationships being developed in the juvenile arena are readily transferable to adult services. The expertise is already available in each probation department and only awaits proper resources to be implemented in adult. The creativity for probation services already exists in California.**

**2. List the types of specialized court programs available to adults and juveniles in your county.**

**Adult**

- Fifty-three counties responded
- Eight specific specialized court services were listed
- Drug courts were identified in 32 of the 53 (60%) of the counties
- The next closest specialized court was 18 (34%) of the counties
- A list of specialized adult court services follows:

| <u>Service</u>                    | <u>Number</u> |
|-----------------------------------|---------------|
| 1. Day Reporting Center           | 4             |
| 2. Domestic Violence Court        | 18            |
| 3. Drug Court                     | 32            |
| 4. Early Disposition Programs     | 10            |
| 5. Gang Prevention Unit           | 6             |
| 6. Mental Health Court            | 4             |
| 7. Pretrial Informal Supervision  | 12            |
| 8. Victim Offender Reconciliation | 1             |

- Other specialized court services listed
  - Supervised OR
  - Domestic Violence Calendar
  - Community Work Service Program
  - Supervision Court Review

**Comments: Adult drug courts are becoming a core service of adult supervision. Much of the funding for drug courts comes from grants, but this will not offer long term funding. What is the funding strategy for these services to become a permanent budget item? The six sites visited in 2000 emphasized the outstanding partnerships and trust developed between courts, probation, and community service providers in operating specialized court programs. The loss of specialized drug courts would seriously damage the positive image of community corrections in California.**

### **Juvenile**

- Fifty-three counties responded
- Nine specialized services were identified
- Thirty-three counties provide informal juvenile and traffic court
- Twenty-four counties provide juvenile drug courts
- The following types and number of specialized juvenile court programs follows:

| <u>Program</u>                        | <u>Number</u> |
|---------------------------------------|---------------|
| 1. Day Reporting Centers              | 12            |
| 2. Drug Court                         | 24            |
| 3. Early Disposition Services         | 10            |
| 4. Gang Prevention Unit               | 12            |
| 5. Informal Juvenile & Traffic Court  | 33            |
| 6. Neighborhood Accountability Boards | 9             |
| 7. Peer Court                         | 18            |
| 8. Pretrial Informal Supervision      | 14            |
| 9. Victim Offender Reconciliation     | 12            |

**Comments:** Seven specialized juvenile court services are being offered in 12 - 33 counties as compared with three specialized adult court services in the same number of counties. This is significant because a much larger number of adult probationers are getting fewer specialized services compared with the juvenile probation population. We must again ask funding questions. **How many of these specialized juvenile court**

services are permanently funded? How many are grant funded? If these programs have positive evaluations, planning for permanent funding is essential if California is to maintain the same quality of juvenile services attained during the last six years.

**PART 3: GOALS AND PRIORITIES OF PROBATION  
DEPARTMENT**

**1. Does your probation department have a written mission statement?**

- Forty counties responded
- Thirty-four (85%) responded "yes"
- Six (15%) responded "no"

**1a. When was the department's mission statement written?**

| <u>Year</u> | <u>Number</u> | <u>Percentage</u> |
|-------------|---------------|-------------------|
| ▪ 2000      | 3             | 10%               |
| ▪ 1999      | 4             | 10%               |
| ▪ 1998      | 3             | 10%               |
| ▪ 1997      | 2             | 7%                |
| ▪ 1996      | 2             | 7%                |
| ▪ 1995      | 4             | 13%               |
| ▪ 1994      | 1             | 3%                |
| ▪ 1991      | 2             | 7%                |
| ▪ 1990      | 4             | 13%               |
| ▪ 1989      | 1             | 3%                |
| ▪ 1988      | 2             | 7%                |
| ▪ 1987      | 1             | 3%                |
| ▪ 1985      | 1             | 3%                |
| ▪ 1970's    | 1             | 3%                |

**Comments:** Thirty-one counties provided information about when their latest mission statement was written. Fourteen (45%) of the counties responding have a mission statement that was written in the last five years. Seventeen (55%) have mission statements written more than five years ago. **Ten (32%) of these have not had a mission statement written in the last ten years.**

**1b. How often is the mission statement reviewed?**

| <u>Frequency</u>    | <u>Number</u> | <u>Percentage</u> |
|---------------------|---------------|-------------------|
| ▪ Annually          | 17            | 52%               |
| ▪ Periodically      | 2             | 6%                |
| ▪ No Routine Review | 4             | 12%               |
| ▪ As Needed         | 3             | 9%                |
| ▪ No Review         | 1             | 3%                |
| ▪ Every 2 years     | 2             | 6%                |
| ▪ Every 3 years     | 1             | 3%                |
| ▪ Every 4 years     | 1             | 3%                |
| ▪ 10-15 years       | 2             | 6%                |

**Comments:** Nine (27%) had vague answers such as “periodically,” “no routine review,” or “as needed.” Fifty-two percent have annual reviews of their mission statement.

**Mission statements do not have to be written every year, but they need to be reviewed annually.**

**2. Does your probation department have written annual objectives for:**

**2a. Adult Services:**

|         |              |     |
|---------|--------------|-----|
| ▪ "YES" | 19 responses | 46% |
| ▪ "NO"  | 22 responses | 54% |

**2b. Juvenile services:**

|         |              |     |
|---------|--------------|-----|
| ▪ "YES" | 18 responses | 44% |
| ▪ "NO"  | 23 responses | 56% |

**Comments:** Examples of objectives given in some of the 17 "yes" responses in juvenile and 19 in adult do not fit the definition of department objectives. **The mission statement is a declaration of the main purpose of the department. The objectives provide the specific action steps required at every level of the organization to implement the mission and to insure that all employees are working toward the same goals. This becomes even more significant in departments that have many new employees with limited corrections experience. None of the six counties visited during 2000 had department objectives for every level of the organization. However, specific objectives are in place for some grant related programs.**

**It is difficult to have annual objectives without reviewing the mission statement as part of the process. Mission statements may remain as written, but they must be reviewed.**

**3. List in order of importance your top five priorities for probation.**

**Adult Priorities**

1. Public Safety 39 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #1            | 35               |
| ▪ #2            | 3                |
| ▪ #3            | 1                |

2. Offender Accountability 31 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #1            | 1                |
| ▪ #2            | 20               |
| ▪ #3            | 5                |
| ▪ #4            | 4                |
| ▪ #5            | 1                |

3. Rehabilitation 26 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #2            | 3                |
| ▪ #3            | 8                |
| ▪ #4            | 7                |
| ▪ #5            | 8                |

4. Compliance with Court Orders 23 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #1            | 2                |
| ▪ #2            | 6                |
| ▪ #3            | 11               |
| ▪ #4            | 1                |
| ▪ #5            | 3                |

5. Victim's services 14 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #2            | 4                |
| ▪ #3            | 8                |
| ▪ #4            | 1                |
| ▪ #5            | 1                |

6. Monitoring 13 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #2            | 1                |
| ▪ #3            | 3                |
| ▪ #4            | 6                |
| ▪ #5            | 3                |

7. Re-integration 13 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #4            | 5                |
| ▪ #5            | 8                |

8. Education 5 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #4            | 3                |
| ▪ #5            | 2                |

9. Restorative Justice 4 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #4            | 2                |
| ▪ #5            | 2                |

10. More Funding 3 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #1            | 2                |
| ▪ #3            | 1                |

11. Staff Accountability 3 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #1            | 2                |
| ▪ #3            | 1                |

12. Training 3 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #4            | 1                |
| ▪ #5            | 2                |

13. Employment 3 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #4            | 2                |
| ▪ #5            | 1                |

14. Expand Adult Supervision 2 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #4            | 1                |
| ▪ #5            | 1                |

15. Restitution 2 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #3            | 1                |
| ▪ #4            | 1                |

Note: One response was recorded for each of the following.

|                                     |    |
|-------------------------------------|----|
| 16. Risk Management                 | #5 |
| 17. Community Sanctions             | #5 |
| 18. Automation                      | #2 |
| 19. Domestic Violence Supervision   | #3 |
| 20. Investigations & Court Services | #3 |
| 21. Drug Rehabilitation             | #5 |
| 22. Parenting/Family Stability      | #5 |
| 23. Prevention                      | #4 |
| 24. Community Involvement           | #4 |
| 25. Competency Development          | #4 |
| 26. Deter Offenders                 | #3 |
| 27. Drug Court Services             | #2 |
| 28. Manageable Case Loads           | #5 |

### Highest Rated #1 Priorities

42 county responses

| <u>Priority</u>                | <u>Responses</u> |
|--------------------------------|------------------|
| ▪ Public Safety                | 35               |
| ▪ More funding                 | 2                |
| ▪ Staff Accountability         | 2                |
| ▪ Compliance with Court Orders | 2                |
| ▪ Offender Accountability      | 1                |

Thirty -five (83%) of the counties responding selected public safety as the clear number one priority.

The next highest number one priorities represent only 5% of the counties reporting.

### Highest Rated #2 Priorities

38 county responses

| <u>Priority</u>                | <u>Responses</u> |
|--------------------------------|------------------|
| ▪ Offender Accountability      | 20               |
| ▪ Compliance with Court Orders | 6                |
| ▪ Victim Services              | 4                |
| ▪ Public Safety                | 3                |
| ▪ Rehabilitation               | 2                |
| ▪ Monitoring                   | 1                |
| ▪ Automation                   | 1                |
| ▪ Expand Adult Supervision     | 1                |

Offender accountability represents 53% of the number two priorities.

**Public safety and offender accountability dominated the two highest priorities.**

**These address the issue of safety to the community.**

### Highest Rated #3 Priorities

41 county responses

| <u>Priority</u>               | <u>Responses</u> |
|-------------------------------|------------------|
| ▪ Compliance with Court Order | 11               |
| ▪ Rehabilitation              | 8                |
| ▪ Victim Services             | 8                |
| ▪ Offender Accountability     | 5                |

|                                   |   |
|-----------------------------------|---|
| ▪ Monitoring                      | 3 |
| ▪ Public Safety                   | 1 |
| ▪ More Funding                    | 1 |
| ▪ Staff Accountability            | 1 |
| ▪ Domestic Violence Supervision   | 1 |
| ▪ Investigations & Court Services | 1 |
| ▪ Deter Offenders                 | 1 |

**Highest Rated # 4 Priorities**

**33 county responses**

| <u>Priority</u>                | <u>Responses</u> |
|--------------------------------|------------------|
| ▪ Rehabilitation               | 7                |
| ▪ Monitoring                   | 6                |
| ▪ Re-integration               | 5                |
| ▪ Offender Accountability      | 4                |
| ▪ Education                    | 3                |
| ▪ Restorative Justice          | 2                |
| ▪ Employment                   | 2                |
| ▪ Training                     | 1                |
| ▪ Victim Services              | 1                |
| ▪ Compliance with Court Orders | 1                |
| ▪ Restitution                  | 1                |

**Highest Rated #5 Priorities**

**35 county responses**

| <u>Priority</u>                | <u>Responses</u> |
|--------------------------------|------------------|
| ▪ Re-integration               | 8                |
| ▪ Rehabilitation               | 8                |
| ▪ Compliance with Court Orders | 3                |
| ▪ Monitoring                   | 3                |
| ▪ Education                    | 2                |
| ▪ Restorative Justice          | 2                |
| ▪ Training                     | 2                |

- Employment 1
- Victim Services 1
- Offender Accountability 1
- Risk Management 1
- Community Sanctions 1
- Drug Rehabilitation 1
- Parenting/Family Stability 1

**Comments: Public safety was listed as either priority number one or number two by 38 of the 41 counties reporting. Offender accountability, which could be interpreted as having a high correlation with public safety, is listed as priority one or two in 21 counties.** Rehabilitation, with 25 county responses, compliance with court orders, (23 responses,) victim services (14 responses,) and monitoring (13 responses,) round out the next highest numbers of priority ratings.

**Juvenile Priorities**

1. Public Safety 36 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #1            | 29               |
| ▪ #2            | 6                |
| ▪ #4            | 1                |

2. Offender Accountability 27 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #1            | 2                |
| ▪ #2            | 14               |
| ▪ #3            | 7                |
| ▪ #4            | 2                |
| ▪ #5            | 2                |

3. Rehabilitation 26 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #1            | 1                |
| ▪ #2            | 7                |
| ▪ #3            | 8                |
| ▪ #4            | 3                |
| ▪ #5            | 7                |

4. Education/Training 21 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #3            | 5                |
| ▪ #4            | 11               |
| ▪ #5            | 5                |

5. Compliance with Court Orders 15 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ # 1           | 3                |
| ▪ #2            | 3                |
| ▪ #3            | 6                |
| ▪ #4            | 1                |
| ▪ # 5           | 2                |

6. Re-integration 9 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #4            | 5                |
| ▪ #5            | 4                |

7. Victim Rights 9 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ # 2           | 2                |
| ▪ #3            | 4                |

- #4 1
- #5 2

8. Monitoring 7 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #1            | 1                |
| ▪ #3            | 2                |
| ▪ #4            | 3                |
| ▪ #5            | 1                |

9. Prevention 4 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #2            | 2                |
| ▪ #4            | 1                |
| ▪ #5            | 1                |

10. Family Stability 3 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #3            | 1                |
| ▪ #4            | 1                |
| ▪ #5            | 1                |

11. Community Restoration 2 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #4            | 1                |
| ▪ #5            | 1                |

12. More Funding 2 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #1            | 2                |

13. Restorative Justice 2 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #2            | 1                |
| ▪ #3            | 1                |

14. School Bases Programs 2 responses

| <u>Priority</u> | <u>Responses</u> |
|-----------------|------------------|
| ▪ #1            |                  |
| ▪ #3            |                  |

15. Juvenile Drug Court #2

16. Early Assessment #3

17. Collaborative Partner Agreement #5

18. Better-Run Institutional Programs #5

19. Training #5

20. Restitution #4

21. CYA Cost Relief #5

22. New Juvenile Hall #3

**Highest Rated #1 Priorities 38 county responses**

| <u>Priority</u>                | <u>Responses</u> |
|--------------------------------|------------------|
| ▪ Public Safety                | 29               |
| ▪ Offender Accountability      | 2                |
| ▪ Compliance with Court Orders | 3                |
| ▪ More Funding                 | 2                |
| ▪ Monitoring                   | 1                |
| ▪ School Based Programs        | 1                |

**Twenty-eight (76%) identified public safety as the highest priority**

**Highest Rated #2 Priorities****36 county responses**PriorityResponses

|                               |    |
|-------------------------------|----|
| ▪ Offender Accountability     | 14 |
| ▪ Public Safety               | 6  |
| ▪ Rehabilitation              | 7  |
| ▪ Prevention                  | 2  |
| ▪ Compliance with Court Order | 3  |
| ▪ Victim Rights               | 2  |
| ▪ Juvenile Drug Court         | 1  |
| ▪ Restorative Justice         | 1  |

**Offender Accountability, Public Safety, and Rehabilitation account for 75% of the #2 priorities.**

**Highest Rated #3 Priorities****36 county responses**PriorityResponses

|                                |   |
|--------------------------------|---|
| ▪ Rehabilitation               | 8 |
| ▪ Compliance with Court Orders | 6 |
| ▪ Offender Accountability      | 7 |
| ▪ Education/Training           | 5 |
| ▪ Victim Rights                | 4 |
| ▪ Monitoring                   | 2 |
| ▪ Family Stability             | 1 |
| ▪ Restorative Justice          | 1 |
| ▪ Early Assessment             | 1 |
| ▪ Juvenile Hall                | 1 |

**Highest Rated #4 Priority****32 county responses**PriorityResponses

|                      |    |
|----------------------|----|
| ▪ Education/Training | 11 |
| ▪ Re-integration     | 5  |
| ▪ Monitoring         | 3  |

|                                |   |
|--------------------------------|---|
| ▪ Offender Accountability      | 2 |
| ▪ Rehabilitation               | 3 |
| ▪ Compliance with Court Orders | 1 |
| ▪ Victims Rights               | 1 |
| ▪ Prevention                   | 1 |
| ▪ Family Stability             | 1 |
| ▪ Community Restoration        | 1 |
| ▪ Restitution                  | 1 |
| ▪ Public Safety                | 1 |
| ▪ School Based Programs        | 1 |

Education/Training, Re-integration, and Monitoring represent 59% of all the #4 priorities.

**Highest Rated # 5 Priorities**

**29 county responses**

| <u>Priority</u>                   | <u>Responses</u> |
|-----------------------------------|------------------|
| ▪ Rehabilitation                  | 7                |
| ▪ Education/Training              | 4                |
| ▪ Re-integration                  | 4                |
| ▪ Compliance with Court Orders    | 2                |
| ▪ Offender Accountability         | 2                |
| ▪ Victim Rights                   | 2                |
| ▪ Monitoring                      | 1                |
| ▪ Prevention                      | 1                |
| ▪ Family Stability                | 1                |
| ▪ Community Restoration           | 1                |
| ▪ Collaborative Partnership       | 1                |
| ▪ More Efficient Instit. Programs | 1                |
| ▪ Training                        | 1                |
| ▪ CYA Cost Relief                 | 1                |

**Comments: Public safety was listed as priority one or two by 35 of the counties reporting. Offender Accountability, which has a high correlation with public safety, is listed as priority one or two in 16 counties.** Twenty-five counties gave the next highest priority ratings to Rehabilitation, followed by 15 for Compliance with Court Orders, and 9 for Victim Rights.

**4. Has probation tried any innovative programs in the last 3 years that have proven effective?**

- Forty-nine counties responded "YES" to this question
- Five counties responded "NO"
- A listing of innovative programs tried in the last 3 years follows:

| <u>Program</u>                                   | <u>Number of counties</u> |
|--------------------------------------------------|---------------------------|
| ▪ Drug Court Services (adult)                    | 28                        |
| ▪ Drug Court Services (juvenile)                 | 18                        |
| ▪ Challenge                                      | 13                        |
| ▪ Domestic Violence Caseloads                    | 9                         |
| ▪ School Based Probation Programs                | 7                         |
| ▪ Neighborhood Accountability Boards             | 6                         |
| ▪ Gang Project                                   | 5                         |
| ▪ Multi-Agency Integrated Service Team           | 5                         |
| ▪ Day Reporting Center                           | 5                         |
| ▪ Repeat offender Prevention Program             | 5                         |
| ▪ Gender Specific Programs & Treatment for Girls | 4                         |
| ▪ Children's System of Care                      | 4                         |
| ▪ Family Preservation                            | 4                         |
| ▪ Peer Court                                     | 3                         |
| ▪ Mentally Ill Offender Program                  | 3                         |
| ▪ Electronic Monitoring                          | 3                         |
| ▪ Boot Camp                                      | 3                         |
| ▪ Wrap-around Services Program                   | 3                         |
| ▪ Aftercare Programs                             | 2                         |

|                                            |   |
|--------------------------------------------|---|
| ▪ Life Skills                              | 2 |
| ▪ Transition Center (ranches to home)      | 2 |
| ▪ First Offender Program                   | 2 |
| ▪ Day Treatment Family Intervention (8%)   | 2 |
| ▪ Sex Offender Unit Program                | 2 |
| ▪ Juvenile Placement & Assessment Center   | 2 |
| ▪ Juvenile Community Work Services         | 2 |
| ▪ Family Violence Intervention             | 1 |
| ▪ Juvenile Hall Victim Impact Classes      | 1 |
| ▪ DUI Caseload                             | 1 |
| ▪ Felony Early Disposition Program         | 1 |
| ▪ Adult Job Readiness & Placement Services | 1 |
| ▪ Adult AIDS Education                     | 1 |
| ▪ Adult Warrant Team                       | 1 |
| ▪ Adult Intensive Supervision              | 1 |
| ▪ House Arrest                             | 1 |
| ▪ Men & Their Families                     | 1 |
| ▪ Women & Their Families                   | 1 |
| ▪ SARB                                     | 1 |
| ▪ Child Abuse Prevention                   | 1 |
| ▪ Crossroads (diversion juvenile)          | 1 |
| ▪ Adult Community Work Services            | 1 |
| ▪ Conflict Resolution                      | 1 |
| ▪ Facility for Emotionally Disturbed Boys  | 1 |
| ▪ Juvenile Restitution Program             | 1 |
| ▪ Probation Alternatives                   | 1 |
| ▪ Juvenile Vocational Education Programs   | 1 |
| ▪ Outcome Measures                         | 1 |
| ▪ More Probation Officers                  | 1 |
| ▪ In-house Computer System                 | 1 |
| ▪ Residential Treatment Program            | 1 |

**Comments: It is important to note that there is no definition to determine "effectiveness". Responses may be based on evaluation data or anecdotal information. During the last 3 years, counties listed 50 programs reporting a total of 168 innovative efforts. The most comprehensive efforts were in adult drug court services (28), juvenile drug court services (18), challenge (13), and domestic violence caseload (9). All four of these innovative programs and services have considerable grant money from the federal or state level.**

**There appears to be a strong desire to be innovative. Limited resources, not lack of ideas, are the principle drawback to positive change. There needs to be a way to permanently fund recognized innovative programs that focus on involving key community stakeholders.**

**The six probation departments interviewed in 2000 have shown a dramatic increase in total department funding over the last five fiscal years. The increases ranged from 24% to 83%. The general fund contributions to the total budget ranged from 35% to 58.3%. The budget for four of the six departments received general funds of less than 50% of the total budget, with one department receiving less than 40%. With the exception of one unreported department, all others indicate that the percentage of their general fund contributions have decreased. In one jurisdiction the decrease since 1997 is 35%, and in another 18%.**

**The primary revenue increases have come from federal, state, and fee increases. In the juvenile service area, a substantial amount of funding has come from grant funds. It is important to recognize the changing funding sources for probation departments. Many of the specialized programs and services are grant funded. A considerable number of positions are financed with grant money.**

**This same scenario occurred in the 1970's at which time the Law Enforcement Assistance Administration (LEAA) distributed large amounts of money to state and local probation departments. When those resources ended, many progressive**

**probation programs were severely damaged or eliminated. It took more than a decade to recover from the loss of services. The community confidence in probation departments dramatically decreased. The current abundance of grant money for special programs and services will diminish, and counties need to prepare to finance programs proven to be effective.**

**5. Has probation tried any innovative programs in the last 3 years that were not proven successful?**

- Fifty-five counties responded
- Fourteen of 55 (25%) tried innovative programs that were not successful
- Forty-one of 55 (75%) reported successful innovative programs
- Programs identified as unsuccessful:
  - Probation Counseling for Anger Management; (turf war problem)
  - R.O.C.K.Program; (problems at prison precluded further participation)
  - Community Assisting Parents; (poor parent participation)
  - Supervision Unit intended to involve families with parents and youth on probation; (lack of court support)
  - Early Resolution Sentencing Program for Adults; (lack of participation by the public defender)
  - Challenge II Grant; (difficulty in implementation)
  - Restorative Justice; (no board support)
  - Aftercare
  - Limited Service Caseloads; (did not work)
  - Adult pre-sentenced electronic monitoring
  - Pilot program with adult probation officer in court
  - Intensive Diversion Supervision to Low Risk Minors; (services were not needed)
  - Organizational Advisory Committee (not well received by most staff)

**6. Please indicate in order of preference any services you would like to add or improve.**

1. Increased Funding to Reduce Adult & Juvenile Caseloads 24 responses

| <u>Priority</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ #1            | 15            |
| ▪ #2            | 4             |
| ▪ #3            | 3             |
| ▪ #4            | 2             |

2. Juvenile and Adult Drug Treatment and Drug Court (including inpatient drug treatment) 23 responses

| <u>Priority</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ #1            | 4             |
| ▪ #2            | 8             |
| ▪ #3            | 3             |
| ▪ #4            | 7             |
| ▪ #5            | 1             |

3. Juvenile & Adult Mental Health Service (expansion, prevention, more outpatient) 15 responses

| <u>Priority</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ #1            | 5             |
| ▪ #2            | 4             |
| ▪ #3            | 4             |
| ▪ #4            | 1             |
| ▪ #5            | 1             |

4. Juvenile Hall (alternatives, replacement, expansion, services) 13 responses

| <u>Priority</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ #1            | 6             |
| ▪ #2            | 3             |
| ▪ #3            | 3             |
| ▪ #5            | 1             |

5. Adult and Juvenile Intensive Supervision Programs 10 responses

| <u>Priority</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ #1            | 5             |
| ▪ #2            | 4             |
| ▪ #5            | 1             |

6. Probation Officers on School Campus 9 responses

| <u>Priority</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ # 1           | 2             |
| ▪ #2            | 2             |
| ▪ #3            | 2             |
| ▪ #4            | 1             |
| ▪ #5            | 2             |

7. Domestic Violence Court with Comprehensive Services 7 responses

| <u>Priority</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ #1            | 2             |
| ▪ #4            | 3             |
| ▪ #5            | 2             |

8. Automation System Evaluations 7 responses

| <u>Priority</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ #1            | 3             |
| ▪ #2            | 2             |
| ▪ #3            | 1             |
| ▪ #4            | 1             |

9. Victim Services (including reconciliation) 7 responses

| <u>Priority</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ #1            | 1             |
| ▪ #2            | 3             |
| ▪ #3            | 1             |
| ▪ #5            | 2             |

10. Juvenile and Adult Electronic Monitoring 6 responses

| <u>Priority</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ #1            | 1             |
| ▪ #2            | 2             |
| ▪ #3            | 3             |

11. Juvenile Vocational Educational Programs 6 responses

| <u>Priority</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ #1            | 1             |
| ▪ #2            | 1             |
| ▪ #3            | 2             |
| ▪ #4            | 2             |

12. Restorative Justice 5 responses

| <u>Priority</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ # 1           | 1             |
| ▪ #2            | 1             |
| ▪ #3            | 1             |
| ▪ #5            | 2             |

13. Status Offender Services (including truancy) 5 responses

| <u>Priority</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ #2            | 3             |
| ▪ #3            | 2             |

14. Early Intervention High Risk Youth 5 responses

| <u>Priority</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ #2            | 2             |
| ▪ #3            | 1             |
| ▪ #4            | 1             |
| ▪ #5            | 1             |

15. Improved Multi-disciplinary Services 5 responses

| <u>Priority</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ #1            | 1             |
| ▪ #3            | 2             |
| ▪ #4            | 1             |
| ▪ #5            | 1             |

16. Day Reporting Centers 4 responses

| <u>Priority</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ #2            | 1             |
| ▪ #3            | 1             |
| ▪ #4            | 1             |
| ▪ #5            | 1             |

17. Assessment Centers 4 responses

| <u>Priority</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ #1            | 2             |
| ▪ #2            | 1             |
| ▪ #4            | 1             |

18. Gang Related Services 3 responses

| <u>Priority</u> | <u>Number</u> |
|-----------------|---------------|
| ▪ #1            | 1             |
| ▪ #4            | 2             |

|                                                        |               |
|--------------------------------------------------------|---------------|
| 19. Restitution Recovery Officer & Services            | 3 responses   |
| <u>Priority</u>                                        | <u>Number</u> |
| ▪ #2                                                   | 2             |
| ▪ #4                                                   | 1             |
| 20. System of Care Approach                            | 2 responses   |
| ▪ Priorities # 1 & #3                                  |               |
| 21. Peer Court                                         | 2 responses   |
| ▪ Priority #4 & #5                                     |               |
| 22. Sex Offender Treatment Program                     | 2 responses   |
| ▪ Priority #3 & #5                                     |               |
| 23. After School Programs                              | 2 responses   |
| ▪ Priority#1 & #5                                      |               |
| 24. Neighborhood Accountability Boards                 | 2 responses   |
| ▪ Priority #3 & #4                                     |               |
| 25. Expanded Intermediate Sanctions for Juveniles      | 2 responses   |
| ▪ Priority #1 & #2                                     |               |
| 26. Aftercare services (released juveniles and adults) | 2 responses   |
| ▪ Priority #3 & #5                                     |               |
| 27. Warrant Apprehension for Juveniles and Adults      | 2 responses   |
| ▪ Priority # 2                                         |               |
| 28. Juvenile Female Residential Treatment Program      | 2 responses   |
| ▪ Priority #5                                          |               |

Note: There was one response for each of the following.

|                                               | <u>Priority</u> |
|-----------------------------------------------|-----------------|
| 29. Services for Dual-diagnosed Clients       | #5              |
| 30. Parents Mentoring Program                 | #3              |
| 31. Probation Absconder Unit                  | #3              |
| 32. Program Services for Latino Families      | #5              |
| 33. Facility for Emotionally Disturbed Minors | #1              |
| 34. Juvenile Diversion                        | #1              |
| 35. Staff Training                            | #4              |
| 36. Juvenile Violence Court                   | #2              |
| 37. Juvenile Cognitive Behavior Curriculum    | #5              |
| 38. Juvenile Therapeutic Foster Homes         | #5              |
| 39. Juvenile Prevention Services              | #3              |
| 40. Expand Challenge Program                  | #3              |
| 41. Community Out-stationing of Services      | #5              |
| 42. More Pre-trial Release Services           | #3              |
| 43. Community Work Program                    | #3              |
| 44. Child Abuse Caseload                      | #2              |
| 45. Better Management                         | #4              |
| 46. Placement Intervention Services           | #1              |
| 47. Arming Selective Probation Officers       | #1              |
| 48. Update Policies and Procedures            | #2              |

**Comments:** Considerable time was required to cluster answers into categories of service or need. Information provided was not always clear and called for discretion to determine category placement. The question about priority of services generated a great deal of interest. There were 199 responses in 48 consolidated categories. The responses addressed a broad range of comprehensive probation services.

Interest in both juvenile and adult services was strong. However, many more responses addressed juvenile services and included detention and facilities.

The six areas receiving the highest number of responses are:

|                                                                                                    | <u>Responses</u> |
|----------------------------------------------------------------------------------------------------|------------------|
| ▪ Reduced Adult & Juvenile Caseloads                                                               | 24               |
| ▪ Juvenile & Adult Drug treatment, Drug Court, and Inpatient drug treatment                        | 23               |
| ▪ Juvenile & Adult Mental Health Services, including service expansion, outpatient, and prevention | 15               |
| ▪ Juvenile Hall including alternatives, replacement, and expansion of services                     | 13               |
| ▪ Juvenile & Adult Intensive Supervision Services                                                  | 10               |
| ▪ Probation Officers on School Campus                                                              | 9                |

**The categories that were most frequently ranked priority one or two are 1) reduced adult and juvenile caseloads (19), 2) juvenile and adult drug treatment and drug court (12), 3) mental health services (9), 4) juvenile hall (9), and 5) intensive supervision programs (9).**

**More financial resources are required to address all stated priorities. This survey gives an excellent snapshot of how counties would provide services if more resources were available. There is a strong and consistent theme that resources are sorely needed. Probation departments *want* to provide increased services at a quality level.**

**7. In general, do you believe that in the next 5 years the quality of probation services will:**

|                    | <u>Responses</u> | <u>Percentage</u> |
|--------------------|------------------|-------------------|
| ▪ Decline Greatly  | 3                | 5%                |
| ▪ Decline Somewhat | 8                | 13%               |
| ▪ Remain the Same  | 8                | 13%               |
| ▪ Improve Somewhat | 28               | 44%               |
| ▪ Improve Greatly  | 16               | 25%               |

**Comments: There is a sense of optimism and enthusiasm about the quality of probation services for the next 5 years.** Of the 63 responses, 44 (70%) believe the quality of probation services will improve either somewhat or greatly. One-fourth of the respondents believe there will be a great improvement. When analyzing the responses, there appears to be more optimism for increased services for juvenile probation compared to adult probation.

**8. Explain your answers to Question7.**

- Sixty-two respondents explained why the quality of probation services would increase.
- Twenty-one respondents gave reasons for a decrease in quality of services.
- Seventy-five percent of the responses to this question were positive.

**Reasons for Improved Quality of Services**

|                                                    | <u>Number of Responses</u> |
|----------------------------------------------------|----------------------------|
| ▪ Increased funding                                | 18                         |
| ▪ Increased collaboration with other agencies      | 12                         |
| ▪ Effectiveness/evaluations using outcome measures | 4                          |
| ▪ Juvenile hall construction money                 | 3                          |
| ▪ Greater legislative emphasis on probation        | 3                          |
| ▪ Funding for school resource probation officers   | 2                          |
| ▪ Good management will improve services            | 2                          |
| ▪ Broken windows model                             | 1                          |
| ▪ Value of early termination                       | 1                          |
| ▪ Specialized case management                      | 1                          |
| ▪ Increased local foster care                      | 1                          |
| ▪ Increased wrap-around services                   | 1                          |
| ▪ Reduce teenage pregnancies program               | 1                          |
| ▪ Teen NA/AA Services                              | 1                          |
| ▪ Great relationship with BOS                      | 1                          |
| ▪ Specialized programs                             | 1                          |

- Improved data collection and sharing 1
- More juvenile funding 1
- More funding to smaller counties 1
- Community policing 1
- Proposition 36 funding 1
- Strategic Planning 1
- Officer safety (armed unit) 1
- Balance between juvenile and adult probation philosophies 1
- Updated policies and procedures 1
- Increased early intervention services 1

**Reasons for Decreased Quality of Services**

|                                                                                   | <u>Number of responses</u> |
|-----------------------------------------------------------------------------------|----------------------------|
| ▪ Budget problems                                                                 | 8                          |
| ▪ Decline in services to adults (more banked caseloads)                           | 5                          |
| ▪ Problems recruiting and retaining staff                                         | 3                          |
| ▪ Inappropriate funding under Proposition 36                                      | 2                          |
| ▪ Too heavily grant funded                                                        | 1                          |
| ▪ Increase workload "catch and release" policy on drug cases under Proposition 36 | 1                          |
| ▪ More difficult offenders                                                        | 1                          |

**Comments:** Increased funding was named by 42% of respondents as the reason for *improved* quality of probation services. Conversely, 38% of respondents named decreased funding as the reason for a *decline* of quality probation services.

**Twenty-one percent of respondents believe that the key to improved quality probation services is to work in partnership with other community agencies and avoid "turf issues". This is encouraging because improvement does not require additional money, rather working in partnerships and maximizing available resources.**

The category of budget declines fall into three primary responses: 1) decrease in budget, 2) declining services to adults, and 3) inappropriate funding of Proposition 36. These responses represent 71% (15) of the 21 comments on why probation services will decline.

## STAKEHOLDER SURVEY RESPONSES BY COUNTY

| COUNTY         | CEO/<br>CAO | JUDGES &<br>COURT<br>ADMIN. | CPO | PO | DISTRICT<br>ATTNY. | PUBLIC<br>DE-<br>FENDER |
|----------------|-------------|-----------------------------|-----|----|--------------------|-------------------------|
| Alameda        |             |                             | X   |    |                    |                         |
| Alpine         | X           | X                           | X   |    | X                  |                         |
| Amador         |             | X                           | X   |    |                    |                         |
| Butte          | NO          | DATA                        |     |    |                    |                         |
| Calaveras      | X           |                             | X   |    |                    |                         |
| Colusa         |             |                             | X   |    |                    |                         |
| Contra Costa   | X           | X                           | X   | X  | X                  |                         |
| Del Norte      | X           |                             | X   |    |                    |                         |
| El Dorado      |             | X                           | X   |    |                    |                         |
| Fresno         | X           | X                           | X   | X  | X                  | X                       |
| Glenn          |             |                             | X   |    |                    |                         |
| Humboldt       | X           |                             | X   |    |                    |                         |
| Imperial       | X           | X                           | X   |    |                    |                         |
| Inyo           | X           |                             | X   |    | X                  |                         |
| Kern           | X           | X                           | X   |    | X                  |                         |
| Kings          | X           |                             | X   |    |                    |                         |
| Lake           | X           |                             | X   |    |                    |                         |
| Lassen         |             |                             | X   |    |                    | X                       |
| Los Angeles    | X           | X                           | X   |    | X                  |                         |
| Madera         | X           |                             | X   | X  |                    |                         |
| Marin          | X           |                             |     | X  |                    |                         |
| Mariposa       |             |                             | X   |    |                    |                         |
| Mendicino      |             |                             | X   |    |                    |                         |
| Merced         | X           |                             | X   |    |                    |                         |
| Modoc          |             |                             |     |    |                    |                         |
| Mono           |             | X                           | X   |    |                    |                         |
| Monterey       |             |                             | X   |    |                    |                         |
| Napa           |             | X                           | X   |    | X                  |                         |
| Nevada         |             | X                           |     |    |                    |                         |
| Orange         |             | X                           | X   |    |                    | X                       |
| Placer         | X           | X                           | X   |    | X                  |                         |
| Plumas         | X           | X                           | X   |    |                    |                         |
| Riverside      |             |                             | X   |    |                    |                         |
| Sacramento     |             | X                           | X   |    |                    | X                       |
| San Benito     | X           | X                           | X   |    |                    |                         |
| San Bernardino |             |                             | X   |    |                    |                         |
| San Diego      | X           | X                           | X   |    | X                  |                         |
| San Francisco  |             |                             | X   |    | X                  |                         |

|                        |           |           |           |          |           |           |
|------------------------|-----------|-----------|-----------|----------|-----------|-----------|
| <b>San Joaquin</b>     |           |           | <b>x</b>  |          |           | <b>x</b>  |
| <b>San Luis Obispo</b> |           | <b>x</b>  | <b>x</b>  | <b>x</b> |           |           |
| <b>San Mateo</b>       |           |           | <b>x</b>  |          |           |           |
| <b>Santa Barbara</b>   | <b>x</b>  |           | <b>x</b>  |          |           |           |
| <b>Santa Clara</b>     |           | <b>x</b>  | <b>x</b>  |          |           | <b>x</b>  |
| <b>Santa Cruz</b>      |           | <b>x</b>  | <b>x</b>  |          |           |           |
| <b>Shasta</b>          |           |           | <b>x</b>  |          |           |           |
| <b>Sierra</b>          |           | <b>x</b>  |           |          |           |           |
| <b>Siskiyou</b>        | <b>x</b>  |           | <b>x</b>  |          |           |           |
| <b>Solano</b>          | <b>x</b>  | <b>x</b>  | <b>x</b>  |          | <b>x</b>  | <b>x</b>  |
| <b>Sonoma</b>          |           |           |           |          |           |           |
| <b>Stanislaus</b>      |           |           | <b>x</b>  |          | <b>x</b>  |           |
| <b>Sutter</b>          | <b>x</b>  |           | <b>x</b>  |          |           |           |
| <b>Tehama</b>          | <b>x</b>  | <b>x</b>  | <b>x</b>  |          |           |           |
| <b>Trinity</b>         |           |           | <b>x</b>  | <b>x</b> |           | <b>x</b>  |
| <b>Tulare</b>          |           |           | <b>x</b>  |          |           |           |
| <b>Tuolumne</b>        |           | <b>x</b>  | <b>x</b>  |          |           | <b>x</b>  |
| <b>Ventura</b>         |           | <b>x</b>  | <b>x</b>  |          |           | <b>x</b>  |
| <b>Yolo</b>            | <b>x</b>  | <b>x</b>  | <b>x</b>  |          | <b>x</b>  | <b>x</b>  |
| <b>Yuba</b>            |           | <b>x</b>  | <b>x</b>  |          |           |           |
| <b>Total</b>           | <b>25</b> | <b>27</b> | <b>53</b> | <b>6</b> | <b>13</b> | <b>11</b> |

**\* 1 unknown county DA & 1 unknown county judge included in tabulations**

# PROBATION SERVICES TASK FORCE

## SURVEY RESULTS

### Part 4: Appointments, Evaluation & Terms Of Chief Probation Officer (CPO)

### Part 5: Your Opinion about the Appointment System

At their meeting on October 26-27, 2000, the Probation Services Task Force (PSTF) determined that the first items of the committees' focus will be Part 4: Appointments, Evaluation & Terms of CPO and Part 5: Your Opinion about the Appointment System. Alan M. Schuman, Corrections Management Consulting was asked to prepare a report on these for the PSTF meeting to be held on January 11-12, 2001, in San Francisco. Parts 1, 2, and 3 relate to agency staffing and workload, probation services, and goals and priorities of probation departments. These will be addressed in a separate report to be prepared for a future PSTF meeting.

A summary of the responses from Parts 4 and 5 from the Stakeholder Survey is included on pages [75](#) and [76](#).

The four stakeholder groups in each of the fifty-eight counties include Board of Supervisors (BOS)/County Executive or Administrative Officer (CEO/CAO), Court Presiding Judge (PJ)/Court Administrator (CA), Chief Probation Officer (CPO), and Probation Officer (PO). A profile of responses for Parts 4 and 5 indicate that:

- There were **93 responses from 54 counties**.
- There was at least one response from 93 percent of the counties surveyed.
- Thirty-four counties had at least two stakeholder responses.
- The mix of counties by size and location appears to be good.
- Eighteen counties responding have from one to five judges on the bench.
- Eighteen counties have from six to ten judges on the bench.
- Seven counties have eleven to twenty judges on the bench.

- Nine counties have more than twenty judges on the bench.
- One of the 55 counties was unidentifiable and another did not have a judicial count.

*Narrative survey responses were consolidated and grouped into appropriate categories.*

## **Part 4: Appointment, Evaluation & Term of Chief Probation Officer (CPO)**

### **1. Who has the *legal authority* to appoint the CPO?**

Respondents reported the following legal authority:

|                                                                    |    |
|--------------------------------------------------------------------|----|
| ▪ Presiding judges                                                 | 37 |
| ▪ Committee of judges                                              | 4  |
| ▪ Entire bench                                                     | 11 |
| ▪ Board of supervisors                                             | 8  |
| ▪ Juvenile justice commission                                      | 1  |
| ▪ Presiding judge of juvenile court                                | 2  |
| ▪ Juvenile court judge with consent by juvenile justice commission | 1  |

**Comment:** Fifty-five of the 64 responses (86 %) report that the legal authority to appoint the CPO lies in the hands of the judiciary

### **2. *In practice*, if the CPO is appointed by a single entity or person, is that selection made through *formal* consultation or concurrence with any other entity or person?**

Responses:

|                                         |    |
|-----------------------------------------|----|
| ▪ Formal consultation                   | 27 |
| ▪ Formal concurrence                    | 16 |
| ▪ No formal consultation or concurrence | 12 |

**Comment:** Forty-three of the 55 responses (78%) indicate some type of communication in the CPO selection process. Almost 50% use a more inclusive consultative approach. This indicates a good starting point for collaboration.

**2a. If "Yes," With what entity or person does formal consultation or concurrence take place?**

Responses:

- 20 counties use the Juvenile Justice Commission
  - alone (10)
  - with the bench (5)
  - with the bench and BOS/CAO (5)
- 7 counties use the full bench
- 6 counties use BOS/CAO and bench
- 2 counties use BOS/CAO
- 1 county uses a committee of judges

**Comment:** The Juvenile Justice Commission (JJC) plays a very significant role in this process. Fifty-five percent of the respondents utilize JJC's. JJC's could be key players in any future CPO selection criteria. It is not clear whether the composition of JJC's includes knowledgeable people who can address adult probation services. It is encouraging to note that at least 32 of the 54 counties responding (59%) include non-judicial personnel in the selection process of CPOs.

**2b. Please describe briefly how this process works**

Responses:

- 13 counties have the JJC jointly working with the bench. This includes JJC nominating and the judiciary appointing, or JJC concurring with judicial recommendation
- 4 counties have judges and BOS/CAO part of the interviewing process

- 2 counties have BOS approval of recommendations by the judiciary and JJC
- 1 county has BOS/CAO and judges consult
- 2 counties receive names from the county department of human resources and civil service
- 2 counties utilizes the entire bench
- 1 JJC & CAO representation

**3. Does a formal process of evaluation of the CPO exist?**

Responses:

- 36 counties have a formal process
- 19 counties do not have a formal process

**Comment:** Thirty-six of the 55 responses (65%) indicate a formal evaluation process. This means that *35% of the CPOs do not have a clear understanding of performance expectations. This is an issue PSTF should address.*

**3a. Who has the authority for conducting the evaluation?**

Responses:

- Board of Supervisors 6
- CEO/CAO 3
- Court Executive Officer 4
- Court Presiding Judge 23
- Juvenile Court Presiding Judge 2
- Judges of consolidated courts 1
- Judges & CAO 1

**Comment:** Thirty of the 40 responses (75%) place the authority to conduct CPO evaluations with the judiciary. It is interesting to note that the executive branch of government conducts approximately 25% of the evaluations. Yet, 86% responded that

judges have the appointing authority. This means that *in some counties the judges have placed the responsibility to evaluate CPO's into the hands of the executive branch of government. If the judiciary wants the responsibility to appoint CPO's, they are raising some questions by having the executive branch of government conduct the evaluation.*

**3b. How often is a formal evaluation conducted?**

Responses:

- Once a year 27
- Every two years 2
- Including every 3 years, 7 years, periodic, request of CPO 6

**Comment:** *Twenty-seven of the 35 jurisdictions (77%) with formal evaluations conduct them annually. The goal should be 100% for all CPO's throughout the state.*

**3c. Please describe briefly the process of formal evaluation**

Responses:

- Sixteen counties involve the executive branch of government and most frequently use county employee performance instruments. County evaluation procedures are the predominantly used formal evaluation process for CPO's.
- Five counties have evaluations initiated by the presiding judge.

**Comment:** This is an important issue that should be addressed. Although 75% of judges have formal responsibility to evaluate CPO's, only 24 % of the judiciary have devised their own evaluation system. *Evaluations should be designed to review the primary responsibilities and functions of the position holder. Judges or court executives should develop performance expectations for the CPO and devise the process for these evaluations.*

#### 4. Does an informal process of evaluation of the CPO exist?

Responses:

- Informal process 20
- Do not have an informal process 33

#### 4a. Who conducts the informal evaluation?

Responses:

- Court presiding judge 13
- Board of supervisors 4
- CEO or CAO 3
- Court executive officer 1
- Combination of judge, JJC, BOS 1
- Other judges 1

**Comments:** Fifteen of the 23 responses (64%) have the judicial branch, exclusively, conducting informal evaluations.

#### 4b. How often is an informal evaluation conducted?

Responses:

- As needed 6
- Yearly 4
- Daily work contacts 1
- Weekly meetings with judiciary 1
- Monthly 1
- Periodically 1
- Closed session with BOS 1
- Three to five years 1

**Comment:** The reponses raise the question about the consistency and relevance of these "informal" evaluations. *The goal should be formal evaluations annually for all CPO positions whether conducted by the judiciary, executive branch of government, or a combination thereof.*

**4c. Please describe briefly the process of informal evaluation**

Responses:

- Twelve counties have numerous approaches to informal evaluations with judges, including "ongoing", "occasional", and "when appropriate"
- Four counties have the CPO meet with the BOS behind closed doors to discuss performance. In two of the counties, these informal evaluations are initiated at the request of the CPO
- In one county the judges, CAO and CPO work closely together

**Comments:** There is a range of responses to the process of informal evaluation. *Consistency between counties is an issue. The goal should be uniform formal evaluations statewide. This is particularly important because CPO's often move to CPO positions in other counties.*

**5. Is the CPO appointed for a specific term, an "at will" employee, or only removed for cause?**

Responses:

- Appointed for a specific term            1
- "At will"                                            35
- Only removed for cause                    26

**Comments:** Thirty-five of the 62 responses (56%) report that CPO's serve "at will". This points to the importance of formal evaluations. *Formal evaluations would reduce the perception of unwarranted CPO dismissals. Formal evaluations designed jointly*

*between hiring authorities and CPO's would clarify performance expectations and build strong partnerships. The most constructive model would be removal with cause.*

**5a. If the CPO is appointed for a specific term, How long is that term?**

Responses:

- One year term 1

**6. Is there a formal process for removal of the CPO?**

Responses:

- Formal process for removal 26
- No formal process for removal 25

**6a. If "Yes," Who is responsible for the removal of the CPO?**

Responses:

- Presiding judge 11
- Board of supervisors 4
- Juvenile court presiding judge 3
- Judges and JJC 3
- Superior court judges 1
- Majority of judges 1

**Comments:** Sixteen of the 23 responses (69%) report that the judiciary conducts the formal removal of the CPO. An additional 13% have the judiciary and JJC jointly conducting the process. The BOS conducts the CPO removal process in the remaining 18%.

**6b. Please briefly describe the removal process**

Responses:

- In 9 counties, the most predominant procedures are civil service and county department rules including Peace Officer Bill of Rights (POBR)
- In 7 counties, judges have the responsibility with cause
- In 4 counties, judges have the responsibility with cause and concurrence with JJC
- In 1 county, judges have progressive discipline
- In 1 county, presiding judge and bench meeting
- In 1 county, presiding judge and CEO jointly
- In 1 county, BOS in a closed meeting with the majority vote needed for action
- In 1 county, due process

**Comments:** Nine of the 25 county responses (36%) use written county standards and rules as guidelines. Seven (28%) are judicial responsibilities with cause. An additional four counties (16%) report judicial responsibilities with cause and concurrence by JJC.

**7. Is there a process for disciplining the CPO?**

Responses:

- There is a process for disciplining the CPO 26
- There is no process for disciplining the CPO 25

**7a. Please briefly describe the discipline process**

Responses:

- 13 counties use a combination of code, Skelly Hearing, civil service, and POBR
- In 8 counties the judiciary decides, including progressive steps of discipline

- In 1 county the BOS uses salary increases and salary reductions as disciplinary procedures

**Comments:** Thirteen of the 22 responses (59%) use written county standards and rules as guidelines. Eight counties (36%) use judicial discretion. This discretion does not appear to be standardized from county to county. *A uniform disciplinary process should be incorporated as a part of the formal evaluation process. Regardless of the entity with the hiring and disciplining responsibility, uniformity among all 58 counties would be a positive improvement.*

**8. In the past 10 years, has there been disagreement over the appointment, removal, or discipline of the CPO?**

Responses:

- No disagreement over the appointment of CPO 41
- Disagreement over the appointment of CPO 14

**Comment:** Forty-one of 55 (74%) indicated no disagreement over the appointment of the CPO. Twenty-six percent reporting disagreement over the appointment, removal or disciplining of CPO is a large percentage. Formal and consistent evaluations and disciplinary standards should considerably reduce that percentage.

**8a. If "Yes," Please briefly describe how the disagreement was resolved**

Responses:

- Responses reported few resolutions of disagreements
- One county had a disagreement in which the presiding judge determined it was not his responsibility to supervise the CPO. It was agreed that the CAO would perform the annual review of the CPO.
- Disagreement that the BOS should make the CPO appointment

- Unresolved disagreement that PO's should be part of the CPO screening and appointment committee
- Disagreement that the court should recruit and appoint CPO without BOS input
- One jurisdiction has a civil suit filed
- One jurisdiction has placed a CPO under investigation by CAO
- One CPO did not like judicial involvement and transferred to a state position
- Two responses noted that issues were not resolved but respondents did not state the nature of the problems
  
- **Comments:** The responses to this question illustrate some of the strained relationships between the judicial and executive branches of government existing in some of the counties. Many problems and concerns discussed in this survey can be resolved through recommendations being proposed to the PSTF.

## **Part 5: Your Opinion about the Appointment System**

### **1. In your opinion, how well is the current appointment system working?**

Responses:

- |                           |    |
|---------------------------|----|
| ▪ Very well               | 33 |
| ▪ Well                    | 14 |
| ▪ Neither well nor poorly | 10 |
| ▪ Poorly                  | 7  |
| ▪ Very poorly             | 4  |

**Comments:** Thirty-three of the 68 responses (48%) give the current appointment system the highest possible rating. When you include the 14 or 20% that responded "well", 68% are very satisfied with the appointment system. This still leaves 16% under the

impression that the appointment system is working poorly and another 16% without strong opinions. *It is important to determine the underlying reasons and examine ways to address the negative impressions of the CPO appointment system.*

**2. Please explain briefly why you believe the appointment system does or does not work.**

Responses:

- 12 counties state the system works when judges involve the CEO/CAO and JJC in the interview process and work in a partnership mode
- 5 counties indicate judges should control the CPO appointment process
- 3 counties stated that the BOS pays and therefore should control the selection process
- 3 counties believe that judicial selection of the CPO results in no accountability to the county
- 1 county says that judges have narrow views, do not respond well to supervising the CPO, and seem to be concerned about the role of unions
- 1 county CAO expressed a strong desire to have over-site responsibilities of the probation department and the selection of the CPO
- 1 county states that the selection process by the judiciary does not work because neither the courts nor the state set the budget
- 1 response suggested that selection by judges causes conflicting priorities with BOS
- 1 response states that probation's independence from the courts results in fair interaction with the courts
- 1 county suggests that judges should select the CPO because services provided by probation are initiated by the local court
- 1 county states that the courts should select the CPO because funding comes from a variety of sources
- 1 respondent states that judges are needed to review CPO candidates' qualifications and experience

- 1 respondent suggests that state funding of probation would mean CPO selection by the judiciary
- 1 county CEO/CAO believes that judges should not be involved
- 1 county reports that judges who became state employees caused major conflict with local county officials especially around the issue of funding for construction and facilities

**Comments:** Twelve of the 34 (35%) of the respondents believe their system works effectively because of the partnership involving key stakeholders. The other 65% seem to express some dissatisfaction in how the current appointment system works. It is significant to note that 14 different responses were received giving suggestions about how the system *should* operate with the clear impression that the current system is not working as well as it could.

*The process of inclusion described by eleven of the counties should be studied and modeled. The most successful approaches in the field of corrections have been incorporation of intermediate sanctions, specialized courts, and restorative justice models. All of these require a partnership with key stakeholders. The more the community stakeholders know about and are involved in the goals and objectives of probation, the more creative and effective the system will become. Regardless of who has the final appointment authority, the involvement of key community players in the selection process and, where appropriate, the evaluation process will be the most effective and inclusive approach.*

**3. Is there another type of appointment system that you believe would work better than the current system?**

Responses:

- |                                                     |    |
|-----------------------------------------------------|----|
| ▪ Another appointment system that would work better | 17 |
| ▪ No changes in the appointment system              | 33 |

### **Specific recommendations:**

- 8 counties suggest selection by BOS would be a better selection system
- 3 counties indicated the courts should choose; 2 of the 3 recommended concurrence by the bench
- 2 counties recommend BOS appointment with court concurrence
- 1 county states the entity that appoints should have the fiscal responsibility
- 1 county suggests an election with term limits

**Comment:** Thirty-three of 50 responses (66%) suggested no changes in the appointment system. Seventeen (33%) recommend changes. The specific recommendations in almost all instances mirror the stakeholder position in the county. Judiciary responses indicate satisfaction when they are selecting. The same holds true of the executive branch of government.

#### **4. We welcome your thoughts on how the appointment system could be improved.**

##### Responses

- 6 counties suggest that the courts should assume the costs of probation and make the CPO an employee of the court. CPO selection would be made by the judiciary.
- 5 counties suggest the BOS should select the CPO
- 3 responses suggest that CPO's should not be in the civil service system
- 2 responses suggest more BOS involvement with the judiciary on the selection process
- 2 counties suggested statewide control and funding of probation for public protection purposes
- 2 counties indicated CPO's must work together with the judiciary and the BOS
- 2 counties stated that the courts should appoint the CPO because of the importance of separation of power
- 2 counties recommend judicial appointment of the CPO with the concurrence of the BOS/CAO and the JJC

- 2 counties suggested the BOS hire with the concurrence of the judiciary
- 1 BOS states that the system is working well and the courts should appoint because of the closeness of the CPO to the judiciary
- 1 county states that the court is completely satisfied with their partnership approach with BOS
- 1 county says the BOS have a view of the bigger picture and should hire the CPO

**Comments:** Nine of the 29 (31%) responded that some combination of involvement between the BOS, judiciary, CPO, and JJC would result in an improved appointment system. Six counties (20%) believe that the court should assume the fiscal responsibility to fund probation and selecting the CPO. Almost the same number, five counties (17%) suggests the BOS selection of the CPO.

*We continue to see a wide range of suggestions for CPO selection. These views continue to break along lines of funding responsibility. Generally, the BOS who fund the CPO positions want selection responsibility. The judiciary who work closely with the CPO and probation department believe that they are in the appropriate position to select the best-qualified CPO. A reoccurring theme in this survey suggests that, regardless of who makes the final CPO selection, some type of inclusive partnership results in a more unified county perception of how well the selection process works.*

## STAKEHOLDER SURVEY RESPONSES BY COUNTY

| COUNTY         | CEO/<br>CAO | JUDGES &<br>COURT<br>ADMIN. | CPO | PO | DISTRICT<br>ATTNY. | PUBLIC<br>DE-<br>FENDER |
|----------------|-------------|-----------------------------|-----|----|--------------------|-------------------------|
| Alameda        |             |                             | X   |    |                    |                         |
| Alpine         | X           | X                           | X   |    |                    |                         |
| Amador         |             | X                           | X   |    |                    |                         |
| Butte          |             |                             |     |    |                    |                         |
| Calaveras      | X           |                             | X   |    |                    |                         |
| Colusa         |             |                             | X   |    |                    |                         |
| Contra Costa   |             | X                           |     |    | X                  |                         |
| Del Norte      | X           |                             | X   |    |                    |                         |
| El Dorado      |             | X                           | X   |    |                    |                         |
| Fresno         | X           |                             | X   | X  | X                  | X                       |
| Glenn          |             |                             | X   |    |                    |                         |
| Humboldt       | X           |                             | X   |    |                    |                         |
| Imperial       | X           | X                           | X   |    |                    |                         |
| Inyo           | X           |                             | X   |    | X                  |                         |
| Kern           | X           | X                           | X   |    | X                  |                         |
| Kings          | X           |                             | X   |    |                    |                         |
| Lake           | X           |                             | X   |    |                    |                         |
| Lassen         |             |                             | X   |    |                    |                         |
| Los Angeles    | X           | X                           |     |    | X                  |                         |
| Madera         | X           |                             | X   | X  |                    |                         |
| Marin          |             |                             |     | X  |                    |                         |
| Mariposa       |             |                             | X   |    |                    |                         |
| Mendicino      |             |                             | X   |    |                    |                         |
| Merced         | X           |                             | X   |    |                    |                         |
| Modoc          |             |                             |     |    |                    |                         |
| Mono           |             | X                           | X   |    |                    |                         |
| Monterey       |             |                             | X   |    |                    |                         |
| Napa           |             | X                           |     |    |                    |                         |
| Nevada         |             | X                           |     |    |                    |                         |
| Orange         |             | X                           | X   |    |                    | X                       |
| Placer         | X           | X                           | X   |    |                    |                         |
| Plumas         | X           |                             | X   |    |                    |                         |
| Riverside      |             |                             | X   |    |                    |                         |
| Sacramento     |             | X                           | X   |    |                    |                         |
| San Benito     | X           | X                           | X   |    |                    |                         |
| San Bernardino |             |                             | X   |    |                    |                         |
| San Diego      | X           | X                           | X   |    | X                  |                         |
| San Francisco  |             |                             | X   |    | X                  |                         |

|                        |          |          |          |          |          |          |
|------------------------|----------|----------|----------|----------|----------|----------|
| <b>San Joaquin</b>     |          |          | <b>x</b> |          |          | <b>x</b> |
| <b>San Luis Obispo</b> |          | <b>x</b> | <b>x</b> |          |          |          |
| <b>San Mateo</b>       |          |          |          |          |          |          |
| <b>Santa Barbara</b>   | <b>x</b> |          | <b>x</b> |          |          |          |
| <b>Santa Clara</b>     |          |          |          |          |          | <b>x</b> |
| <b>Santa Cruz</b>      |          | <b>x</b> | <b>x</b> |          |          |          |
| <b>Shasta</b>          |          |          | <b>x</b> |          |          |          |
| <b>Sierra</b>          |          | <b>x</b> |          |          |          |          |
| <b>Siskiyou</b>        | <b>x</b> |          | <b>x</b> |          |          |          |
| <b>Solano</b>          | <b>x</b> | <b>x</b> | <b>x</b> |          | <b>x</b> | <b>x</b> |
| <b>Sonoma</b>          |          |          |          |          |          |          |
| <b>Stanislaus</b>      |          |          | <b>x</b> |          |          |          |
| <b>Sutter</b>          |          |          | <b>x</b> |          |          |          |
| <b>Tehama</b>          | <b>x</b> | <b>x</b> | <b>x</b> |          |          |          |
| <b>Trinity</b>         |          |          | <b>x</b> | <b>x</b> |          | <b>x</b> |
| <b>Tulare</b>          |          |          | <b>x</b> |          |          |          |
| <b>Tuolumne</b>        |          | <b>x</b> | <b>x</b> |          |          | <b>x</b> |
| <b>Ventura</b>         |          |          |          |          |          |          |
| <b>Yolo</b>            |          | <b>x</b> | <b>x</b> |          |          | <b>x</b> |
| <b>Yuba</b>            |          |          | <b>x</b> |          |          |          |

# **APPENDIX D**

## **Stakeholder Roundtable Discussions Sorted by Stakeholder and Theme**

# **Probation Services Task Force Stakeholder Input**

**Sorted by:**

**Stakeholder**

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>                | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                   | <b>Theme/Topic</b> | <b>Subtopic</b>                                     | <b>Outreach Event</b>     |
|-----------------------------------|---------------|--------------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------------------------------------|---------------------------|
| <b>ATTORNEYS</b>                  |               |                    |               |                                                                                                                                                                                                  |                    |                                                     |                           |
| Attorney                          | San Diego     | Urban              | South         | Nature of funding: “Quicksand funding”. Competition locally (funding) – must compete w/ Mental Health, DSS etc. Juvenile Committee must take hard look at records from their service perspective | Funding            |                                                     | Juvenile Law Subcommittee |
| Attorney                          | San Francisco | Urban              | North         | Problems with District Attorney not following through                                                                                                                                            | Relationships      | Probation to Other Collaborative County Departments | BTB                       |
| Attorney                          | San Diego     | Urban              | South         | Need communication between probation, social services, MH etc.                                                                                                                                   | Relationships      | Probation to Other Collaborative County Departments | Juvenile Law Subcommittee |
| Attorney                          | San Francisco | Urban              | North         | Focus on end of spectrum (gangs) rather than beginning (truancy) – need to address needs and front-end- truancy courts                                                                           | Services           |                                                     | BTB                       |
| Attorney                          | San Diego     | Urban              | South         | Develop book listing services and collaboration                                                                                                                                                  | Services           | Best Practices                                      | Juvenile Law Subcommittee |
| Attorney                          | San Francisco | Urban              | North         | Educational needs of kids in 602 and 300; look at models in Nevada County                                                                                                                        | Services           | Education                                           | BTB                       |
| Attorney                          | San Francisco | Urban              | North         | In Monterey--School got grant to fund truancy program on campus (Deputy Probation Officer at School)                                                                                             | Services           | Education                                           | BTB                       |
| Attorney (children in Dependency) | El Dorado     | Rural              | North         | Services are for 300 kids and not 602s (Placement vs. Services)                                                                                                                                  | Relationships      | Dual Status                                         | BTB                       |
| Attorney (children in Dependency) | El Dorado     | Rural              | North         | Neighboring counties need to coordinated/pool funding                                                                                                                                            | Relationships      | Organizational structure                            | BTB                       |
| Attorney (children in Dependency) | El Dorado     | Rural              | North         | Services are punitive, with 300 they are rehabilitative                                                                                                                                          | Relationships      | Probation to Other Collaborative County Departments | BTB                       |
| Attorney (children in Dependency) | El Dorado     | Rural              | North         | Need to give kids goals other than “Going Home” or turning 18                                                                                                                                    | Services           |                                                     | BTB                       |
| Attorney, Youth Law Center        |               |                    |               | Effects of parents on parole/probation – look at this (the number of kids is huge)                                                                                                               | Services           | Family                                              | Juvenile Law Subcommittee |
| Attorney, Youth Law Center        |               |                    |               | Mental health/probation – collaboration is hopeful.                                                                                                                                              | Services           | Mental Health                                       | Juvenile Law Subcommittee |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>     | <b>County</b>                                | <b>County type</b>                  | <b>Region</b>               | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                        | <b>Theme/Topic</b> | <b>Subtopic</b>                                     | <b>Outreach Event</b> |
|------------------------|----------------------------------------------|-------------------------------------|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------------------------------------|-----------------------|
| Defense Attorney       | Santa Barbara                                | Suburban                            | Central                     | Obvious when probation and Social Services not talking and fighting over money                                                                                                                                                                                                                                                                        | Funding            |                                                     | BTB                   |
| Defense Attorney       | Santa Barbara                                | Suburban                            | Central                     | Judge needs to be involved                                                                                                                                                                                                                                                                                                                            | Relationships      | Probation to Court                                  | BTB                   |
| Defense Attorney       | Santa Barbara                                | Suburban                            | Central                     | State should spend money to get everyone together to talk                                                                                                                                                                                                                                                                                             | Relationships      | Probation to Other Collaborative County Departments | BTB                   |
| Defense Attorney       | Santa Barbara                                | Suburban                            | Central                     | Outside service placement problem                                                                                                                                                                                                                                                                                                                     | Services           | Placement                                           | BTB                   |
| Defense Attorney       | Santa Barbara                                | Suburban                            | Central                     | Special needs kids end up in juvenile hall for weeks or months waiting for placement                                                                                                                                                                                                                                                                  | Services           | Placement                                           | BTB                   |
| Deputy Public Defender | Contra Costa                                 | Urban                               | North                       | Concerned that there's no forum for seeking change to Deputy Probation Officer (e.g., parallel mechanism to Marsden motion if there is dissatisfaction with legal counsel); no place to address complaints                                                                                                                                            | DPO Issues         | Accountability                                      | CPDA                  |
| Deputy Public Defender | Placer                                       | Suburban                            | North                       | Also sees need for vehicle to change DPO when they have declared themselves against all other parties (gives example of family that was very involved and concerned; DPO didn't want to send the kid home, even though the group home counselor and others concluded that the kid would be best placed at home; DPO didn't like parental involvement) | DPO Issues         | Accountability                                      | CPDA                  |
| Deputy Public Defender | Contra Costa                                 | Urban                               | North                       | Surprised at statement made that juvenile probation is well funded; her belief is that decisions are made with view toward protecting budget. The AB 575 plan required by probation calls for a psych evaluation but it's often not done (and it rarely happens if it's out of the probation's budget)                                                | Funding            |                                                     | CPDA                  |
| Deputy Public Defender | Santa Clara (formerly in San Joaquin County) | Urban (formerly in suburban county) | North (formerly in central) | Questions rotation system from adult to juvenile ... is any thought given to specialization in certain fields?                                                                                                                                                                                                                                        | Relationships      | Organizational Structure                            | CPDA                  |
| Deputy Public Defender | Placer                                       | Suburban                            | North                       | Referees are especially vulnerable to the influence of the POs and others -> don't challenge DPO or county counsel and will always go along with the recommendations to preserve job                                                                                                                                                                  | Relationships      | Probation to Court                                  | CPDA                  |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>     | <b>County</b>                                | <b>County type</b>                  | <b>Region</b>               | <b>Comment</b>                                                                                                                                                                                                                                                                               | <b>Theme/Topic</b> | <b>Subtopic</b>       | <b>Outreach Event</b> |
|------------------------|----------------------------------------------|-------------------------------------|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------|-----------------------|
| Deputy Public Defender | Santa Clara (formerly in San Joaquin County) | Urban (formerly in suburban county) | North (formerly in central) | Sees lack of discretion – probation viewed as arm of the court                                                                                                                                                                                                                               | Relationships      | Probation to Court    | CPDA                  |
| Deputy Public Defender | Riverside                                    | Urban                               | South                       | Concern about services for juvenile girls: they are often held in Juvenile Hall two times as long as boys (approx. 4-5 months for girls vs. 1½ - 3 months for boys; need to develop more placement options for female juvenile population)                                                   | Services           | Girls                 | CPDA                  |
| Deputy Public Defender | Contra Costa                                 | Urban                               | North                       | If child is approaching majority, a placement often is not sought (or they go to Youth Authority)                                                                                                                                                                                            | Services           | Placement             | CPDA                  |
| Deputy Public Defender | Riverside                                    | Urban                               | South                       | Need to identify better placement options for smart kids with drug problems. Now only two options: (1) go to program where there is access to public school (academics OK, but no good treatment programs; or (2) in-house school (academics not challenging enough, but no access to drugs) | Services           | Placement             | CPDA                  |
| Deputy Public Defender | Riverside                                    | Urban                               | South                       | Insufficient services for juveniles with fire-setting history: private facilities won't take them due to liability, so they go to YA or go home                                                                                                                                              | Services           | Placement             | CPDA                  |
| Deputy Public Defender | Riverside                                    | Urban                               | South                       | Placement reviews: not terribly thorough or insightful; she keeps tabs on kids and can often provide the court with more specifics about a juvenile's situation than the DPO can (i.e., the contact between the DPO and the kid is limited)                                                  | Services           | Placement             | CPDA                  |
| Deputy Public Defender | Riverside                                    | Urban                               | South                       | Need to develop alternate in-home placement programs for families with very specific problems -> lack of school attendance (often due to child care issues, transportation, indigence) ... kids end up in placement even though it's not necessary                                           | Services           | Pre-Placement Options | CPDA                  |
| Deputy Public Defender | Riverside                                    | Urban                               | South                       | Sees desperate need for more emphasis on home-based programs                                                                                                                                                                                                                                 | Services           | Pre-Placement Options | CPDA                  |
| Deputy Public Defender | Riverside                                    | Urban                               | South                       | Inconsistency in disposition report vs. what court officer recommends before court (Court DPO will agree with the judge, even though it's inconsistent with the disposition recommendation)                                                                                                  | Services           | Probation Reports     | CPDA                  |
| Deputy Public Defender | Santa Clara (formerly in San Joaquin County) | Urban (formerly in suburban county) | North (formerly in central) | Probation reports are part of the problem; it usually consists of the DPO taking the "worst" out of the police report and perpetuates it, and these "facts" become part of the record                                                                                                        | Services           | Probation Reports     | CPDA                  |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>      | <b>County</b>   | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                         | <b>Theme/Topic</b> | <b>Subtopic</b>        | <b>Outreach Event</b> |
|-------------------------|-----------------|--------------------|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|------------------------|-----------------------|
| Private Defense Counsel | Alameda         | Urban              | North         | No mechanism exists for handling disagreements with DPO ... look at possibility of peer evaluation                                                                                                                                     | DPO Issues         | Accountability         | CPDA                  |
| Private Defense Counsel | San Luis Obispo | Suburban           | Central       | POs tend to accept police report as fact; rarely contact juvenile or defense counsel; often juveniles don't know how to articulate mitigating defense ... POs need to work more collaboratively with defense                           | DPO Issues         | Accountability         | CPDA                  |
| Private Defense Counsel | Alameda         | Urban              | North         | No individualized assessment is provided                                                                                                                                                                                               | Services           | Assessment             | CPDA                  |
| Public Defender         | Marin           | Suburban           | North         | Caseloads: clearly an issue                                                                                                                                                                                                            | Caseload           |                        | CPDA                  |
| Public Defender         | Humboldt        | Suburban           | North         | Sees lack of accountability in probation system; court protects DPOs and let them "get away with all manner of incompetence"                                                                                                           | DPO Issues         | Accountability         | CPDA                  |
| Public Defender         | Humboldt        | Suburban           | North         | Sees huge turnover in probation staff and insufficient training for new staff                                                                                                                                                          | DPO Issues         | Retention and Training | CPDA                  |
| Public Defender         | Humboldt        | Suburban           | North         | Poor training for POs and person in Probation Dept. charged with providing training is poorly supported in his job                                                                                                                     | DPO Issues         | Retention and Training | CPDA                  |
| Public Defender         | Humboldt        | Suburban           | North         | POs are constantly jockeying for new position, usually with county law enforcement (DPO is seen as entrée into law enforcement field, not a position to stay in)                                                                       | DPO Issues         | Status                 | CPDA                  |
| Public Defender         | Humboldt        | Suburban           | North         | Describes "grant prostitution" in which well-admired CPO succeeds in getting grants, but the majority of kids aren't getting services; energy and ambition devoted to getting grants, and then a slim majority of juveniles get served | Funding            | Grants                 | CPDA                  |
| Public Defender         | Humboldt        | Suburban           | North         | Great frustration that programs (i.e., those funded by special grants) are not proven; no empirical evidence that they work                                                                                                            | Services           | Evaluation             | CPDA                  |
| Public Defender         | Humboldt        | Suburban           | North         | Concept of "wraparound" services viewed by PDs as "runaround" services, they have never been brought in to discuss or evaluate                                                                                                         | Services           | Evaluation             | CPDA                  |
| Public Defender         | Humboldt        | Suburban           | North         | Public defenders are not brought into planning process; they are required to learn about new programs after the fact (e.g., Juvenile Drug Court) – no funds provided for PD services, but there is additional money for probation      | Services           | Planning               | CPDA                  |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b> | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                 | <b>Theme/Topic</b>        | <b>Subtopic</b>   | <b>Outreach Event</b>                     |
|--------------------|---------------|--------------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-------------------|-------------------------------------------|
| Public Defender    | Marin         | Suburban           | North         | Need to examine strengths- or assets-based approach to probation and include more positive statements in probation reports (see Dennis Maloney on this subject)                                                                                | Services                  | Probation Reports | CPDA                                      |
| Public Defender    | Marin         | Suburban           | North         | Need to provide greater assessment in juvenile halls ... not much provided for juveniles in detention (issues of health, education, and mental health); quality of education inadequate -> need to examine application of individualized plans | Services in Juvenile Hall | Assessment        | CPDA                                      |
| District Attorney  |               |                    |               | Has the task force considered the impact of Proposition 36 on the caseloads of DPOs?                                                                                                                                                           | Caseload                  |                   | California District Attorneys Association |
| District Attorney  | Sonoma        | Suburban           | North         | Would recommend having two different CPOs for adult and juvenile, since their needs are so different.                                                                                                                                          | CPO Issues                |                   | California District Attorneys Association |
| District Attorney  | Sonoma        | Suburban           | North         | When new CPO was chosen a one and a half years ago, appreciated the opportunity of being on the interview panel.                                                                                                                               | CPO Issues                | Appointment       | California District Attorneys Association |
| District Attorney  | Sonoma        | Suburban           | North         | Would hesitate to have the BOS appoint the CPO                                                                                                                                                                                                 | CPO Issues                | Appointment       | California District Attorneys Association |
| District Attorney  | Sonoma        | Suburban           | North         | Ideal system: would have shared responsibility in appointment of the CPO between the courts and the BOS, since probation's scope goes beyond services solely related to the courts.                                                            | CPO Issues                | Appointment       | California District Attorneys Association |
| District Attorney  |               |                    |               | In Los Angeles, arming of DPOs is a big issue, due to the fact that they conduct aggressive probation searches. Law enforcement is reluctant to help probation if DPOs are not armed and trained to defend themselves if something goes wrong. | DPO Issues                | Arming            | California District Attorneys Association |
| District Attorney  | Sonoma        | Suburban           | North         | Juvenile services and facilities take a second place to adult facilities – money is spent on building adult jails.                                                                                                                             | Facilities                |                   | California District Attorneys Association |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b> | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Theme/Topic</b> | <b>Subtopic</b>               | <b>Outreach Event</b>                     |
|--------------------|---------------|--------------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-------------------------------|-------------------------------------------|
| District Attorney  |               |                    |               | Funding issue: Problem exists when someone is responsible for funding, but they do not get input on the impact of funding; creates personnel issues, etc.                                                                                                                                                                                                                                                                                                                    | Funding            |                               | California District Attorneys Association |
| District Attorney  | Riverside     | Urban              | South         | Probation also administers large amounts of funds from the state and federal government that impact not just the courts, but also the entire community.                                                                                                                                                                                                                                                                                                                      | Funding            |                               | California District Attorneys Association |
| District Attorney  |               |                    |               | Prosecution and law enforcement should have been on the task force.                                                                                                                                                                                                                                                                                                                                                                                                          | Relationships      |                               | California District Attorneys Association |
| District Attorney  | Riverside     | Urban              | South         | Concerned about who funds probation, its structure, and where responsibilities lie.                                                                                                                                                                                                                                                                                                                                                                                          | Relationships      | Organizational Structure      | California District Attorneys Association |
| District Attorney  | Riverside     | Urban              | South         | In my county, the court is not interested in being involved in issues outside of the administration of justice; the Board of Supervisors is more interested in community issues.                                                                                                                                                                                                                                                                                             | Relationships      | Probation to Court and County | California District Attorneys Association |
| District Attorney  | Merced        | Suburban           | Central       | Have a new, very good Chief Probation Officer, but the fact that the courts controls him is a problem. The courts often ignore mandates, and they are not included in the probation reports.                                                                                                                                                                                                                                                                                 | Relationships      | Probation to Court and County | California District Attorneys Association |
| District Attorney  | Sonoma        | Suburban           | North         | Has a very good relationship with the CPO, but looking down the road, can see that as a result of Trial Court Funding, the Supervisors perceive that the courts are out of the loop; they have a parasitic relationship. There is resentment about the way the Court Executive Officers handle personnel relationships. If probation separates from the county, the counties might resent probation more since it is funded by the counties but is supervised by the courts. | Relationships      | Probation to Court and County | California District Attorneys Association |
| District Attorney  | Sonoma        | Suburban           | North         | Courts are looked upon differently than District Attorneys offices, since although DAs are funded by the counties, at least one voice advocates for DAs. There is a lack of leadership in the courts.                                                                                                                                                                                                                                                                        | Relationships      | Probation to Court and County | California District Attorneys Association |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>          | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                                   | <b>Theme/Topic</b>   | <b>Subtopic</b>                                     | <b>Outreach Event</b>                     |
|-----------------------------|---------------|--------------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------------------------------------------|-------------------------------------------|
| District Attorney           |               |                    |               | DAs would like Victim/Witness Units to be in their office, not in probation departments. Close to 20 units in the state are located in the probation departments of that county, while in the other counties they are located in the District Attorney's office. | Relationships        | Probation to Other Collaborative County Departments | California District Attorneys Association |
| District Attorney           | Merced        | Suburban           | Central       | Prosecution should be involved in the task force.                                                                                                                                                                                                                | Relationships        | Probation to Other Collaborative County Departments | California District Attorneys Association |
| District Attorney           | San Francisco | Urban              | North         | Is the PSTF looking at victim restitution issues and how probation departments can collaborate with the Board of Control and Franchise Tax and other agencies to improve victim restitution?                                                                     | Services             |                                                     | California District Attorneys Association |
| District Attorney           | Sonoma        | Suburban           | North         | Dichotomy exists between adult and juvenile services, since different statutes govern each division. Prop 21 will intensify this dichotomy.                                                                                                                      | Services             |                                                     | California District Attorneys Association |
| District Attorney           | Riverside     | Urban              | South         | Probation's scope is very large – the community needs to be involved.                                                                                                                                                                                            | Vision for Probation |                                                     | California District Attorneys Association |
| <b>BOARD OF SUPERVISORS</b> |               |                    |               |                                                                                                                                                                                                                                                                  |                      |                                                     |                                           |
| Supervisor                  | Ventura       | Urban              | Southern      | Caseloads are a big problem                                                                                                                                                                                                                                      | Caseload             |                                                     | CSAC                                      |
| Supervisor                  | Tulare        | Suburban           | Central       | Appointment model: Have looked at commission/joint appointment model, in which the BOS, the CAO, and the PJ and Juvenile PJ would jointly appoint and terminate the CPO, but so far it has been opposed.                                                         | CPO Issues           | Appointment                                         | CSAC                                      |
| Supervisor                  | Ventura       | Urban              | Southern      | Issue of how to staff facilities with qualified people                                                                                                                                                                                                           | DPO Issues           | Retention & Training                                | CSAC                                      |
| Supervisor                  | Ventura       | Urban              | Southern      | Difficult to recruit and retain probation officers                                                                                                                                                                                                               | DPO Issues           | Retention & Training                                | CSAC                                      |
| Supervisor                  | Madera        | Rural              | Central       | Need information on how to staff facilities                                                                                                                                                                                                                      | DPO Issues           | Retention & Training                                | CSAC                                      |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| Stakeholder | County  | County type | Region   | Comment                                                                                                                                                                                                                                                                                                                 | Theme/Topic   | Subtopic                                            | Outreach Event |
|-------------|---------|-------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------------------------|----------------|
| Supervisor  | Solano  | Suburban    | Northern | Need to train probation officers                                                                                                                                                                                                                                                                                        | DPO Issues    | Retention & Training                                | CSAC           |
| Supervisor  | Ventura | Urban       | Southern | Building \$65 million new facility                                                                                                                                                                                                                                                                                      | Facilities    |                                                     | CSAC           |
| Supervisor  | Madera  | Rural       | Central  | New 70-bed JH facility being constructed                                                                                                                                                                                                                                                                                | Facilities    |                                                     | CSAC           |
| Supervisor  | Inyo    | Rural       | Central  | If we keep building facilities, does that mean that they will keep being filled?<br><ul style="list-style-type: none"> <li>▪ The goal is to keep kids in the home, build services around kids.</li> <li>▪ Planned to rent out extra beds in their JH when it was constructed, but now it is completely full.</li> </ul> | Facilities    |                                                     | CSAC           |
| Supervisor  | Ventura | Urban       | Southern | Funding is a problem                                                                                                                                                                                                                                                                                                    | Funding       |                                                     | CSAC           |
| Supervisor  | Madera  | Rural       | Central  | Problem: Grant funding<br><ul style="list-style-type: none"> <li>• Impossible to hire FTEs if continued funding is not guaranteed</li> <li>• Need for more stable funding</li> </ul>                                                                                                                                    | Funding       | Grants                                              | CSAC           |
| Supervisor  | Solano  | Suburban    | Northern | Troublesome that judges and BOS never meet together; on mental health issues they meet with juvenile judges                                                                                                                                                                                                             | Relationships |                                                     | CSAC           |
| Supervisor  | Madera  | Rural       | Central  | There is not a great deal of trust or information sharing between agencies                                                                                                                                                                                                                                              | Relationships |                                                     | CSAC           |
| Supervisor  | Madera  | Rural       | Central  | Judges not engaged with BOS                                                                                                                                                                                                                                                                                             | Relationships |                                                     | CSAC           |
| Supervisor  | Solano  | Suburban    | Northern | PJ and Juvenile PJ very cooperative                                                                                                                                                                                                                                                                                     | Relationships | Probation to Court                                  | CSAC           |
| Supervisor  | Ventura | Urban       | Southern | Probation has a good relationship with the courts – the courts select the CPO but the BOS has veto power; system works well                                                                                                                                                                                             | Relationships | Probation to court and county                       | CSAC           |
| Supervisor  | Madera  | Rural       | Central  | BOS has budget control of probation, but no responsibility because the court requires/demands something different; the courts have no budget control                                                                                                                                                                    | Relationships | Probation to court and county                       | CSAC           |
| Supervisor  | Tulare  | Suburban    | Central  | Tulare has a rocky relationship with the courts<br><ul style="list-style-type: none"> <li>▪ Lack of administrative capabilities at the court level</li> <li>▪ Have a good CPO, works well with CAO</li> </ul>                                                                                                           | Relationships | Probation to court and County                       | CSAC           |
| Supervisor  | Tehama  | Rural       | Northern | Sees cooperation between probation and county agencies; Social Services and Mental Health work with probation to get better results                                                                                                                                                                                     | Relationships | Probation to other collaborative county departments | CSAC           |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b> | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                                                                                         | <b>Theme/Topic</b>   | <b>Subtopic</b>                                     | <b>Outreach Event</b> |
|--------------------|---------------|--------------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------------------------------------------|-----------------------|
| Supervisor         | Solano        | Suburban           | Northern      | Probation has been whipsawed; will meet with Juvenile Justice Coordinating Council to establish goals jointly on budget/appointment issues, what probation officers should do                                                                                                                                          | Relationships        | Probation to Other Collaborative County Departments | CSAC                  |
| Supervisor         | Tulare        | Suburban           | Central       | Need to stress the importance of prevention, since it costs almost as much to run an unoccupied Juvenile Hall as an occupied one.                                                                                                                                                                                      | Services             | Prevention                                          | CSAC                  |
| Supervisor         | Ventura       | Urban              | Southern      | Prop 36 impacts: hope will provide infrastructure for prevention                                                                                                                                                                                                                                                       | Services             | Substance Abuse                                     | CSAC                  |
| Supervisor         | Solano        | Suburban           | Northern      | Need to integrate technology; DPO should be able to look in one place for all information related to a family                                                                                                                                                                                                          | Technology           |                                                     | CSAC                  |
| Supervisor         | Solano        | Suburban           | Northern      | Would like to see automation and technological innovation – no more writing on 3x5 cards                                                                                                                                                                                                                               | Technology           |                                                     | CSAC                  |
| Supervisor         | Madera        | Rural              | Central       | Probation Department based on law enforcement model – shouldn't be.                                                                                                                                                                                                                                                    | Vision for Probation |                                                     | CSAC                  |
| Supervisor         | Madera        | Rural              | Central       | There has recently been a shift in paradigm with the increase in drug courts and the passage of Prop 36 <ul style="list-style-type: none"> <li>▪ Need to expand probation's scope</li> <li>▪ Need to rename probation department?</li> </ul>                                                                           | Vision for probation |                                                     | CSAC                  |
| <b>COUNTY</b>      |               |                    |               |                                                                                                                                                                                                                                                                                                                        |                      |                                                     |                       |
| CAO                | Del Norte     | Rural              | Northern      | Probation officers should be in schools, visiting homes (along with Social Services and Mental Health)                                                                                                                                                                                                                 | Services             |                                                     | CSAC                  |
| CAO                | Del Norte     | Rural              | Northern      | Would like to see the task force weigh in on the importance of prevention vs. incarceration                                                                                                                                                                                                                            | Services             | Prevention                                          | CSAC                  |
| <b>COURTS</b>      |               |                    |               |                                                                                                                                                                                                                                                                                                                        |                      |                                                     |                       |
| Court Executive    | Contra Costa  | Urban              | North         | <ul style="list-style-type: none"> <li>▪ Gaps in supervision of CPO (due to cycles of Juvenile Presiding Judge) lead to lack of continuity</li> <li>▪ Accountability will increase if there is greater continuity in leadership</li> <li>▪ Better for court to supervise but need continuity and leadership</li> </ul> | CPO Issues           |                                                     | CJAC                  |
| Court Executive    | Solano        | Suburban           | North         | There is a disparate view within probation community about arming                                                                                                                                                                                                                                                      | DPO Issues           | Arming                                              | CJAC                  |
| Court Executive    | Solano        | Suburban           | North         | Surprised that task force is considering arming issue; why within task force purview?                                                                                                                                                                                                                                  | DPO Issues           | Arming                                              | CJAC                  |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b> | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                   | <b>Theme/Topic</b> | <b>Subtopic</b>               | <b>Outreach Event</b> |
|--------------------|---------------|--------------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-------------------------------|-----------------------|
| Court Executive    | Butte         | Suburban           | North         | Turnover is on the rise in probation. Turnover in probation than in sheriff and other law enforcement Probation is training ground for law enforcement                                                                                           | DPO Issues         | Retention and training        | CJAC                  |
| Court Executive    | San Joaquin   | Suburban           | North         | Probation is having trouble recruiting, especially group home counselors                                                                                                                                                                         | DPO Issues         | Retention and training        | CJAC                  |
| Court Executive    | San Joaquin   | Suburban           | North         | More education is required than for jails but pay is lower                                                                                                                                                                                       | DPO Issues         | Retention and training        | CJAC                  |
| Court Executive    | Butte         | Suburban           | North         | County won't give money for administrative services, infrastructure. They need to do a reality check                                                                                                                                             | Funding            |                               | CJAC                  |
| Court Executive    | Contra Costa  | Urban              | North         | Budget cuts in early 90s led probation to cut misdemeanor programs                                                                                                                                                                               | Funding            |                               | CJAC                  |
| Court Executive    | Butte         | Suburban           | North         | CPO has brought in innovative grant programs                                                                                                                                                                                                     | Funding            | Grants                        | CJAC                  |
| Court Executive    | Solano        | Suburban           | North         | Denigration of services since Prop 13<br>Active supervision of misdemeanors are non-existent                                                                                                                                                     | Funding            | Grants                        | CJAC                  |
| Court Executive    | Solano        | Suburban           | North         | Grants – require to operate (since probation is at the bottom of the food chain)                                                                                                                                                                 | Funding            | Grants                        | CJAC                  |
| Court Executive    | Solano        | Suburban           | North         | Creative in obtaining grant funding; successful in diverting many cases away from courts. Want to preserve this under any model                                                                                                                  | Funding            | Grants                        | CJAC                  |
| Court Executive    | Riverside     | Urban              | South         | Local system creates disparity from county to county in services and resources                                                                                                                                                                   | Relationships      | Organizational structure      | CJAC                  |
| Court Executive    | Santa Clara   | Urban              | North         | Break up probation <ul style="list-style-type: none"> <li>▪ Custody – Should remain with county</li> <li>▪ Services with court</li> </ul>                                                                                                        | Relationships      | Organizational structure      | CJAC                  |
| Court Executive    | Santa Clara   | Urban              | North         | Should parallel with Sheriff and MOU for services. <ul style="list-style-type: none"> <li>▪ Cost-effective way of doing business</li> <li>▪ Level of service may go up</li> <li>▪ Look at jurisdictions where probation does juvenile</li> </ul> | Relationships      | Organizational structure      | CJAC                  |
| Court Executive    | Santa Clara   | Urban              | North         | If probation services were realigned, how would the money be handled? MOE, dealing with revenue source? Similar to TCF                                                                                                                           | Relationships      | Organizational structure      | CJAC                  |
| Court Executive    | Fresno        | Suburban           | Central       | Timelines of Probation Violation notification are inadequate                                                                                                                                                                                     | Relationships      | Probation to Court            | CJAC                  |
| Court Executive    | Butte         | Suburban           | North         | Court appoints but BOS evaluates with judicial input                                                                                                                                                                                             | Relationships      | Probation to Court and County | CJAC                  |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>        | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                                                                                               | <b>Theme/Topic</b> | <b>Subtopic</b>               | <b>Outreach Event</b> |
|---------------------------|---------------|--------------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-------------------------------|-----------------------|
| Court Executive           | Butte         | Suburban           | North         | <p>Probation is 2nd Class Citizen</p> <ul style="list-style-type: none"> <li>▪ Stuck between BOS and court without advocate</li> <li>▪ Dysfunctional – BOS sets price; serve at will of judges</li> <li>▪ Neither county nor court has taken ownership (similar to Ct Exec before TCF)</li> </ul>                            | Relationships      | Probation to Court and County | CJAC                  |
| Court Executive           | Contra Costa  | Urban              | North         | <ul style="list-style-type: none"> <li>▪ Gaps in supervision of CPO (due to cycles of Juvenile Presiding Judge) lead to lack of continuity</li> <li>▪ Accountability will increase if there is greater continuity in leadership</li> <li>▪ Better for court to supervise but need continuity and leadership</li> </ul>       | Relationships      | Probation to Court and County | CJAC                  |
| Court Executive           | Marin         | Suburban           | North         | <p>BOS and Court work together (like in Solano)</p> <ul style="list-style-type: none"> <li>▪ Board retains formal appointment authority, but works jointly with court</li> <li>▪ Board evaluates CPO</li> <li>▪ Board sees budget as driving other costs (jails)/probation budget linked to other county services</li> </ul> | Relationships      | Probation to Court and County | CJAC                  |
| Court Executive           | Riverside     | Urban              | South         | Counties may be rewarded (like facilities) if the gave short shrift to services.                                                                                                                                                                                                                                             | Relationships      | Probation to Court and County | CJAC                  |
| Court Executive           | Solano        | Suburban           | North         | <p>Solano County BOS- one that sought legislation to change appointment authority due to relationship</p> <ul style="list-style-type: none"> <li>▪ CPO w/ BOS; resolved through joint evaluation of CPO by CAO and panel of judges</li> <li>▪ Probation (function is related to court; funded by county)</li> </ul>          | Relationships      | Probation to Court and County | CJAC                  |
| Court Executive           | Solano        | Suburban           | North         | Washington state may be model where probation is unit/organization department under court                                                                                                                                                                                                                                    | Relationships      | Probation to Court and County | CJAC                  |
| Court Executive           | Contra Costa  | Urban              | North         | Collection/compliance unit created under court, contract with probation services                                                                                                                                                                                                                                             | Service            |                               | CJAC                  |
| Court Executive           | Solano        | Suburban           | North         | Intervention works, especially with juveniles. Want to preserve this under any model                                                                                                                                                                                                                                         | Services           |                               | CJAC                  |
| Assistant Court Executive | Fresno        | Suburban           | Central       | <p>We ask probation to do so much, maybe it should be broken up</p> <ul style="list-style-type: none"> <li>▪ Institutions: County</li> <li>▪ Services (Court, pre and post): Court</li> </ul>                                                                                                                                | Relationships      | Organizational structure      | CJAC                  |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>        | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                               | <b>Theme/Topic</b>  | <b>Subtopic</b>               | <b>Outreach Event</b>     |
|---------------------------|---------------|--------------------|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-------------------------------|---------------------------|
| Assistant Court Executive | Los Angeles   | Urban              | South         | Probation is stepchild of criminal justice system. Not sure if situation would change under model where court oversaw probation                                                              | Vision of Probation |                               | CJAC                      |
| Assistant Court Executive | Los Angeles   | Urban              | South         | Perception is that probation is less; lock 'em up! Public thinks getting probation is getting off. Money would still not flow to probation. It's extremely difficult.                        | Vision of Probation |                               | CJAC                      |
| Court Program Manager     | Placer        | Suburban           | North         | Need collaboration of Funding between agencies                                                                                                                                               | Funding             |                               | BTB                       |
| Court Program Manager     | Placer        | Suburban           | North         | Top leadership all meet weekly (workable in small county)                                                                                                                                    | Relationships       |                               | BTB                       |
| Court Program Manager     | Placer        | Suburban           | North         | Sees probation as an arm of the court                                                                                                                                                        | Relationships       | Probation to Court and County | BTB                       |
| Court Program Manager     | Placer        | Suburban           | North         | Cross supervision of probation and social services and education; Co Located; Much quicker by working together                                                                               | Services            | Collaboration                 | BTB                       |
| Court Program Manager     | Placer        | Suburban           | North         | Drug Courts, successfully work together also Day Reporting, center, Domestic Violence Court                                                                                                  | Services            | Specialty Courts              | BTB                       |
| Judge                     | Sacramento    | Urban              | North         | Board of Corrections has ratio regarding facilities, this has led to Deputy Probation Officers being pulled from field services (caused by staffing problems) leading to no supervision      | Caseload            |                               | BTB                       |
| Judge                     | Santa Clara   | Urban              | North         | Caseloads are too high. Specialized caseloads i.e. DV take resources and other cases are banked. (What is effect on victims?)                                                                | Caseload            |                               | BTB                       |
| Judge                     | Riverside     | Urban              | South         | <ul style="list-style-type: none"> <li>▪ 8-9,000 banked caseload; 1:900 ratio – those are scary numbers!</li> <li>▪ Many banked probationers are felons who need to be supervised</li> </ul> | Caseload            |                               | CJAC                      |
| Judge                     | Riverside     | Urban              | South         | Lack of supervision will expose counties to liability due to banked caseloads                                                                                                                | Caseload            |                               | CJAC                      |
| Judge                     | Santa Cruz    | Suburban           | Central Coast | Probation services work – but can't expect it unless there are manageable caseloads                                                                                                          | Caseload            |                               | Delinquency               |
| Judge                     | Sonoma        | Suburban           | North         | There are no guidelines for evaluating CPOs Evaluations tend to be based on anecdote. Need protocols and guidelines for evaluation as with CEO                                               | CPO Issues          | Evaluation                    | Juvenile Law Subcommittee |
| Judge                     | Colusa        | Rural              | North         | Deputy Probation Officers get paid far less than Deputy Sheriff, but more education is required                                                                                              | DPO Issues          | Retention and training        | CJAC                      |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| Stakeholder | County        | County type | Region        | Comment                                                                                                                                                                                                                                                                                                                                                  | Theme/Topic   | Subtopic                      | Outreach Event            |
|-------------|---------------|-------------|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------|---------------------------|
| Judge       | Los Angeles   | Urban       | South         | <ul style="list-style-type: none"> <li>▪ Training in juvenile probation is weak – philosophy moving towards corrections vs. rehabilitation</li> <li>▪ There is no training in mental health</li> <li>▪ Also, training at field level is needed, DPOs want to be trained but its not offered</li> <li>▪ Many changes have been due to advocacy</li> </ul> | DPO Issues    | Retention and Training        | Juvenile Law Subcommittee |
| Judge       | Riverside     | Urban       | South         | We need to educate BOS                                                                                                                                                                                                                                                                                                                                   | DPO Issues    | Status                        | CJAC                      |
| Judge       | Riverside     | Urban       | South         | We need to elevate to other public safety agency                                                                                                                                                                                                                                                                                                         | DPO Issues    | Status                        | CJAC                      |
| Judge       | Los Angeles   | Urban       | South         | Facilities are outdated (“anti-children”) and are such that juveniles adjust to criminal treatment                                                                                                                                                                                                                                                       | Facilities    | Conditions of confinement     | Delinquency               |
| Judge       | Sacramento    | Urban       | North         | Probation, low priority compared to other law enforcement entities                                                                                                                                                                                                                                                                                       | Funding       |                               | BTB                       |
| Judge       | Sacramento    | Urban       | North         | Shouldn’t have to rely on grants                                                                                                                                                                                                                                                                                                                         | Funding       |                               | BTB                       |
| Judge       | Colusa        | Rural       | North         | CPO doesn’t have staff                                                                                                                                                                                                                                                                                                                                   | Funding       |                               | CJAC                      |
| Judge       | Riverside     | Urban       | South         | Adult not as well funded as juvenile although both are underfunded                                                                                                                                                                                                                                                                                       | Funding       |                               | CJAC                      |
| Judge       | Solano        | Suburban    | North         | Probation is under-funded for what it is asked to do                                                                                                                                                                                                                                                                                                     | Funding       |                               | CJAC                      |
| Judge       | Solano        | Suburban    | North         | Need adequate funding to solve problems with probation departments                                                                                                                                                                                                                                                                                       | Funding       |                               | CJAC                      |
| Judge       | Santa Barbara | Suburban    | Central Coast | Money isn’t balanced rationally, felons are banked but grant funded misd. Are supervised and receive services                                                                                                                                                                                                                                            | Funding       |                               | CJAC                      |
| Judge       | Santa Barbara | Suburban    | Central Coast | Large banked felony caseloads, not enough money                                                                                                                                                                                                                                                                                                          | Funding       |                               | CJAC                      |
| Judge       | Santa Barbara | Suburban    | Central Coast | Grant funding from the state and federal government tells CPO how to spend \$\$                                                                                                                                                                                                                                                                          | Funding       | Grants                        | CJAC                      |
| Judge       | Santa Barbara | Suburban    | Central Coast | Grants from State; drives programs/policy, then BOS, judges, grantees (State/Feds), many masters.                                                                                                                                                                                                                                                        | Funding       | Grants                        | CJAC                      |
| Judge       | Santa Barbara | Suburban    | Central Coast | CPO has many masters                                                                                                                                                                                                                                                                                                                                     | Relationship  | Probation to Court and County | CJAC                      |
| Judge       | Santa Clara   | Urban       | North         | Standing Court Order, exchange of information among service providers & work well together (some cases go from 600 system to 300 system)                                                                                                                                                                                                                 | Relationships | Dual Status                   | BTB                       |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b> | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Theme/Topic</b> | <b>Subtopic</b>          | <b>Outreach Event</b> |
|--------------------|---------------|--------------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------------------|-----------------------|
| Judge              | Sacramento    | Urban              | North         | Approval Process SF method of appointing separate CPO for adult and juvenile services interesting, may not make sense to keep adult and juvenile together                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Relationships      | Organizational structure | BTB                   |
| Judge              | Los Angeles   | Urban              | South         | Recommends separating adult and juvenile probation services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Relationships      | Organizational structure | Delinquency           |
| Judge              | Los Angeles   | Urban              | South         | Criticizing SYSTEM, not PEOPLE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Relationships      | Organizational structure | Delinquency           |
| Judge              | Plumas        | Rural              | North         | Must separate adult and juvenile probation services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Relationships      | Organizational structure | Delinquency           |
| Judge              | Riverside     | Urban              | South         | Big concern is liability issue. Subjects Board/County to liability                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Relationships      | Probation to County      | CJAC                  |
| Judge              | Solano        | Suburban           | North         | Educate BOS about work of Probation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Relationships      | Probation to County      | CJAC                  |
| Judge              | Solano        | Suburban           | North         | Probation gets less than DA and sheriff                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Relationships      | Probation to County      | CJAC                  |
| Judge              | Plumas        | Rural              | North         | Keep independent/autonomy of county; makes it more flexible to local needs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Relationships      | Probation to County      | Delinquency           |
| Judge              | Sacramento    | Urban              | North         | Multi-Disciplinary Teams – since probation part of court, they participate, hard to get Sheriff and Police involved                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Relationships      | Probation to Court       | BTB                   |
| Judge              | Alameda       | Urban              | North         | Functions of probation sometimes not consistent with neutrality of court – need to consider! Can't be an "arm" of court for that reason                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Relationships      | Probation to Court       | CJAC                  |
| Judge              | Riverside     | Urban              | South         | Probation Department-functions as eyes and ears of court: <ul style="list-style-type: none"> <li>▪ Gets information about charge and appropriate consequences (sentence, etc.)</li> <li>▪ Ensures that defendant/youth complies with orders and notifies court if not complying</li> <li>▪ Court reports provide necessary information</li> <li>▪ Assist court in carrying out orders of court and notifying if defendant is not complying.</li> <li>▪ Probation and Social Services-regarding juveniles, probation's job is to develop juvenile delinquency prevention programs; make appropriate referrals; should work collaboratively</li> </ul> | Relationships      | Probation to Court       | CJAC                  |
| Judge              | Riverside     | Urban              | South         | Legitimate concern is that Courts haven't been good at overseeing and supervising CPO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Relationships      | Probation to Court       | CJAC                  |
| Judge              | Riverside     | Urban              | South         | Professionalism in Court Executive area has bled over into CPO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Relationships      | Probation to Court       | CJAC                  |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b> | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                           | <b>Theme/Topic</b> | <b>Subtopic</b>               | <b>Outreach Event</b>     |
|--------------------|---------------|--------------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-------------------------------|---------------------------|
| Judge              | Los Angeles   | Urban              | South         | Courts should appoint CPO for juvenile and should direct the department                                                                                                                                                                  | Relationships      | Probation to Court            | Delinquency               |
| Judge              | Los Angeles   | Urban              | South         | Prepared to work to make changes                                                                                                                                                                                                         | Relationships      | Probation to Court            | Delinquency               |
| Judge              | Sacramento    | Urban              | North         | Separation of powers is an issue when considering appointing authority                                                                                                                                                                   | Relationships      | Probation to Court and County | BTB                       |
| Judge              | Sacramento    | Urban              | North         | Can't separate money from appointment                                                                                                                                                                                                    | Relationships      | Probation to Court and County | BTB                       |
| Judge              | Santa Clara   | Urban              | North         | CPO should be selected by court, needs to be responsible to court.                                                                                                                                                                       | Relationships      | Probation to Court and County | BTB                       |
| Judge              | Riverside     | Urban              | South         | BOS approached by judges to seek legislation to put CPO under CAO in that county; court adamantly opposed. Then and audit followed. Result was a Probation Oversight Committee (1994). Still in place, meets periodically, evaluates CPO | Relationships      | Probation to Court and County | CJAC                      |
| Judge              | Riverside     | Urban              | South         | CPO has to answer to court to get needed services                                                                                                                                                                                        | Relationships      | Probation to Court and County | CJAC                      |
| Judge              | Riverside     | Urban              | South         | In 7 counties where BOS appoints, do they have greater funding? This would argue for having BOS appoint CPO                                                                                                                              | Relationships      | Probation to Court and County | CJAC                      |
| Judge              | Santa Barbara | Suburban           | Central Coast | BOS doesn't treat CPO as well as BOS-appointed management, therefore CPO needs support from sheriff etc.                                                                                                                                 | Relationships      | Probation to Court and County | CJAC                      |
| Judge              | Solano        | Suburban           | North         | CPO should be under court and held accountable                                                                                                                                                                                           | Relationships      | Probation to Court and County | CJAC                      |
| Judge              | Solano        | Suburban           | North         | If you look at specialized courts, very expensive – should be under court, not board                                                                                                                                                     | Relationships      | Probation to Court and County | CJAC                      |
| Judge              | Solano        | Suburban           | North         | Have Probation Committee with involvement of supervisors.<br>▪ Role of Probation Committee – looks at operations, timeliness, etc.                                                                                                       | Relationships      | Probation to Court and County | CJAC                      |
| Judge              | Plumas        | Rural              | North         | CPO is difficult position due to governance relationship: funding from the county and direction from the court                                                                                                                           | Relationships      | Probation to Court and County | Delinquency               |
| Judge              | Plumas        | Rural              | North         | Who controls the budget should control services                                                                                                                                                                                          | Relationships      | Probation to Court and County | Delinquency               |
| Judge              | Sonoma        | Suburban           | North         | Appointment authority should be commission – equitable solution: body pays bills and courts both have say-so but Court should have veto power (right of refusal)                                                                         | Relationships      | Probation to Court and County | Juvenile Law Subcommittee |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b> | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                   | <b>Theme/Topic</b> | <b>Subtopic</b>                                     | <b>Outreach Event</b>     |
|--------------------|---------------|--------------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------------------------------------|---------------------------|
| Judge              | Santa Clara   | Urban              | North         | Social Services & probation work well together (history of probation in dependency)                                                                                                                                                                                                                                                              | Relationships      | Probation to Other Collaborative County Departments | BTB                       |
| Judge              | Los Angeles   | Urban              | South         | <ul style="list-style-type: none"> <li>▪ Probation needs to works with Dependency system</li> <li>▪ Probation needs to work more closely with dependency system, outside of special projects</li> <li>▪ Needs to work better on 241.1 issues</li> <li>▪ Need systemic change</li> <li>▪ Probation has slipped into the stepchild role</li> </ul> | Relationships      | Probation to Other Collaborative County Departments | Juvenile Law Subcommittee |
| Judge              | Santa Clara   | Urban              | North         | Services are inconsistent                                                                                                                                                                                                                                                                                                                        | Services           |                                                     | BTB                       |
| Judge              | Colusa        | Rural              | North         | Issues don't change with size of county—rural counties face same probation-related issues as medium and large counties (see comments at CJAC)                                                                                                                                                                                                    | Services           |                                                     | CJAC                      |
| Judge              | Riverside     | Urban              | South         | Drug Court (Adult/Juvenile) is successful. Probation has been innovative in the area of Domestic Violence                                                                                                                                                                                                                                        | Services           |                                                     | CJAC                      |
| Judge              | Riverside     | Urban              | South         | Juvenile services – some good programs (e.g. Home Supervision) due to overcrowding in Juvenile Hall                                                                                                                                                                                                                                              | Services           |                                                     | CJAC                      |
| Judge              | Santa Barbara | Suburban           | Central Coast | Probation does guardianship investigation – seems misplaced                                                                                                                                                                                                                                                                                      | Services           |                                                     | CJAC                      |
| Judge              | Riverside     | Urban              | South         | The Court has taken over collection; has assumed responsibilities because probation doesn't have staff to do it (misdemeanor & felony). Restitution can be collected with fees, fines and forfeitures                                                                                                                                            | Services           |                                                     | CJAC                      |
| Judge              | Solano        | Suburban           | North         | Restitution – another major issue; no follow up done                                                                                                                                                                                                                                                                                             | Services           |                                                     | CJAC                      |
| Judge              | Los Angeles   | Urban              | South         | Need to improve quality of education                                                                                                                                                                                                                                                                                                             | Services           | Education                                           | Delinquency               |
| Judge              | Los Angeles   | Urban              | South         | Need qualitative assessment of current programs                                                                                                                                                                                                                                                                                                  | Services           | Evaluation                                          | Delinquency               |
| Judge              | Sacramento    | Urban              | North         | Local Mental Health facilities need locked and not locked Pre and Post                                                                                                                                                                                                                                                                           | Services           | Mental health                                       | BTB                       |
| Judge              | Shasta        | Suburban           | North         | In mental health issue of kids in delinquency <ul style="list-style-type: none"> <li>▪ Mental Health in juvenile hall - positive impact</li> <li>▪ Mental Health working well with probation</li> </ul>                                                                                                                                          | Services           | Mental Health                                       | BTB                       |
| Judge              | Los Angeles   | Urban              | South         | Need for better and more mental health services in camps                                                                                                                                                                                                                                                                                         | Services           | Mental Health                                       | Delinquency               |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>   | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                           | <b>Theme/Topic</b>   | <b>Subtopic</b>                       | <b>Outreach Event</b>     |
|----------------------|---------------|--------------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|---------------------------------------|---------------------------|
| Judge                | Riverside     | Urban              | South         | DV courts, judge is doing job of P.O.; need that role fulfilled to do field services, interventions, referral to family services, etc.                                                                                                   | Services             | Specialty Courts                      | CJAC                      |
| Judge                | Santa Barbara | Suburban           | Central Coast | Specialty courts grew out of probation not supervising certain groups (drug courts). Circular system, maybe moving back                                                                                                                  | Services             | Specialty courts                      | CJAC                      |
| Judge                | Solano        | Suburban           | North         | Prop 36 will create problems. Create new cases/ We need to consider this                                                                                                                                                                 | Services             | Substance abuse                       | CJAC                      |
| Judge                | Los Angeles   | Urban              | South         | Sees insufficient drug treatment and lack of coordination                                                                                                                                                                                | Services             | Substance Abuse                       | Delinquency               |
| Judge                | Los Angeles   | Urban              | South         | Need to develop transition services when kids leave camps that involve parents                                                                                                                                                           | Services             | Transition                            | Delinquency               |
| Judge                | Santa Clara   | Urban              | North         | Losing rehabilitation, becoming law enforcement—tone is enforcement, may be appropriate with adult but not with juvenile                                                                                                                 | Vision for Probation |                                       | BTB                       |
| Judge                | Santa Clara   | Urban              | North         | Hiring DPOs with criminal justice background, rather than social services                                                                                                                                                                | Vision for Probation |                                       | BTB                       |
| Judge                | Sonoma        | Suburban           | North         | Even where local jurisdiction wants more rehabilitation state moving away from rehabilitation. For example in Sonoma developed plans for juvenile hall – Board of Corrections wants beds only; and took out clinic/treatment areas, etc. | Vision for Probation |                                       | Juvenile Law Subcommittee |
| Judge                | Santa Barbara | Suburban           | Central Coast | Need to look at original purpose of probation                                                                                                                                                                                            | Vision of Probation  |                                       | CJAC                      |
| Judge                | Solano        | Suburban           | North         | Evaluated status of CPO (like that of DA)                                                                                                                                                                                                | Vision of Probation  |                                       | CJAC                      |
| Juvenile Court Judge | Santa Cruz    | Suburban           | Central Coast | Overcrowding problem – Santa Cruz took care of it through Annie E. Casey study                                                                                                                                                           | Facilities           | Disproportionate Minority Confinement | Delinquency               |
| Juvenile Court Judge | Santa Cruz    | Suburban           | Central Coast | Judges have to support CPO                                                                                                                                                                                                               | Relationships        | Probation to Court                    | Delinquency               |
| Juvenile Court Judge | Santa Cruz    | Suburban           | Central Coast | Judges should appoint chief; would make less political – “neutral” arm of the court                                                                                                                                                      | Relationships        | Probation to Court and County         | Delinquency               |
| Juvenile Court Judge | Santa Cruz    | Suburban           | Central Coast | At-home/community programs need to be developed, with focus on proven programs                                                                                                                                                           | Services             | Pre-placement options                 | Delinquency               |
| Juvenile Court Judge | Santa Cruz    | Suburban           | Central Coast | Need to elevate public’s perception of probation; now viewed as soft on crime (“Oh, he only got probation”)                                                                                                                              | Vision for Probation |                                       | Delinquency               |
| Juvenile Court Judge | Contra Costa  | Urban              | Northern      | Need to work out labor issues and contracts                                                                                                                                                                                              | DPO Issues           |                                       | Juvenile Law Institute    |
| Juvenile Court Judge | Los Angeles   | Urban              | Southern      | Unionization of probation officers is a problem because they are hard to fire.                                                                                                                                                           | DPO Issues           | Accountability                        | Juvenile Law Institute    |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>               | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                           | <b>Theme/Topic</b> | <b>Subtopic</b> | <b>Outreach Event</b>  |
|----------------------------------|---------------|--------------------|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------|------------------------|
| Juvenile Court Judge – Former PJ | Santa Clara   | Urban              | Northern      | CPO should be appointed by the courts because it's hard to have a team mentality if the probation department is controlled by two different entities (it is funded by the BOS but follows judges' orders).                                               | CPO Issues         | Appointment     | Juvenile Law Institute |
| Juvenile Court Judge             | San Joaquin   | Suburban           | Northern      | Have had political problems with BOS due to a bad incident at the Juvenile Hall; CPO needs to be hired and fired by the courts                                                                                                                           | CPO Issues         | Appointment     | Juvenile Law Institute |
| Juvenile Court Judge             | Alameda       | Urban              | Northern      | CPO selected and supervised by PJ; recurring theme: No judicial protection in personnel issues; PJ has liability issues since he/she is not protected by the County Council                                                                              | CPO Issues         | Appointment     | Juvenile Law Institute |
| Juvenile Court Judge             | Los Angeles   | Urban              | Southern      | CPO should be hired by the court, since probation's mission should be defined by the courts; currently, the BOS's goals are followed, not the goals of the courts                                                                                        | CPO Issues         | Appointment     | Juvenile Law Institute |
| Juvenile Court Judge             | Santa Barbara | Suburban           | Central Coast | When judges appoint the CPO, they are able to effect change; if it were the other way around, is convinced that probation would not be able to offer the same level of services or quality of staff.                                                     | CPO Issues         | Appointment     | Juvenile Law Institute |
| Juvenile Court Judge             | Los Angeles   | Urban              | Southern      | Favors a partnership in appointment and termination of the CPO between the BOS and the courts, because is concerned about the incestuous nature of the relationship between the courts and probation if probation is completely controlled by the courts | CPO Issues         | Appointment     | Juvenile Law Institute |
| Juvenile Court Judge             | El Dorado     | Rural              | Northern      | In El Dorado, there was a bad incident when the CPO was appointed by the CAO – the CPO resigned; the new CPO recognized the need to evaluate the system                                                                                                  | CPO Issues         | Appointment     | Juvenile Law Institute |
| Juvenile Court Judge             | Los Angeles   | Urban              | Southern      | Funding Issue: Due to a shortage of money, is not sure that it would be a good idea to have probation departments competing for funding on a statewide level.                                                                                            | Funding            |                 | Juvenile Law Institute |
| Juvenile Court Judge             | El Dorado     | Rural              | Northern      | Probation should be funded by the courts                                                                                                                                                                                                                 | Funding            |                 | Juvenile Law Institute |
| Juvenile Court Judge             | Contra Costa  | Urban              | Northern      | Also need to consider that probation departments would be contending with the state legislature for funding                                                                                                                                              | Funding            |                 | Juvenile Law Institute |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>                | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                      | <b>Theme/Topic</b>   | <b>Subtopic</b>                | <b>Outreach Event</b>     |
|-----------------------------------|---------------|--------------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|--------------------------------|---------------------------|
| Juvenile Court Judge              | Contra Costa  | Urban              | Northern      | The Trial Court Employees Act has brought new areas of liability to the courts, but we can't let the threat of lawsuits scare us. Judges have to learn management.                                                                                                                                                                                                  | Relationships        |                                | Juvenile Law Institute    |
| Juvenile Court Judge              | Los Angeles   | Urban              | Southern      | The separation between juvenile and adult probation doesn't make sense to him – the two departments should be merged into one.                                                                                                                                                                                                                                      | Relationships        | Organizational Structure       | Juvenile Law Institute    |
| Juvenile Court Judge              | Contra Costa  | Urban              | Northern      | Model for consideration: partnership between the courts, probation, and the CDC (parole)                                                                                                                                                                                                                                                                            | Relationships        | Organizational Structure       | Juvenile Law Institute    |
| Juvenile Court Judge              | Contra Costa  | Urban              | Northern      | It is impossible to manage an agency whose employees are hired by one agency and controlled by another; current practice violates the first rule of management                                                                                                                                                                                                      | Relationships        | Probation to Court and County  | Juvenile Law Institute    |
| Juvenile Court Judge from Indiana | Indiana       |                    |               | Juvenile judges hire and fire the CPO, run probation facilities and services; works well for them <ul style="list-style-type: none"> <li>▪ But recognizes that it is difficult for judges to learn management and administration; these skills are not taught in law school</li> <li>▪ This model would require a new area of responsibility from judges</li> </ul> | Relationships        | Probation to Courts            | Juvenile Law Institute    |
| Juvenile Judge                    | Los Angeles   | Urban              | Southern      | Wants county level control over probation; concerned that the state is taking over control of the courts                                                                                                                                                                                                                                                            | Relationships        | Probation to Courts and County | Juvenile Law Institute    |
| Juvenile Judge                    | El Dorado     | Rural              | Northern      | The courts should appoint and control the CPO; state control would be more stable and less susceptible to local political changes                                                                                                                                                                                                                                   | Relationships        | Probation to Courts and County | Juvenile Law Institute    |
| Juvenile Court Judge              | Los Angeles   | Urban              | Southern      | Need for more services in probation; juveniles are a second thought.                                                                                                                                                                                                                                                                                                | Services             |                                | Juvenile Law Institute    |
| Juvenile Court Judge              | El Dorado     | Rural              | Northern      | There are no mental/physical health services because the BOS doesn't want to fund them.                                                                                                                                                                                                                                                                             | Services             | Mental health                  | Juvenile Law Institute    |
| Commissioner                      | San Mateo     | Urban              | North         | DPOs want to make changes. We need to look beyond agency issues.                                                                                                                                                                                                                                                                                                    | DPO Issues           |                                | Juvenile Law Subcommittee |
| Commissioner                      | San Mateo     | Urban              | North         | Need leadership from the top to change attitudes about how we view our children                                                                                                                                                                                                                                                                                     | Relationships        | Organizational Structure       | Juvenile Law Subcommittee |
| Commissioner                      | San Mateo     | Urban              | North         | Legislation has demonized children and the response has been to make probation part of law enforcement                                                                                                                                                                                                                                                              | Vision for Probation |                                | Juvenile Law Subcommittee |
| Referee                           | Los Angeles   | Urban              | North         | Need resources and training                                                                                                                                                                                                                                                                                                                                         | Funding              |                                | Juvenile Law Subcommittee |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>      | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                                               | <b>Theme/Topic</b>   | <b>Subtopic</b>                                     | <b>Outreach Event</b>     |
|-------------------------|---------------|--------------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------------------------------------------|---------------------------|
| Referee                 | Los Angeles   | Urban              | North         | <ul style="list-style-type: none"> <li>▪ Public Defenders are not child advocates</li> <li>▪ PDs are rotated and don't understand services and unique role</li> </ul>                                                                                                        | Relationships        | Probation to Other Collaborative County Departments | Juvenile Law Subcommittee |
| Referee                 | Los Angeles   | Urban              | South         | <ul style="list-style-type: none"> <li>▪ Need to recognize that DPO has to be both law enforcement AND social service, therefore DPO plays dual role.</li> <li>▪ Much like an attorney in the dependency system.</li> <li>▪ Probation needs to work on both roles</li> </ul> | Vision for Probation |                                                     | Juvenile Law Subcommittee |
| Referee                 | Los Angeles   | Urban              | South         | Goal is rehabilitation - These kids have the same needs as kids in dependency but there is also a community protection component.                                                                                                                                            | Vision for Probation |                                                     | Juvenile Law Subcommittee |
| Referee                 | Los Angeles   | Urban              | North         | History of probation: 25 years ago dependency was stepchild and now it has switched<br>Probation doesn't have advocate in the system                                                                                                                                         | Vision for Probation |                                                     | Juvenile Law Subcommittee |
| <b>PROBATION</b>        |               |                    |               |                                                                                                                                                                                                                                                                              |                      |                                                     |                           |
| Chief Probation Officer | Kern          | Suburban           | Central       | Is sure that a nexus exists between courthouse construction and who will support CPOs                                                                                                                                                                                        | CPO Issues           |                                                     | CPOC                      |
| Chief Probation Officer | Napa          | Suburban           | North         | The public is becoming more aware of probation's work with the passage of initiatives like the three-strikes law; it will reflect poorly on probation and on the courts when the public learns that thousands of unsupervised felons are in California                       | Caseload             |                                                     | CPOC                      |
| Chief Probation Officer | Mariposa      | Rural              | Central       | Being in a small county, able to provide supervision to all clients                                                                                                                                                                                                          | Caseload             |                                                     | CPOC                      |
| Chief Probation Officer | Mariposa      | Rural              | Central       | It's a shame that the level of supervision in the state is so poor                                                                                                                                                                                                           | Caseload             |                                                     | CPOC                      |
| Chief Probation Officer | Napa          | Suburban           | North         | The appointment of the CPO should remain with the court with the approval of the BOS                                                                                                                                                                                         | CPO Issues           | Appointment                                         | CPOC                      |
| Chief Probation Officer | Santa Barbara | Suburban           | Central Coast | California should look at the Arizona model in terms of a model of appointment and money flow since it provides consistency throughout the state – probation is funded by the state and the CPO is appointed by the superior courts                                          | CPO Issues           | Appointment                                         | CPOC                      |
| Chief Probation Officer | Trinity       | Rural              | North         | Probation is a function of the county, but CPOs should be appointed by the judiciary                                                                                                                                                                                         | CPO Issues           | Appointment                                         | CPOC                      |
| Chief Probation Officer | Kern          | Suburban           | Central       | Supports local control of probation with judicial appointment of CPOs                                                                                                                                                                                                        | CPO Issues           | Appointment                                         | CPOC                      |
| Chief Probation Officer | Santa Cruz    | Urban              | Northern      | There are two sides to the appointment issue: appointment and termination of the CPO                                                                                                                                                                                         | CPO issues           | Appointment                                         | CPOC                      |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>                | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                                     | <b>Theme/Topic</b> | <b>Subtopic</b> | <b>Outreach Event</b> |
|-----------------------------------|---------------|--------------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------|-----------------------|
| Chief Probation Officer           | Lake          | Rural              | North         | Small county – has more than 480 felons on his caseload; Prop 36 will mean he will receive funding to supervise misdemeanant drug offenders but no money to supervise serious felons – this doesn't make sense to him.                                             | Funding            |                 | CPOC                  |
| Chief Probation Officer (retired) | Shasta        | Suburban           | North         | Sees greater distinction between the courts and county administrations in the future due to TCF No money comes from courts, even though Pos carry out their orders                                                                                                 | Funding            |                 | CPOC                  |
| Chief Probation Officer (retired) | Shasta        | Suburban           | North         | Sources of funding are complicated and “braided” (money comes from TANF, Title IV, Social Services, Prop 172); Funding stream complicated since probation offers such a wide array of services                                                                     | Funding            |                 | CPOC                  |
| Chief Probation Officer (retired) | Shasta        | Suburban           | North         | Not much money comes from the General Fund                                                                                                                                                                                                                         | Funding            |                 | CPOC                  |
| Chief Probation Officer (retired) | Shasta        | Suburban           | North         | Leans toward TCF as base for funding                                                                                                                                                                                                                               | Funding            |                 | CPOC                  |
| Chief Probation Officer (retired) | Shasta        | Suburban           | North         | Little money available for adult probation                                                                                                                                                                                                                         | Funding            |                 | CPOC                  |
| Chief Probation Officer (retired) | Shasta        | Suburban           | North         | CPOs have to be creative, and spend a great deal of time chasing dollars; compete for grants with each other.                                                                                                                                                      | Funding            |                 | CPOC                  |
| Chief Probation Officer           | Alameda       | Urban              | Northern      | Judges' orders have a financial impact (e.g. the case in which the firing of a CPO by a PJ caused a lawsuit to be brought against the court)                                                                                                                       | Funding            |                 | CPOC                  |
| Chief Probation Officer           | Mariposa      | Rural              | Central       | Mariposa BOS is supportive, but the system needs to be improved so that CPOs don't have to beg for funding                                                                                                                                                         | Funding            |                 | CPOC                  |
| Chief Probation Officer           | Shasta        | Suburban           | Northern      | Most probation departments are funded 50-70% by external sources (TANF, grants, etc.)                                                                                                                                                                              | Funding            |                 | CPOC                  |
| Chief Probation Officer           | Ventura       | Urban              | South         | Trial Court Funding was a significant change that will continue to affect probation in the future; separation of the courts from the county will create funding problems since the BOS funds probation but does not have as much control over CPOs as they'd like. | Funding            |                 | CPOC                  |
| Chief Probation Officer           | Ventura       | Urban              | South         | A statewide system in which only one funding source exists may be an improvement in terms of consistency.                                                                                                                                                          | Funding            |                 | CPOC                  |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>      | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                                        | <b>Theme/Topic</b> | <b>Subtopic</b>                | <b>Outreach Event</b> |
|-------------------------|---------------|--------------------|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------------------------|-----------------------|
| Chief Probation Officer | Tulare        | Suburban           | Central       | Have a 210-bed facility with open beds, so sold 60 beds to the INS – created \$3.4 million in revenue; probation needs to “think outside the box”                                                                                                                     | Funding            |                                | CSAC                  |
| Chief Probation Officer | Lake          | Rural              | North         | <ul style="list-style-type: none"> <li>▪ CPOs pulled in two different directions: judges’ demands for more supervision don’t meet the desires of the BOS, who do not allocate enough resources</li> <li>▪ Has had to answer to many masters for many years</li> </ul> | Relationships      | Probation to Court and County  | CPOC                  |
| Chief Probation Officer | Nevada        | Rural              | North         | Works for many masters – wants to be with the courts                                                                                                                                                                                                                  | Relationships      | Probation to Court and County  | CPOC                  |
| Chief Probation Officer | Nevada        | Rural              | North         | Has a good working relationship with judges, but lot of political hurdles exist with regard to the BOS – has seen 5 BOS members come and go in 4 years                                                                                                                | Relationships      | Probation to Court and County  | CPOC                  |
| Chief Probation Officer | Nevada        | Rural              | North         | Judges know far more about daily operation of his department than the BOS                                                                                                                                                                                             | Relationships      | Probation to Court and County  | CPOC                  |
| Chief Probation Officer | Alameda       | Urban              | North         | Probation is “whipsawed” by being in the middle of the counties and the courts; many demands/mandates from judiciary, county and CAO                                                                                                                                  | Relationships      | Probation to Court and County  | CPOC                  |
| Chief Probation Officer | Napa          | Suburban           | North         | If the economy worsens, so will the problem of probation serving two masters                                                                                                                                                                                          | Relationships      | Probation to Court and County  | CPOC                  |
| Chief Probation Officer | Trinity       | Rural              | Northern      | People have mentioned the high costs of placing probation under the courts, but we need to consider the loss of manpower and time spent chasing dollars and grants; a state system could end up saving a lot of money in the long-run.                                | Relationships      | Probation to Court and County  | CPOC                  |
| Chief Probation Officer | Fresno        | Suburban           | Central       | Hopes the work of the PSTF will be a reality check for the courts. Thinks that the courts will realize that probation does work for the courts, and hopes that the courts will stand behind probation.                                                                | Relationships      | Probation to Courts            | CPOC                  |
| Chief Probation Officer | Shasta        | Suburban           | Northern      | Predicts the status quo; thinks probation will report to both the BOS and the court but the system will become mandatory                                                                                                                                              | Relationships      | Probation to Courts and County | CPOC                  |
| Chief Probation Officer | Shasta        | Suburban           | Northern      | Probation should move either entirely under the BOS or the courts                                                                                                                                                                                                     | Relationships      | Probation to Courts and County | CPOC                  |
| Chief Probation Officer | Shasta        | Suburban           | Northern      | Wants a quasi state agency under the court system to be in charge of probation                                                                                                                                                                                        | Relationships      | Probation to Courts and County | CPOC                  |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>      | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                                                             | <b>Theme/Topic</b> | <b>Subtopic</b>                                     | <b>Outreach Event</b> |
|-------------------------|---------------|--------------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------------------------------------|-----------------------|
| Chief Probation Officer | Shasta        | Suburban           | Northern      | Wants to shift to TCF model – court administration of probation would not be that expensive, if only the responsibility for court-related aspects of probation are shifted to the courts                                                                                                   | Relationships      | Probation to Courts and County                      | CPOC                  |
| Chief Probation Officer | Shasta        | Suburban           | Northern      | Workload standards can't be created under the county model, due to individual funding streams                                                                                                                                                                                              | Relationships      | Probation to Courts and County                      | CPOC                  |
| Chief Probation Officer | Shasta        | Suburban           | Northern      | Hopes that the significant statutory role of each county's Juvenile Justice Commission is not ignored by the PSTF                                                                                                                                                                          | Relationships      | Probation to Other Collaborative County Departments | CPOC                  |
| Chief Probation Officer | Alameda       | Urban              | Northern      | Spends a great deal of time defining "probation" and "parole" to legislators; what will happen if probation becomes a state agency – will it be incorporated into parole?                                                                                                                  | Relationships      | Probation to Other Collaborative County Departments | CPOC                  |
| Chief Probation Officer | Ventura       | Urban              | South         | Negative aspects of TCF model: scope of probation services would have to narrow.                                                                                                                                                                                                           | Services           |                                                     | CPOC                  |
| Chief Probation Officer | Napa          | Suburban           | North         | The number of services offered will decrease if the economy worsens                                                                                                                                                                                                                        | Services           |                                                     | CPOC                  |
| Chief Probation Officer | Ventura       | Urban              | Southern      | The scope of probation services needs to be narrowed. People hold unrealistic expectations regarding probation's ability to provide a great deal of services; need to mainly focus on court issues and supervision of probationers                                                         | Services           |                                                     | CPOC                  |
| Chief Probation Officer | Mariposa      | Rural              | Central       | Unfortunate that there are no services for adult felony probationers, since probation can work if there is enough funding and supervision                                                                                                                                                  | Services           | Adult                                               | CPOC                  |
| Chief Probation Officer | Santa Cruz    | Urban              | Northern      | Lack of adult supervision                                                                                                                                                                                                                                                                  | Services           | Adult                                               | CPOC                  |
| Chief Probation Officer | Santa Cruz    | Urban              | Northern      | BOS funds juvenile programs rather than adult programs                                                                                                                                                                                                                                     | Services           | Adult                                               | CPOC                  |
| Chief Probation Officer | Santa Cruz    | Urban              | Northern      | Services that need to be addressed/improved: lack of programs for girls                                                                                                                                                                                                                    | Services           | Girls                                               | CPOC                  |
| Chief Probation Officer | Tulare        | Suburban           | Central       | Have had much success privatizing electronic monitoring services <ul style="list-style-type: none"> <li>▪ Have successfully reduced banked caseload from 5,000 to 1,000</li> <li>▪ Cost savings huge – offenders pay for monitoring service, the county supervises the service.</li> </ul> | Services           |                                                     | CSAC                  |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>      | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                    | <b>Theme/Topic</b> | <b>Subtopic</b>               | <b>Outreach Event</b> |
|-------------------------|---------------|--------------------|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-------------------------------|-----------------------|
| Chief Probation Officer | Santa Barbara | Suburban           | Central Coast | Institutions are significant time bombs ... unsafe for kids                                                                                                                                                                       | Facilities         | Conditions of confinement     | Delinquency           |
| Chief Probation Officer | Butte         | Suburban           | North         | ERAF issues: no funding to keep people out of prison                                                                                                                                                                              | Funding            |                               | Delinquency           |
| Chief Probation Officer | Santa Barbara | Suburban           | Central Coast | Good to see recognition of abandonment of CPO – have crashed other funding streams (e.g., TANF) – need to address lack of resources for adults (which don't exist except for drug courts, DV courts, etc.)                        | Funding            |                               | Delinquency           |
| Chief Probation Officer | Santa Barbara | Suburban           | Central Coast | Big fear that when price tag of probation is realized, hope all work of task force is not lost; all other services will be affected; mental health, social services, etc. ... all are facing funding difficulties                 | Funding            |                               | Delinquency           |
| Chief Probation Officer | Santa Barbara | Suburban           | Central Coast | Would advocate for greater integration of adult/juvenile probation services (doesn't agree that two departments should be separated) – better equipped to address intergenerational cycles of crime if departments are integrated | Relationships      | Organizational structure      | Delinquency           |
| Chief Probation Officer | Butte         | Suburban           | North         | Some judges don't care if orders are enforced                                                                                                                                                                                     | Relationships      | Probation to Court            | Delinquency           |
| Chief Probation Officer | Butte         | Suburban           | North         | Lots of pressures on probation; judge makes orders, expect it to happen without engaging in the delivery of day-to-day operations                                                                                                 | Relationships      | Probation to Court            | Delinquency           |
| Chief Probation Officer | Butte         | Suburban           | North         | Structural problem – failure of advocacy; judges have allowed probation departments to atrophy, haven't permitted probation to maintain funding/stature of other agencies (i.e., welfare, social services)                        | Relationships      | Probation to Court and County | Delinquency           |
| Chief Probation Officer | Butte         | Suburban           | North         | CAOs have same problem with elected officials (as with CPOs) – responsibility for department, but no authority over who is elected as department head; not sure if "fixing" the appointment system will help anything             | Relationships      | Probation to Court and County | Delinquency           |
| Chief Probation Officer | Butte         | Suburban           | North         | Sees juvenile as ward of court, CPO as officer of court; following logic, probation should reside where it belongs (with court)                                                                                                   | Relationships      | Probation to Court and County | Delinquency           |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>      | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                                          | <b>Theme/Topic</b>   | <b>Subtopic</b>               | <b>Outreach Event</b> |
|-------------------------|---------------|--------------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-------------------------------|-----------------------|
| Chief Probation Officer | Fresno        | Suburban           | Central       | Please solve problem of having to serve two masters – needs independence of TCF models, supports this bud would require judges to stand behind probation                                                                                                                | Relationships        | Probation to Court and County | Delinquency           |
| Chief Probation Officer | Fresno        | Suburban           | Central       | Would like to see judges' support when probation goes before BOS                                                                                                                                                                                                        | Relationships        | Probation to Court and County | Delinquency           |
| Chief Probation Officer | Fresno        | Suburban           | Central       | Infrastructure/institutions has to be part of this process – wrong that probation is left with scraps (e.g., situation where probation is taking over old jail while sheriff gets new, \$50M jail)                                                                      | Relationships        | Probation to Court and County | Delinquency           |
| Chief Probation Officer | Sacramento    | Urban              | North         | As TCF is perfected, tension between court and county will increase and CPO will be thrust further into tense, stressful situation                                                                                                                                      | Relationships        | Probation to Court and County | Delinquency           |
| Chief Probation Officer | Sacramento    | Urban              | North         | Liability – independently elected officials have resulted in enormous settlements; don't let CPO settlement in Lassen County drive decision about appointment authority                                                                                                 | Relationships        | Probation to Court and County | Delinquency           |
| Chief Probation Officer | Sacramento    | Urban              | North         | Appointment of CPO started out as catalyst, going beyond operation of system, means revision of law; appears to be larger task than was original envisioned and may require a more long-term examination; don't let other stuff "dangle," just do CPO                   | Relationships        | Probation to Court and County | Delinquency           |
| Chief Probation Officer | Butte         | Suburban           | North         | 2/3 of caseload is adults; everyone is happy with adult drug courts, but all they are is old-fashioned probation                                                                                                                                                        | Services             | Adults                        | Delinquency           |
| Chief Probation Officer | Santa Barbara | Suburban           | Central Coast | <ul style="list-style-type: none"> <li>▪ Need to look at cost of operation, construction is expensive but may be worth it — shouldn't have to worry about financial aspects of placement decisions</li> <li>▪ Especially concerned about group home industry</li> </ul> | Services             | Placement                     | Delinquency           |
| Chief Probation Officer | Butte         | Suburban           | North         | Facing landslide of impact on probation services with Prop 36                                                                                                                                                                                                           | Services             | Substance Abuse               | Delinquency           |
| Chief Probation Officer | Sacramento    | Urban              | North         | One option is name change for probation to change negative connotation: e.g., "community corrections," but there are other options                                                                                                                                      | Vision for Probation |                               | Delinquency           |
| Chief Probation Officer | Ventura       | Urban              | Southern      | CBOs are better suited to provide services than probation officers                                                                                                                                                                                                      | Relationships        | Probation to CBOs             | CPOC                  |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>                | <b>County</b>   | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                                                                                     | <b>Theme/Topic</b> | <b>Subtopic</b>               | <b>Outreach Event</b> |
|-----------------------------------|-----------------|--------------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-------------------------------|-----------------------|
| Chief Probation Officer           | Alameda         | Urban              | North         | Is concerned that judges may be unaccustomed to negotiating (a skill required in administration); if probation moves under the courts, she would like the Judicial Council to provide management and training to judges                                                                                            | Relationships      | Probation to Court            | CPOC                  |
| Assistant Chief Probation Officer | Lake            | Rural              | North         | Developmentally disabled often slip through cracks (i.e., placement, responsibility) – especially difficult in smaller counties; if criminal petition is dismissed, the kid is shipped off to CPS (not appropriate placement)                                                                                      | Services           | Developmentally Disabled      | Delinquency           |
| Assistant Chief Probation Officer | Lake            | Rural              | North         | Mental health has major impact on probation departments due to placements in CPS                                                                                                                                                                                                                                   | Services           | Mental health                 | Delinquency           |
| Assistant Chief Probation Officer | Lake            | Rural              | North         | Practice of having to pay for CYA commitments affects how the department is run; major impact on what services are paid at the local level; county now having to keep more violent children or those who have exhausted all other resources (and who formerly, pre sliding-scale fee, would have been sent to CYA) | Services           | Placement                     | Delinquency           |
| Assistant Chief Probation Officer | Lake            | Rural              | North         | If judges were responsible for the budget, would decisions be different (like CYA commitments??); may result in more thought going into decisions; now care for child is often secondary – decision based primarily on financial factors                                                                           | Services           | Placement                     | Delinquency           |
| Deputy Chief Probation Officer    | Shasta          | Suburban           | North         | Bring probation under TCF, make probation employees part of “court executive” staff (now disparity in salaries, etc. following TCF between court and probation employees)                                                                                                                                          | Relationships      | Probation to Court and County | Delinquency           |
| Deputy Chief Probation Officer    | Shasta          | Suburban           | North         | Case in Lassen County (CPO fired by PJ, settled with county for \$2.3M – issue of liability) is not valid basis for change to governance structure; need to look at that as isolated incident – concerned that this is a push for county to take over probation                                                    | Relationships      | Probation to Court and County | Delinquency           |
| Probation Manager                 | San Luis Obispo | Suburban           | Central       | Need to create a state probation department, currently there is a lack of state leadership. This hurts probation in terms of money and legislation                                                                                                                                                                 | Relationships      | Organizational structure      | BTB                   |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| Stakeholder       | County          | County type | Region          | Comment                                                                                                                                                                    | Theme/Topic   | Subtopic                  | Outreach Event             |
|-------------------|-----------------|-------------|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------------------|----------------------------|
| Probation Manager | San Luis Obispo | Suburban    | Central         | No mechanism to make statewide change                                                                                                                                      | Relationships | Organizational structure  | BTB                        |
| Probation Manager | San Luis Obispo | Suburban    | Central         | There is a need for coordination between counties                                                                                                                          | Relationships | Organizational structure  | BTB                        |
| Probation Manager | San Luis Obispo | Suburban    | Central         | Difference between juvenile and adult and within department they compete for money                                                                                         | Relationships | Organizational structure  | BTB                        |
| Probation Manager | San Luis Obispo | Suburban    | Central         | Need Service Standards                                                                                                                                                     | Services      |                           | BTB                        |
| Probation Manager | Placer          | Suburban    | North           | 7 years probation and Social Services working together (Co-Located)—this works well                                                                                        | Services      | Collaboration             | BTB                        |
| Probation Manager | Santa Barbara   | Suburban    | Central Coast   | 5 DPOs have intensive DV caseloads of 70 – starting to see good results, but needs to be more collaborative between agencies and throughout the state, and more intensive. | Caseload      |                           | Family Violence Conference |
| Probation Manager | Santa Cruz      | Suburban    | North           | Caseloads have increased over time                                                                                                                                         | Caseload      |                           | Family Violence Conference |
| Probation Manager | Santa Barbara   | Suburban    | Central Coastal | Arizona has mandated caseload ratios, where they automatically get an additional officer if the ratio is exceeded; CA should look into AZ system.                          | Caseload      |                           | Family Violence Conference |
| Probation Manager | Santa Barbara   | Suburban    | Central Coastal | Who will appoint the CPO? The CAO can't be the person since a CAO's job is to keep costs down                                                                              | CPO Issues    | Appointment               | Family Violence Conference |
| Probation Manager | Santa Cruz      | Suburban    | North           | Hard to recruit and retain enough qualified probation staff                                                                                                                | DPO Issues    | Recruitment and Retention | Family Violence Conference |
| Probation Manager | Santa Barbara   | Suburban    | Central Coast   | Their county received a training grant for DPOs in domestic violence issues through a college; DV advocates and DPOs from all over the state attended.                     | DPO Issues    | Retention and Training    | Family Violence Conference |
| Probation Manager | Santa Barbara   | Suburban    | Central Coast   | DPOs need formal and more extensive training                                                                                                                               | DPO Issues    | Retention and Training    | Family Violence Conference |
| Probation Manager | Santa Barbara   | Suburban    | Central Coast   | DPOs should be trained by victim advocates and coordinators of batterers treatment programs.                                                                               | DPO Issues    | Retention and Training    | Family Violence Conference |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b> | <b>County</b> | <b>County type</b> | <b>Region</b>   | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                | <b>Theme/Topic</b> | <b>Subtopic</b>                                     | <b>Outreach Event</b>      |
|--------------------|---------------|--------------------|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------------------------------------|----------------------------|
| Probation Manager  | Santa Barbara | Suburban           | Central Coast   | DPOs are not traditionally trained in DV issues                                                                                                                                                                                                                                                                                                                               | DPO Issues         | Retention and Training                              | Family Violence Conference |
| Probation Manager  | Santa Barbara | Suburban           | Central Coast   | DPOs have to work beyond their trained area of expertise                                                                                                                                                                                                                                                                                                                      | DPO Issues         | Retention and Training                              | Family Violence Conference |
| Probation Manager  | Santa Barbara | Suburban           | Central Coastal | Not much money goes to domestic violence caseloads, until there are several DV-related homicides.                                                                                                                                                                                                                                                                             | Funding            |                                                     | Family Violence Conference |
| Probation Manager  | Santa Barbara | Suburban           | Central Coastal | Receive Modernization Fund money through TANF and Medi-Cal for adult probation                                                                                                                                                                                                                                                                                                | Funding            |                                                     | Family Violence Conference |
| Probation Manager  | Santa Barbara | Suburban           | Central Coastal | Department collaborates a lot with DSS and Mental Health, but mainly in juvenile probation.                                                                                                                                                                                                                                                                                   | Relationships      | Probation to Other Collaborative County Departments | Family Violence Conference |
| Probation Manager  | Santa Cruz    | Suburban           | North           | Their county uses Santa Barbara's risk management assessment tool                                                                                                                                                                                                                                                                                                             | Services           | Assessment                                          | Family Violence Conference |
| Probation Manager  | Santa Cruz    | Suburban           | North           | A case manager started certifying programs that worked, but has since stopped since lack of staff resources                                                                                                                                                                                                                                                                   | Services           | Evaluation                                          | Family Violence Conference |
| Probation Manager  | Santa Cruz    | Suburban           | North           | <ul style="list-style-type: none"> <li>• Doesn't feel qualified to evaluate programs and models</li> <li>• Has a conflict of interest – can't audit and evaluate programs</li> <li>• Would be beneficial to have state organization that audits programs, so individual counties don't have to do them.</li> <li>• Need technical support from outside department.</li> </ul> | Services           | Evaluation                                          | Family Violence Conference |
| Probation Manager  | Santa Barbara | Suburban           | Central Coastal | <p>When the economy worsens, the first question asked is usually, "which programs are mandated?"</p> <ul style="list-style-type: none"> <li>• Supervision levels are discretionary; supervision gets cut in the budget because it is not mandated.</li> </ul>                                                                                                                 | Services           | Supervision                                         | Family Violence Conference |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>                    | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                          | <b>Theme/Topic</b> | <b>Subtopic</b>        | <b>Outreach Event</b> |
|---------------------------------------|---------------|--------------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|------------------------|-----------------------|
| Probation Manager – Juvenile Division | Nevada        | Rural              | North         | In their county, suffer from “down the hill” problem where they train employees who then leave to move down hill to Placer, then Sacramento county for better \$\$                                                      | DPO Issues         | Retention and training | Delinquency           |
| Probation Manager – Juvenile Division | Nevada        | Rural              | North         | Issue of safety retirement – major concern as there are disparities across county lines                                                                                                                                 | DPO Issues         | Safety retirement      | Delinquency           |
| Probation Manager – Juvenile Division | Nevada        | Rural              | North         | What probation needs to improve status is TV series                                                                                                                                                                     | DPO Issues         | Status                 | Delinquency           |
| Probation Manager – Juvenile Division | Nevada        | Rural              | North         | Interstate compact – lots of kids from other states (especially Nevada); if adjudicated in California, but child lives in Nevada, they can’t transfer wardship to another state, but also can’t provide any supervision | Interstate compact |                        | Delinquency           |
| Probation Manager – Juvenile Division | Nevada        | Rural              | North         | Desperate need for therapy, but bureaucracy (paperwork, etc) burdens service providers                                                                                                                                  | Services           | Mental health          | Delinquency           |
| Probation Manager – Juvenile Division | Nevada        | Rural              | North         | Need to streamline system, not getting resources delivered                                                                                                                                                              | Services           | Service providers      | Delinquency           |
| Deputy Probation Officer              | Stanislaus    | Suburban           | North         | Caseload sizes are too high, CPO & board need to fund                                                                                                                                                                   | Caseload           |                        | BTB                   |
| Deputy Probation Officer              | Humboldt      | Suburban           | North         | Success with Diversion Caseload; This is a motivation for Deputy Probation Officer                                                                                                                                      | DPO Issues         | Retention and Training | BTB                   |
| Deputy Probation Officer              | Stanislaus    | Suburban           | North         | New DPO training regarding services                                                                                                                                                                                     | DPO Issues         | Retention and training | BTB                   |
| Deputy Probation Officer              | Stanislaus    | Suburban           | North         | Should have training for DPO & DSS on joint issues (& mental health) (i.e. Beyond the Bench)                                                                                                                            | DPO Issues         | Retention and training | BTB                   |
| Deputy Probation Officer              | Humboldt      | Suburban           | North         | Kids in programs funded with grants get lots of services but other kids have never met Deputy Probation Officer                                                                                                         | Funding            | Grants                 | BTB                   |
| Deputy Probation Officer              | Humboldt      | Suburban           | North         | Too dependent on grant funding, not enough money & service for regular teams.                                                                                                                                           | Funding            | Grants                 | BTB                   |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>       | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                   | <b>Theme/Topic</b> | <b>Subtopic</b>               | <b>Outreach Event</b> |
|--------------------------|---------------|--------------------|---------------|----------------------------------------------------------------------------------------------------------------------------------|--------------------|-------------------------------|-----------------------|
| Deputy Probation Officer | San Diego     | Urban              | South         | Grants - Probation, Social Services, CBO, Mental Health working together--Need more level playing field                          | Funding            | Grants                        | BTB                   |
| Deputy Probation Officer | Stanislaus    | Suburban           | North         | Grant funding is problematic                                                                                                     | Funding            | Grants                        | BTB                   |
| Deputy Probation Officer | San Diego     | Urban              | South         | System for 300/ 600 cross over                                                                                                   | Relationships      | Dual Status                   | BTB                   |
| Deputy Probation Officer | Humboldt      | Suburban           | North         | Juvenile and adult should be separate (Juvenile appointment by Juvenile PJ, adult by Court Presiding Judge)                      | Relationships      | Organizational structure      | BTB                   |
| Deputy Probation Officer | Stanislaus    | Suburban           | North         | Ownership – DPOs want to be state employees (w/parole)                                                                           | Relationships      | Organizational structure      | BTB                   |
| Deputy Probation Officer | Stanislaus    | Suburban           | North         | Probation should follow state model based on DSS – state level agency with county and regional offices (Good local relationship) | Relationships      | Organizational structure      | BTB                   |
| Deputy Probation Officer | San Diego     | Urban              | South         | Training of DPOs and CBOs is key                                                                                                 | Relationships      | Probation to CBOs             | BTB                   |
| Deputy Probation Officer | San Diego     | Urban              | South         | Can't have success with out CBO partnership                                                                                      | Relationships      | Probation to CBOs             | BTB                   |
| Deputy Probation Officer | Humboldt      | Suburban           | North         | Probation needs to be arm of court                                                                                               | Relationships      | Probation to Court and County | BTB                   |
| Deputy Probation Officer | Stanislaus    | Suburban           | North         | CPO appointed without interview process                                                                                          | Relationships      | Probation to Court and County | BTB                   |
| Deputy Probation Officer | Humboldt      | Suburban           | North         | DPO visits the home, school, etc. not just office visits                                                                         | Services           |                               | BTB                   |
| Deputy Probation Officer | Humboldt      | Suburban           | North         | There are few services offered in the home                                                                                       | Services           |                               | BTB                   |
| Deputy Probation Officer | Humboldt      | Suburban           | North         | Gang Units - Left to police not probation                                                                                        | Services           |                               | BTB                   |
| Deputy Probation Officer | Stanislaus    | Suburban           | North         | Need to provide more supervision and supervision in the community, not the office                                                | Services           |                               | BTB                   |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>       | <b>County</b>   | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                          | <b>Theme/Topic</b>   | <b>Subtopic</b> | <b>Outreach Event</b>             |
|--------------------------|-----------------|--------------------|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------|-----------------------------------|
| Deputy Probation Officer | Stanislaus      | Suburban           | North         | Informal probation is a joke                                                                                                                                                            | Services             |                 | BTB                               |
| Deputy Probation Officer | San Diego       | Urban              | South         | High need for risk assessment                                                                                                                                                           | Services             | Assessment      | BTB                               |
| Deputy Probation Officer | San Diego       | Urban              | South         | Education – attending schools should be <b>key</b> to probation                                                                                                                         | Services             | Education       | BTB                               |
| Deputy Probation Officer | San Diego       | Urban              | South         | It is a disservice to kids to not deal with truancy                                                                                                                                     | Services             | Education       | BTB                               |
| Deputy Probation Officer | San Diego       | Urban              | South         | Need legislation regarding 601 to make sure kids go to school                                                                                                                           | Services             | Education       | BTB                               |
| Deputy Probation Officer | Humboldt        | Suburban           | North         | Drug Rehab Low success but typical of such programs                                                                                                                                     | Services             | Substance Abuse | BTB                               |
| Deputy Probation Officer | Stanislaus      | Suburban           | North         | Computerized system to check on kids because probation doesn't have access                                                                                                              | Technology           |                 | BTB                               |
| Deputy Probation Officer | Humboldt        | Suburban           | North         | Juvenile probation, not aligned with law enforcement in same way as happens with adult                                                                                                  | Vision for Probation |                 | BTB                               |
| Deputy Probation Officer | Humboldt        | Suburban           | North         | Multidisciplinary teams, place in juvenile, maybe not with adult                                                                                                                        | Vision for Probation |                 | BTB                               |
| Deputy Probation Officer | Stanislaus      | Suburban           | North         | Law enforcement is an issue, but DPO need to enforce orders                                                                                                                             | Vision for Probation |                 | BTB                               |
| Deputy Probation Officer | Merced          | Suburban           | Central       | Feels lucky – has intensive DV caseload of only 40; most DPOs have caseloads of 200 or more                                                                                             | Caseload             |                 | Family Violence Conference        |
| Deputy Probation Officer | San Luis Obispo | Suburban           | Central       | Department moved from courts to BOS appointment of the CPO <ul style="list-style-type: none"> <li>• This caused a problem in that probation was pulled away from the courts.</li> </ul> | CPO Issues           | Appointment     | Family Violence <b>Conference</b> |
| Deputy Probation Officer | San Luis Obispo | Suburban           | Central       | Need to decide who appoints CPO.                                                                                                                                                        | CPO Issues           | Appointment     | Family Violence <b>Conference</b> |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>       | <b>County</b>   | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                   | <b>Theme/Topic</b> | <b>Subtopic</b>        | <b>Outreach Event</b>      |
|--------------------------|-----------------|--------------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|------------------------|----------------------------|
| Deputy Probation Officer | Placer          | Suburban           | North         | Charter counties make it difficult to decide who should appoint the CPO                                                                                          | CPO Issues         | Appointment            | Family Violence Conference |
| Deputy Probation Officer | Santa Cruz      | Suburban           | North         | In order to maintain the ability to have a visionary CPO, the courts need to appoint the CPO; the BOS just want to increase the real estate value of the county. | CPO Issues         | Appointment            | Family Violence Conference |
| Deputy Probation Officer | Santa Cruz      | Suburban           | North         | DPOs report to many bosses – CPPA, the county, the courts                                                                                                        | DPO Issues         |                        | Family Violence Conference |
| Deputy Probation Officer | Placer          | Suburban           | North         | DPOs feel like they have two bosses.                                                                                                                             | DPO Issues         |                        | Family Violence Conference |
| Deputy Probation Officer | Santa Cruz      | Suburban           | North         | Manual of best training practices was developed at grant-funded training session; was the first time such a manual had been created.                             | DPO Issues         | Retention and Training | Family Violence Conference |
| Deputy Probation Officer | Santa Cruz      | Suburban           | North         | High turnover is caused by the high stress level of a Domestic Violence DPO.                                                                                     | DPO Issues         | Retention and Training | Family Violence Conference |
| Deputy Probation Officer | Merced          | Suburban           | Central       | Just took over DV caseload – is trained by supervisor                                                                                                            | DPO Issues         | Retention and Training | Family Violence Conference |
| Deputy Probation Officer | Merced          | Suburban           | Central       | A federal prison just opened in her county; losing DPOs because of better salaries and benefits                                                                  | DPO Issues         | Retention and Training | Family Violence Conference |
| Deputy Probation Officer | Inyo            | Rural              | Central       | He is the fourth DPO in two years to takeover a DV caseload                                                                                                      | DPO Issues         | Retention and Training | Family Violence Conference |
| Deputy Probation Officer | San Luis Obispo | Suburban           | Central       | Probation gets grants but they can't use them because they can't fill probation positions.                                                                       | DPO Issues         | Retention and Training | Family Violence Conference |
| Deputy Probation Officer | Santa Cruz      | Suburban           | North         | More funding is necessary to pay DPOs more                                                                                                                       | Funding            |                        | Family Violence Conference |
| Deputy Probation Officer | Merced          | Suburban           | Central       | Department has good relationships with the courts because DPOs are in the courts (court officers), and the judges take the DPO's opinions into account.          | Relationships      | Probation to Court     | Family Violence Conference |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>       | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                  | <b>Theme/Topic</b> | <b>Subtopic</b>                                     | <b>Outreach Event</b>             |
|--------------------------|---------------|--------------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------------------------------------|-----------------------------------|
| Deputy Probation Officer | Merced        | Suburban           | Central       | The District Attorney, victim/witness advocates, and DPOs are beginning to evaluate programs together; the group meets weekly to collaborate. <ul style="list-style-type: none"> <li>This system should be statewide</li> </ul> | Relationships      | Probation to Other Collaborative County Departments | Family Violence Conference        |
| Deputy Probation Officer | Santa Cruz    | Suburban           | North         | Probation department has vertical and horizontal collaboration – DPOs work with other officers at other levels of supervision and experience, and they collaborate with Mental Health to get wraparound services.               | Relationships      | Probation to Other Collaborative County Departments | Family Violence Conference        |
| Deputy Probation Officer | Santa Cruz    | Suburban           | North         | Probation department starting to work with other social service agencies.                                                                                                                                                       | Relationships      | Probation to Other Collaborative County Departments | Family Violence Conference        |
| Deputy Probation Officer | Santa Cruz    | Suburban           | North         | Probation's success depends largely on which service providers it partners with                                                                                                                                                 | Relationships      | Probation to Other Collaborative County Departments | Family Violence Conference        |
| Deputy Probation Officer | Santa Cruz    | Suburban           | North         | Collaboration between agencies is needed                                                                                                                                                                                        | Relationships      | Probation to Other Collaborative County Departments | Family Violence Conference        |
| Deputy Probation Officer | Placer        | Suburban           | North         | County has children's system of care – made up of interdisciplinary teams between DSS and probation                                                                                                                             | Relationships      | Probation to Other Collaborative County Departments | Family Violence <b>Conference</b> |
| Deputy Probation Officer | Merced        | Suburban           | Central       | Probation works well with CPS and employment development programs                                                                                                                                                               | Relationships      | Probation to Other Collaborative County Departments | Family Violence <b>Conference</b> |
| Deputy Probation Officer | Placer        | Suburban           | North         | CPO meets weekly with the PJ; they find money to get DPOs (they have 5 DPOs from mental health money) <ul style="list-style-type: none"> <li>Collaboration is essential</li> </ul>                                              | Relationships      | Probation to Other Collaborative County Departments | Family Violence <b>Conference</b> |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>       | <b>County</b>   | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                            | <b>Theme/Topic</b> | <b>Subtopic</b>                                     | <b>Outreach Event</b>      |
|--------------------------|-----------------|--------------------|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------------------------------------|----------------------------|
| Deputy Probation Officer | Placer          | Suburban           | North         | Probation has developed a system of care for adults and juveniles in collaboration with DSS                                                               | Relationships      | Probation to Other Collaborative County Departments | Family Violence Conference |
| Deputy Probation Officer | Santa Cruz      | Suburban           | North         | DPOs are allowed to be present in treatment programs to answer client questions, etc.                                                                     | Services           |                                                     | Family Violence Conference |
| Deputy Probation Officer | San Luis Obispo | Suburban           | Central       | DPOs not allowed to be present in treatment programs in their county.                                                                                     | Services           |                                                     | Family Violence Conference |
| Deputy Probation Officer | San Luis Obispo | Suburban           | Central       | A DPO's relationship with probationers is what matters most in terms of a probationer's progress.                                                         | Services           |                                                     | Family Violence Conference |
| Deputy Probation Officer | Santa Cruz      | Suburban           | North         | Probation has the most information related to domestic violence treatment programs.                                                                       | Services           | Domestic Violence                                   | Family Violence Conference |
| Deputy Probation Officer | Merced          | Suburban           | Central       | No tolerance DV caseload is very intense; DPO is on call 24 hours/day, victims call in to report on status of offender; the program is effective, though. | Services           | Domestic Violence                                   | Family Violence Conference |
| Deputy Probation Officer | Merced          | Suburban           | Central       | Spouses and children of probationers come to DPOs with problems; DPO meets with victims at least once a month, probationers twice a month.                | Services           | Domestic Violence                                   | Family Violence Conference |
| Deputy Probation Officer | San Luis Obispo | Suburban           | Central       | Probation officers need to go to programs unannounced to evaluate them in order to get results/maintain standards                                         | Services           | Evaluation                                          | Family Violence Conference |
| Deputy Probation Officer | San Luis Obispo | Suburban           | Central       | Their department uses Santa Clara's program evaluation standards                                                                                          | Services           | Evaluation                                          | Family Violence Conference |
| Deputy Probation Officer | Santa Cruz      | Suburban           | North         | Probation department has a manual, but no standards that lay out what the programs are supposed to accomplish                                             | Services           | Evaluation                                          | Family Violence Conference |
| Deputy Probation Officer | Santa Cruz      | Suburban           | North         | Inadequate DPO training                                                                                                                                   | Services           | Evaluation                                          | Family Violence Conference |
| Deputy Probation Officer | San Luis Obispo | Suburban           | Central       | Every DV offender in the county has a DPO                                                                                                                 | Services           | Supervision                                         | Family Violence Conference |
| Deputy Probation Officer | San Luis Obispo | Suburban           | Central       | Because of staff shortages, only the most high risk cases can be supervised – others have to be banked.                                                   | Services           | Supervision                                         | Family Violence Conference |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>       | <b>County</b>   | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                             | <b>Theme/Topic</b> | <b>Subtopic</b> | <b>Outreach Event</b> |
|--------------------------|-----------------|--------------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------|-----------------------|
| Deputy Probation Officer | Sacramento      | Urban              | North         | The CPO doesn't have enough autonomy to push for funding for the selection process of DPOs and recruitment                                 | CPO Issues         |                 | SCOPO                 |
| Deputy Probation Officer | Fresno          | Suburban           | Central       | All CPOs are different, as well as their mandates                                                                                          | CPO Issues         |                 | SCOPO                 |
| Deputy Probation Officer | Fresno          | Suburban           | Central       | Politics causes many problems and anxiety; CPOs have lost sight of probation's goals and role                                              | CPO Issues         |                 | SCOPO                 |
| Deputy Probation Officer | San Luis Obispo | Suburban           | Central       | Standardization of CPO very important; CPO doesn't know who he answers to right now because it is always changing                          | CPO Issues         |                 | SCOPO                 |
| Deputy Probation Officer | Sacramento      | Urban              | North         | Need for a new selection process that gives the CPO more autonomy                                                                          | CPO Issues         | Appointment     | SCOPO                 |
| Deputy Probation Officer | San Bernadino   | Urban              | South         | Appointment of CPO is a problem in their county; the CPO takes orders from the courts but is funded by the BOS                             | CPO Issues         | Appointment     | SCOPO                 |
| Deputy Probation Officer | Kern            | Suburban           | Central       | CPO is appointed by the court – county has a good relationship with the court and the BOS is supportive in salary and benefits             | CPO Issues         | Appointment     | SCOPO                 |
| Deputy Probation Officer | Orange          | Urban              | South         | Need employee input in selection of CPO                                                                                                    | CPO Issues         | Appointment     | SCOPO                 |
| Deputy Probation Officer | Orange          | Urban              | South         | CPO was appointed to Assistant CEO, so the BOS has been appointing temporary chiefs to serve 2 year terms; need to appoint a permanent CPO | CPO Issues         | Appointment     | SCOPO                 |
| Deputy Probation Officer | Merced          | Suburban           | Central       | DPOs should have a role in the selection of the CPO                                                                                        | CPO Issues         | Appointment     | SCOPO                 |
| Deputy Probation Officer | Sacramento      | Urban              | North         | Caseload overload dreadful – just putting out fires; caseloads of 600-700/officer                                                          | Caseload           |                 | SCOPO                 |
| Deputy Probation Officer | Fresno          | Suburban           | Central       | Need more DPOs                                                                                                                             | Caseload           |                 | SCOPO                 |
| Deputy Probation Officer | San Luis Obispo | Suburban           | Central       | Juvenile gangsters more dangerous today                                                                                                    | Caseload           |                 | SCOPO                 |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>       | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                         | <b>Theme/Topic</b> | <b>Subtopic</b> | <b>Outreach Event</b> |
|--------------------------|---------------|--------------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------|-----------------------|
| Deputy Probation Officer | Fresno        | Suburban           | Central       | All county probation departments have different budgets and focus                                                                                                                                                      | Funding            |                 | SCOPO                 |
| Deputy Probation Officer | San Mateo     | Urban              | North         | <ul style="list-style-type: none"> <li>• Probation receives 26% of its budget from general funds – the rest is federal money</li> </ul>                                                                                | Funding            |                 | SCOPO                 |
| Deputy Probation Officer | San Bernadino | Urban              | South         | Problem: programs are designed to attract money, result is that money is diverted from other areas of the department, or other programs will be abandoned because resources are needed for the program that got funded | Funding            |                 | SCOPO                 |
| Deputy Probation Officer | San Bernadino | Urban              | South         | Received a grant for a new facility, so the BOS reduced their general funds \$ - those funds are necessary                                                                                                             | Funding            |                 | SCOPO                 |
| Deputy Probation Officer | Kern          | Suburban           | Central       | Department has captured many grants, so the BOS takes away their core funds; need for a stable funding base                                                                                                            | Funding            |                 | SCOPO                 |
| Deputy Probation Officer | Kern          | Suburban           | Central       | Over the last 20 years, general funds funding has decreased from 80% to 20%                                                                                                                                            | Funding            |                 | SCOPO                 |
| Deputy Probation Officer | Kern          | Suburban           | Central       | If move to a state model, need a plan for when officials change offices – what happens to funding?                                                                                                                     | Funding            |                 | SCOPO                 |
| Deputy Probation Officer | Fresno        | Suburban           | Central       | The current system does not work well because no stable system exists – fluctuates based on funding                                                                                                                    | Funding            |                 | SCOPO                 |
| Deputy Probation Officer | Merced        | Suburban           | Central       | The public assumes that probation gets enough funding to do their jobs, and that when a judge makes an order, it is carried out by probation; this often doesn't happen.                                               | Funding            |                 | SCOPO                 |
| Deputy Probation Officer | Fresno        | Suburban           | Central       | Lack of consistency in how departments are funded and directed                                                                                                                                                         | Funding            |                 | SCOPO                 |
| Deputy Probation Officer | San Bernadino | Urban              | South         | Probation has to chase grants; we need a stable funding source                                                                                                                                                         | Funding            | Grants          | SCOPO                 |
| Deputy Probation Officer | Kern          | Suburban           | Central       | Have received grant money for more beds in facility, but can only fill them with people with certain characteristics – can no longer have pre-court detention                                                          | Funding            | Grants          | SCOPO                 |
| Deputy Probation Officer | Orange        | Urban              | South         | Preponderance of funding goes to juveniles because probation chases grants                                                                                                                                             | Funding            | Grants          | SCOPO                 |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>       | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                                                                                | <b>Theme/Topic</b> | <b>Subtopic</b>                                  | <b>Outreach Event</b> |
|--------------------------|---------------|--------------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------------------------------------------|-----------------------|
| Deputy Probation Officer | Fresno        | Suburban           | Central       | Grants are too restrictive and cause conflict within the department; give money for certain programs that the entire department should have                                                                                                                                                                   | Funding            | Grants                                           | SCOPO                 |
| Deputy Probation Officer | San Bernadino | Urban              | South         | If a move is made to a TCF model, don't take away local oversight, don't abandon programs, and don't force them to hire certain types of employees                                                                                                                                                            | Relationships      | Organizational Structure                         | SCOPO                 |
| Deputy Probation Officer | Orange        | Urban              | South         | Need for a central agency to iron out differences between counties (i.e. if 18 year olds can be placed in juvenile hall, etc.)                                                                                                                                                                                | Relationships      | Organizational Structure                         | SCOPO                 |
| Deputy Probation Officer | Orange        | Urban              | South         | Should look at Connecticut – Have a unified police department                                                                                                                                                                                                                                                 | Relationships      | Organizational Structure                         | SCOPO                 |
| Deputy Probation Officer | Orange        | Urban              | South         | We have a state parole department; we should look at that model since salaries and benefits are uniform throughout the state                                                                                                                                                                                  | Relationships      | Organizational Structure                         | SCOPO                 |
| Deputy Probation Officer | Fresno        | Suburban           | Central       | TCF hasn't had much of an effect on probation yet; perhaps more stable due to court unification                                                                                                                                                                                                               | Relationships      | Probation to Courts and County                   | SCOPO                 |
| Deputy Probation Officer | Fresno        | Suburban           | Central       | Moving to court-ordered collaboration with law enforcement                                                                                                                                                                                                                                                    | Relationships      | Probation to Other Collaborative County Agencies | SCOPO                 |
| Deputy Probation Officer | Placer        | Suburban           | North         | Probation's main job is to supervise felony probationers; 94% of clients are felons<br><ul style="list-style-type: none"> <li>▪ Can't get too wrapped up in special projects</li> </ul>                                                                                                                       | Services           |                                                  | SCOPO                 |
| Deputy Probation Officer | San Mateo     | Urban              | North         | In addition to felony probationers, probation also needs to supervise and rehabilitate misdemeanants so they don't get further into the system.                                                                                                                                                               | Services           |                                                  | SCOPO                 |
| Deputy Probation Officer | Orange        | Urban              | South         | Need to look at what doesn't work – example of how Prop 36 came about                                                                                                                                                                                                                                         | Services           |                                                  | SCOPO                 |
| Deputy Probation Officer | Merced        | Suburban           | Central       | DPOs too busy putting out fires                                                                                                                                                                                                                                                                               | Services           |                                                  | SCOPO                 |
| Deputy Probation Officer | Fresno        | Suburban           | Central       | A study was conducted and asked if in anything has really changed in probation over the last 30 years. Conclusion was that focus hasn't really changed.<br><ul style="list-style-type: none"> <li>▪ Innovative programs are really just repeats from the 1970s (e.g. probation officers on campus)</li> </ul> | Services           |                                                  | SCOPO                 |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>                    | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                                                              | <b>Theme/Topic</b>   | <b>Subtopic</b> | <b>Outreach Event</b> |
|---------------------------------------|---------------|--------------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------|-----------------------|
| Deputy Probation Officer              | Alameda       | Urban              | North         | Need more resources for adults, have too many banked caseloads                                                                                                                                                                                                                              | Services             | Adult           | SCOPO                 |
| Deputy Probation Officer              | Fresno        | Suburban           | Central       | “Defining Success” doesn’t work: definition based on many things, recidivism, etc.; battle over what makes a successful program <ul style="list-style-type: none"> <li>▪ “Models” of success don’t work – often, they declare a 100% success rate because they don’t fail anyone</li> </ul> | Services             | Evaluation      | SCOPO                 |
| Deputy Probation Officer              | San Mateo     | Urban              | North         | Fallacy exists that you prevent adult crime by stopping juvenile crime, since most adult criminals start committing crimes at age 25                                                                                                                                                        | Services             | Prevention      | SCOPO                 |
| Deputy Probation Officer              | Sacramento    | Urban              | North         | Need to standardize services statewide, then allow for local discretion for some programs                                                                                                                                                                                                   | Services             | Standards       | SCOPO                 |
| Deputy Probation Officer              | Merced        | Suburban           | Central       | No standard of supervision                                                                                                                                                                                                                                                                  | Services             | Standards       | SCOPO                 |
| Deputy Probation Officer              | Fresno        | Suburban           | Central       | Original definition of probation was to help people; now, it is a dumping ground for people who don’t go to jail                                                                                                                                                                            | Vision for Probation |                 | SCOPO                 |
| Deputy Probation Officer              | Fresno        | Suburban           | Central       | Can’t treat all probationers the same because some are very dangerous – must define who clients are and the role of probation.                                                                                                                                                              | Vision for Probation |                 | SCOPO                 |
| Deputy Probation Officer              | San Mateo     | Urban              | North         | Originally, probation was able to intervene so people don’t commit more crimes; now, POs are cops or social workers – they can’t intervene so people don’t commit more crimes.                                                                                                              | Vision for Probation |                 | SCOPO                 |
| Deputy Probation Officer              | Fresno        | Suburban           | Central       | Need to define probation’s role                                                                                                                                                                                                                                                             | Vision for Probation |                 | SCOPO                 |
| Deputy Probation Officer              | Fresno        | Suburban           | Central       | Probation’s role has changed county by county, CPO by CPO, legislative term by legislative term                                                                                                                                                                                             | Vision for Probation |                 | SCOPO                 |
| Deputy Probation Officer              | Merced        | Suburban           | Central       | The public doesn’t understand probation’s role because it differs so much between counties                                                                                                                                                                                                  | Vision for Probation |                 | SCOPO                 |
| <b>SERVICE PROVIDERS</b>              |               |                    |               |                                                                                                                                                                                                                                                                                             |                      |                 |                       |
| Director of Children’s System of Care | Placer        | Suburban           | North         | Need to look to Legislature to increase funding options for probation                                                                                                                                                                                                                       | Funding              |                 | Delinquency           |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>                    | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                         | <b>Theme/Topic</b> | <b>Subtopic</b>               | <b>Outreach Event</b>      |
|---------------------------------------|---------------|--------------------|---------------|--------------------------------------------------------------------------------------------------------|--------------------|-------------------------------|----------------------------|
| Director of Children's System of Care | Placer        | Suburban           | North         | Bring probation into trial court funding model                                                         | Relationships      | Probation to Court and County | Delinquency                |
| Director of Children's System of Care | Placer        | Suburban           | North         | Recognition that there is little in the way of resources for juvenile mental health/treatment services | Services           | Mental health                 | Delinquency                |
| Domestic Violence Researcher          | San Francisco | Urban              | North         | Caseloads are too heavy                                                                                | Caseload           |                               | Family Violence Conference |
| Domestic Violence Researcher          | San Francisco | Urban              | North         | Does not want the BOS to appoint CPO.                                                                  | CPO Issues         | Appointment                   | Family Violence Conference |
| Domestic Violence Researcher          | San Francisco | Urban              | North         | Lack of training for DPOs because of such high turnover                                                | DPO Issues         | Retention and Training        | Family Violence Conference |
| Domestic Violence Researcher          | San Francisco | Urban              | North         | There are not enough resources to adequately train DPOs                                                | DPO Issues         | Retention and Training        | Family Violence Conference |
| Domestic Violence Researcher          | San Francisco | Urban              | North         | Counties conduct individual DPO training – need for more coordinated effort                            | DPO Issues         | Retention and Training        | Family Violence Conference |
| Domestic Violence Researcher          | San Francisco | Urban              | North         | Probation departments need money to hire expert training consultants                                   | DPO Issues         | Retention and Training        | Family Violence Conference |
| Domestic Violence Researcher          | San Francisco | Urban              | North         | Resource and training issues                                                                           | DPO Issues         | Retention and Training        | Family Violence Conference |
| Domestic Violence Researcher          | San Francisco | Urban              | North         | Probation is losing DPOs                                                                               | DPO Issues         | Retention and Training        | Family Violence Conference |
| Domestic Violence Researcher          | San Francisco | Urban              | North         | Probation is an arm of the court – it should be funded by the state.                                   | Relationships      | Probation to Court            | Family Violence Conference |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>           | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                    | <b>Theme/Topic</b>   | <b>Subtopic</b>                                     | <b>Outreach Event</b>      |
|------------------------------|---------------|--------------------|---------------|---------------------------------------------------------------------------------------------------|----------------------|-----------------------------------------------------|----------------------------|
| Domestic Violence Researcher | San Francisco | Urban              | North         | Probation has been given a big job from PC 1203.097                                               | Services             |                                                     | Family Violence Conference |
| Domestic Violence Researcher | San Francisco | Urban              | North         | San Francisco has a specialized court for juvenile DV cases.                                      | Services             |                                                     | Family Violence Conference |
| Domestic Violence Researcher | San Francisco | Urban              | North         | Meetings between counties are needed to establish standards                                       | Services             | Standards                                           | Family Violence Conference |
| Domestic Violence Researcher | San Francisco | Urban              | North         | Need community role in criminal justice system                                                    | Vision for Probation |                                                     | Family Violence Conference |
| Domestic Violence Researcher | San Francisco | Urban              | North         | Probation's scope needs to expand to serve victims and offenders with wraparound services         | Vision for Probation |                                                     | Family Violence Conference |
| Domestic Violence Researcher | San Francisco | Urban              | North         | Probation needs to have an interdisciplinary approach                                             | Vision for Probation |                                                     | Family Violence Conference |
| Mental Health                | Fresno        | Suburban           | Central       | Need to blend funding streams                                                                     | Funding              |                                                     | BTB                        |
| Mental Health                | Fresno        | Suburban           | Central       | Important to have partnerships (Social Services, Mental Health, Education, Probation)             | Relationships        | Probation to Other Collaborative County Departments | BTB                        |
| Mental Health                | Fresno        | Suburban           | Central       | Assess Community resources (don't have enough court resources so you need to work with community) | Services             | Collaboration                                       | BTB                        |
| Mental Health                | Fresno        | Suburban           | Central       | Contract for services regarding truancy, mentoring, working with schools.                         | Services             | Education                                           | BTB                        |
| Mental Health                | Fresno        | Suburban           | Central       | Merger of Mental Health and Social Services has had positive impact                               | Services             | Mental Health                                       | BTB                        |
| Mental Health                | Fresno        | Suburban           | Central       | Mental Health staff in juvenile hall and boot camps                                               | Services             | Mental Health                                       | BTB                        |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>                  | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                | <b>Theme/Topic</b> | <b>Subtopic</b>                                     | <b>Outreach Event</b>     |
|-------------------------------------|---------------|--------------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------------------------------------|---------------------------|
| Social Worker                       | Los Angeles   | Urban              | South         | Probation needs to get feedback from ancillary services (PD Officer, DA, DSS, Mental Health, Education)                                                                                                       | Relationships      | Probation to Other Collaborative County Departments | BTB                       |
| Social Worker                       | Los Angeles   | Urban              | South         | Little coordination of services; need to consider all services                                                                                                                                                | Relationships      | Probation to Other Collaborative County Departments | BTB                       |
| Social Worker/Service Provider      | Los Angeles   | Urban              | South         | Invite Providers in; Wrap around services; need to provide preventative Services                                                                                                                              | Relationships      | Probation to Other Collaborative County Departments | BTB                       |
| Social Worker/Service Provider      | Los Angeles   | Urban              | South         | Need to keep kids with family whenever possible                                                                                                                                                               | Services           |                                                     | BTB                       |
| <b>STATE AGENCIES</b>               |               |                    |               |                                                                                                                                                                                                               |                    |                                                     |                           |
| State California CASA Director      |               |                    |               | Guidelines for hiring, accountable for performance...may be able to shift leadership when appointing a new CPO                                                                                                | CPO Issues         | Appointment                                         | Juvenile Law Subcommittee |
| State CYA                           |               |                    |               | Strategies for program funding: Need to have state department or agencies, i.e. delinquency services from State Mental Health etc.                                                                            | Funding            |                                                     | BTB                       |
| State CYA                           |               |                    |               | Legislative support at state level is needed to advocate for probation                                                                                                                                        | Relationships      | Organizational structure                            | BTB                       |
| State CYA                           |               |                    |               | AB 575 – probation needs to provide services but no money                                                                                                                                                     | Services           |                                                     | BTB                       |
| State CYA                           |               |                    |               | Need data on treatment needs                                                                                                                                                                                  | Technology         |                                                     | BTB                       |
| State Department of Social Services |               |                    |               | DPOs resent to being made to do social work AB 575 is an eye-opener for social services Title IV-E requires DPO to think like a social worker (Probation has to think like social services to get Title IV-E) | DPO Issues         |                                                     | Juvenile Law Subcommittee |
| State Department of Social Services | Placer        | Suburban           | North         | Integrating services is resisted because some DPOs are OK with doing nothing                                                                                                                                  | DPO Issues         | Accountability                                      |                           |
| State Department of Social Services | Placer        | Suburban           | North         | The biggest problem is the pay disparity. Social workers make more than DPOs                                                                                                                                  | DPO Issues         | Status                                              |                           |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>                  | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                 | <b>Theme/Topic</b> | <b>Subtopic</b>                                     | <b>Outreach Event</b> |
|-------------------------------------|---------------|--------------------|---------------|----------------------------------------------------------------------------------------------------------------|--------------------|-----------------------------------------------------|-----------------------|
| State Department of Social Services | Sacramento    | Urban              | Central       | 241 proceeding once child is done with 602 no way to go back to 300 or home. Therefore kept in placement       | Relationships      | Dual Status                                         |                       |
| State Department of Social Services | San Joaquin   | Suburban           | Central       | 241.1                                                                                                          | Relationships      | Dual Status                                         |                       |
| State Department of Social Services | Inyo          | Central            | Rural         | Fragmentation isn't working. Need state leadership as to what works with these kids                            | Relationships      | Organizational structure                            |                       |
| State Department of Social Services | Placer        | Suburban           | North         | Statutorily Services are available to 300 and 600 kids but services aren't provided in 600, this is bad policy | Relationships      | Probation to Other Collaborative County Departments |                       |
| State Department of Social Services | Placer        | Suburban           | North         | Probation needs to work with Social Services etc.                                                              | Relationships      | Probation to Other Collaborative County Departments |                       |
| State Department of Social Services | Placer        | Suburban           | North         | Shared placements                                                                                              | Relationships      | Probation to Other Collaborative County Departments |                       |
| State Department of Social Services | Placer        | Suburban           | North         | Work together and be collaborative (Probation and Social Services)                                             | Relationships      | Probation to Other Collaborative County Departments |                       |
| State Department of Social Services | Sacramento    | Urban              | Central       | CPS/Probation have good relationship--Multi-disciplinary teams                                                 | Relationships      | Probation to Other Collaborative County Departments |                       |
| State Department of Social Services | San Joaquin   | Suburban           | Central       | Doesn't work together                                                                                          | Relationships      | Probation to Other Collaborative County Departments |                       |
| State Department of Social Services | San Joaquin   | Suburban           | Central       | Local community agencies needs to talk to one another (works better when everyone works together)              | Relationships      | Probation to Other Collaborative County Departments |                       |

**Probation Services Task Force  
Stakeholder Input: Sorted by Stakeholder**

| <b>Stakeholder</b>                  | <b>County</b> | <b>County type</b> | <b>Region</b> | <b>Comment</b>                                                                                                                                                                                                                                                      | <b>Theme/Topic</b> | <b>Subtopic</b>                                     | <b>Outreach Event</b> |
|-------------------------------------|---------------|--------------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------------------------------------|-----------------------|
| State Department of Social Services | Placer        | Suburban           | North         | <ul style="list-style-type: none"> <li>▪ Integration of probation and social service is the key to the system.</li> <li>▪ Probation needs to align itself with social services to get services</li> <li>▪ Would permit access to services from any angle</li> </ul> | Relationships      | Probation to Other Collaborative County Departments |                       |
| State Department of Social Services | Placer        | Suburban           | North         | Primary prevention and intervention is crucial -- Many don't get services until it's too late                                                                                                                                                                       | Services           |                                                     |                       |
| State Department of Social Services | Sacramento    | Urban              | Central       | Wraparound Services pilot (5 year with control) is working well                                                                                                                                                                                                     | Services           |                                                     |                       |
| State Department of Social Services | Sacramento    | Urban              | Central       | Difficulty with placements: Some placements prefer 602's because of juvenile hall threat                                                                                                                                                                            | Services           | Placement                                           |                       |
| <b>LOBBYISTS</b>                    |               |                    |               |                                                                                                                                                                                                                                                                     |                    |                                                     |                       |
| SCOPO Lobbyist                      |               |                    |               | SCOPO carried a bill a few years ago that required minimum standards for CPOs; was defeated by CPOs because many wouldn't meet the requirements <ul style="list-style-type: none"> <li>▪ Need minimum education standards for CPOs</li> </ul>                       | CPO Issues         |                                                     | SCOPO                 |
| SCOPO Lobbyist                      |               |                    |               | It is unfortunate that minorities with BA degrees cannot be found to be DPOs – salary issue                                                                                                                                                                         | DPO Issues         | Retention and Training                              | SCOPO                 |
| <b>ANONYMOUS</b>                    |               |                    |               |                                                                                                                                                                                                                                                                     |                    |                                                     |                       |
|                                     |               |                    |               | Look at "patch" available through AFDC/Foster care that can pay for probation placement                                                                                                                                                                             | Funding            |                                                     | CPDA                  |
|                                     |               |                    |               | Need to address issue of children with dual status (241.1 dual status) explore staying 300 or 602                                                                                                                                                                   | Relationships      | Dual Status                                         | BTB                   |
|                                     |               |                    |               | CPO should be elected (Power like District Attorney, Sheriff)                                                                                                                                                                                                       | Relationships      | Probation to Court and County                       | BTB                   |
|                                     |               |                    |               | Budget should be with Presiding Judge not the Board                                                                                                                                                                                                                 | Relationships      | Probation to Court and County                       | BTB                   |
|                                     |               |                    |               | Services needed related to gangs                                                                                                                                                                                                                                    | Services           |                                                     | BTB                   |
|                                     |               |                    |               | Lack of psychiatrists, 10% of children in juvenile hall are on meds, resulting in recidivism                                                                                                                                                                        | Services           | Mental health                                       | BTB                   |

# **Probation Services Task Force Stakeholder Input**

**Sorted by:**

**Theme/Topic**

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                  | County        | County type | Region        | Comment                                                                                                                                                                                                                                                | Theme/Topic | Subtopic | Outreach Event                            |
|------------------------------|---------------|-------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------|-------------------------------------------|
| Deputy Probation Officer     | Stanislaus    | Suburban    | North         | Caseload sizes are too high, CPO & board need to fund                                                                                                                                                                                                  | Caseload    |          | BTB                                       |
| Judge                        | Sacramento    | Urban       | North         | Board of Corrections has ratio regarding facilities, this has led to Deputy Probation Officers being pulled from field services (caused by staffing problems) leading to no supervision                                                                | Caseload    |          | BTB                                       |
| Judge                        | Santa Clara   | Urban       | North         | Caseloads are too high. Specialized caseloads i.e. DV take resources and other cases are banked. (What is effect on victims?)                                                                                                                          | Caseload    |          | BTB                                       |
| District Attorney            |               |             |               | Has the task force considered the impact of Proposition 36 on the caseloads of DPOs?                                                                                                                                                                   | Caseload    |          | California District Attorneys Association |
| Judge                        | Riverside     | Urban       | South         | <ul style="list-style-type: none"> <li>▪ 8-9,000 banked caseload; 1:900 ratio – those are scary numbers!</li> <li>▪ Many banked probationers are felons who need to be supervised</li> </ul>                                                           | Caseload    |          | CJAC                                      |
| Judge                        | Riverside     | Urban       | South         | Lack of supervision will expose counties to liability due to banked caseloads                                                                                                                                                                          | Caseload    |          | CJAC                                      |
| Public Defender              | Marin         | Suburban    | North         | Caseloads: clearly an issue                                                                                                                                                                                                                            | Caseload    |          | CPDA                                      |
| Chief Probation Officer      | Napa          | Suburban    | North         | The public is becoming more aware of probation's work with the passage of initiatives like the three-strikes law; it will reflect poorly on probation and on the courts when the public learns that thousands of unsupervised felons are in California | Caseload    |          | CPOC                                      |
| Chief Probation Officer      | Mariposa      | Rural       | Central       | Being in a small county, able to provide supervision to all clients                                                                                                                                                                                    | Caseload    |          | CPOC                                      |
| Chief Probation Officer      | Mariposa      | Rural       | Central       | It's a shame that the level of supervision in the state is so poor                                                                                                                                                                                     | Caseload    |          | CPOC                                      |
| Supervisor                   | Ventura       | Urban       | Southern      | Caseloads are a big problem                                                                                                                                                                                                                            | Caseload    |          | CSAC                                      |
| Chief Probation Officer      | Butte         | Suburban    | North         | Huge liability exists in banked caseload                                                                                                                                                                                                               | Caseload    |          | Delinquency                               |
| Judge                        | Santa Cruz    | Suburban    | Central Coast | Probation services work – but can't expect it unless there are manageable caseloads                                                                                                                                                                    | Caseload    |          | Delinquency                               |
| Domestic Violence Researcher | San Francisco | Urban       | North         | Caseloads are too heavy                                                                                                                                                                                                                                | Caseload    |          | Family Violence Conference                |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder              | County          | County type | Region          | Comment                                                                                                                                                                                                                                                                                                                | Theme/Topic | Subtopic | Outreach Event                            |
|--------------------------|-----------------|-------------|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------|-------------------------------------------|
| Deputy Probation Officer | Merced          | Suburban    | Central         | Feels lucky – has intensive DV caseload of only 40; most DPOs have caseloads of 200 or more                                                                                                                                                                                                                            | Caseload    |          | Family Violence Conference                |
| Probation Manager        | Santa Barbara   | Suburban    | Central Coast   | 5 DPOs have intensive DV caseloads of 70 – starting to see good results, but needs to be more collaborative between agencies and throughout the state, and more intensive.                                                                                                                                             | Caseload    |          | Family Violence Conference                |
| Probation Manager        | Santa Cruz      | Suburban    | North           | Caseloads have increased over time                                                                                                                                                                                                                                                                                     | Caseload    |          | Family Violence Conference                |
| Probation Manager        | Santa Barbara   | Suburban    | Central Coastal | Arizona has mandated caseload ratios, where they automatically get an additional officer if the ratio is exceeded; CA should look into AZ system.                                                                                                                                                                      | Caseload    |          | Family Violence Conference                |
| Deputy Probation Officer | Sacramento      | Urban       | North           | Caseload overload dreadful – just putting out fires; caseloads of 600-700/officer                                                                                                                                                                                                                                      | Caseload    |          | SCOPO                                     |
| Deputy Probation Officer | Fresno          | Suburban    | Central         | Need more DPOs                                                                                                                                                                                                                                                                                                         | Caseload    |          | SCOPO                                     |
| Deputy Probation Officer | San Luis Obispo | Suburban    | Central         | Juvenile gangsters more dangerous today                                                                                                                                                                                                                                                                                | Caseload    |          | SCOPO                                     |
| District Attorney        | Sonoma          | Suburban    | North           | Would recommend having two different CPOs for adult and juvenile, since their needs are so different.                                                                                                                                                                                                                  | CPO Issues  |          | California District Attorneys Association |
| Court Executive          | Contra Costa    | Urban       | North           | <ul style="list-style-type: none"> <li>▪ Gaps in supervision of CPO (due to cycles of Juvenile Presiding Judge) lead to lack of continuity</li> <li>▪ Accountability will increase if there is greater continuity in leadership</li> <li>▪ Better for court to supervise but need continuity and leadership</li> </ul> | CPO Issues  |          | CJAC                                      |
| Chief Probation Officer  | Kern            | Suburban    | Central         | Is sure that a nexus exists between courthouse construction and who will support CPOs                                                                                                                                                                                                                                  | CPO Issues  |          | CPOC                                      |
| Deputy Probation Officer | Sacramento      | Urban       | North           | The CPO doesn't have enough autonomy to push for funding for the selection process of DPOs and recruitment                                                                                                                                                                                                             | CPO Issues  |          | SCOPO                                     |
| Deputy Probation Officer | Fresno          | Suburban    | Central         | All CPOs are different, as well as their mandates                                                                                                                                                                                                                                                                      | CPO Issues  |          | SCOPO                                     |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder              | County          | County type | Region        | Comment                                                                                                                                                                                                                                       | Theme/Topic | Subtopic    | Outreach Event                            |
|--------------------------|-----------------|-------------|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|-------------------------------------------|
| Deputy Probation Officer | Fresno          | Suburban    | Central       | Politics causes many problems and anxiety; CPOs have lost sight of probation's goals and role                                                                                                                                                 | CPO Issues  |             | SCOPO                                     |
| SCOPO Lobbyist           |                 |             |               | SCOPO carried a bill a few years ago that required minimum standards for CPOs; was defeated by CPOs because many wouldn't meet the requirements <ul style="list-style-type: none"> <li>▪ Need minimum education standards for CPOs</li> </ul> | CPO Issues  |             | SCOPO                                     |
| Deputy Probation Officer | San Luis Obispo | Suburban    | Central       | Standardization of CPO very important; CPO doesn't know who he answers to right now because it is always changing                                                                                                                             | CPO Issues  |             | SCOPO                                     |
| Deputy Probation Officer | Stanislaus      | Suburban    | North         | CPO appointed without interview process                                                                                                                                                                                                       | CPO Issues  | Appointment | BTB                                       |
| District Attorney        | Sonoma          | Suburban    | North         | When new CPO was chosen a one and a half years ago, appreciated the opportunity of being on the interview panel.                                                                                                                              | CPO Issues  | Appointment | California District Attorneys Association |
| District Attorney        | Sonoma          | Suburban    | North         | Would hesitate to have the BOS appoint the CPO                                                                                                                                                                                                | CPO Issues  | Appointment | California District Attorneys Association |
| District Attorney        | Sonoma          | Suburban    | North         | Ideal system: would have shared responsibility in appointment of the CPO between the courts and the BOS, since probation's scope goes beyond services solely related to the courts.                                                           | CPO Issues  | Appointment | California District Attorneys Association |
| Chief Probation Officer  | Napa            | Suburban    | North         | The appointment of the CPO should remain with the court with the approval of the BOS                                                                                                                                                          | CPO Issues  | Appointment | CPOC                                      |
| Chief Probation Officer  | Santa Barbara   | Suburban    | Central Coast | California should look at the Arizona model in terms of a model of appointment and money flow since it provides consistency throughout the state – probation is funded by the state and the CPO is appointed by the superior courts           | CPO Issues  | Appointment | CPOC                                      |
| Chief Probation Officer  | Trinity         | Rural       | North         | Probation is a function of the county, but CPOs should be appointed by the judiciary                                                                                                                                                          | CPO Issues  | Appointment | CPOC                                      |
| Chief Probation Officer  | Kern            | Suburban    | Central       | Supports local control of probation with judicial appointment of CPOs                                                                                                                                                                         | CPO Issues  | Appointment | CPOC                                      |
| Chief Probation Officer  | Santa Cruz      | Urban       | Northern      | There are two sides to the appointment issue: appointment and termination of the CPO                                                                                                                                                          | CPO issues  | Appointment | CPOC                                      |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                  | County          | County type | Region          | Comment                                                                                                                                                                                                    | Theme/Topic | Subtopic    | Outreach Event                    |
|------------------------------|-----------------|-------------|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|-----------------------------------|
| Supervisor                   | Tulare          | Suburban    | Central         | Appointment model: Have looked at commission/joint appointment model, in which the BOS, the CAO, and the PJ and Juvenile PJ would jointly appoint and terminate the CPO, but so far it has been opposed.   | CPO Issues  | Appointment | CSAC                              |
| Juvenile Court Judge         | Santa Cruz      | Suburban    | Central Coast   | Judges should appoint chief; would make less political – “neutral” arm of the court                                                                                                                        | CPO Issues  | Appointment | Delinquency                       |
| Probation Manager            | Santa Barbara   | Suburban    | Central Coastal | Who will appoint the CPO? The CAO can't be the person since a CAO's job is to keep costs down                                                                                                              | CPO Issues  | Appointment | Family Violence <b>Conference</b> |
| Domestic Violence Researcher | San Francisco   | Urban       | North           | Does not want the BOS to appoint CPO.                                                                                                                                                                      | CPO Issues  | Appointment | Family Violence <b>Conference</b> |
| Deputy Probation Officer     | San Luis Obispo | Suburban    | Central         | Department moved from courts to BOS appointment of the CPO <ul style="list-style-type: none"> <li>This caused a problem in that probation was pulled away from the courts.</li> </ul>                      | CPO Issues  | Appointment | Family Violence <b>Conference</b> |
| Deputy Probation Officer     | San Luis Obispo | Suburban    | Central         | Need to decide who appoints CPO.                                                                                                                                                                           | CPO Issues  | Appointment | Family Violence <b>Conference</b> |
| Deputy Probation Officer     | Placer          | Suburban    | North           | Charter counties make it difficult to decide who should appoint the CPO                                                                                                                                    | CPO Issues  | Appointment | Family Violence <b>Conference</b> |
| Deputy Probation Officer     | Santa Cruz      | Suburban    | North           | In order to maintain the ability to have a visionary CPO, the courts need to appoint the CPO; the BOS just want to increase the real estate value of the county.                                           | CPO Issues  | Appointment | Family Violence <b>Conference</b> |
| Juvenile Court Judge         | El Dorado       | Rural       | Northern        | In El Dorado, there was a bad incident when the CPO was appointed by the CAO – the CPO resigned; the new CPO recognized the need to evaluate the system                                                    | CPO Issues  | Appointment | Juvenile Law Institute            |
| Former PJ                    | Santa Clara     | Urban       | Northern        | CPO should be appointed by the courts because it's hard to have a team mentality if the probation department is controlled by two different entities (it is funded by the BOS but follows judges' orders). | CPO Issues  | Appointment | Juvenile Law Institute            |
| Juvenile Court Judge         | San Joaquin     | Suburban    | Northern        | Have had political problems with BOS due to a bad incident at the Juvenile Hall; CPO needs to be hired and fired by the courts                                                                             | CPO Issues  | Appointment | Juvenile Law Institute            |
| Juvenile Court Judge         | Alameda         | Urban       | Northern        | CPO selected and supervised by PJ; recurring theme: No judicial protection in personnel issues; PJ has liability issues since he/she is not protected by the County Council                                | CPO Issues  | Appointment | Juvenile Law Institute            |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                    | County        | County type | Region        | Comment                                                                                                                                                                                                                                                  | Theme/Topic | Subtopic    | Outreach Event             |
|--------------------------------|---------------|-------------|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|----------------------------|
| Juvenile Court Judge           | Los Angeles   | Urban       | Southern      | CPO should be hired by the court, since probation's mission should be defined by the courts; currently, the BOS's goals are followed, not the goals of the courts                                                                                        | CPO Issues  | Appointment | Juvenile Law Institute     |
| Juvenile Court Judge           | Santa Barbara | Suburban    | Central Coast | When judges appoint the CPO, they are able to effect change; if it were the other way around, is convinced that probation would not be able to offer the same level of services or quality of staff.                                                     | CPO Issues  | Appointment | Juvenile Law Institute     |
| Juvenile Court Judge           | Los Angeles   | Urban       | Southern      | Favors a partnership in appointment and termination of the CPO between the BOS and the courts, because is concerned about the incestuous nature of the relationship between the courts and probation if probation is completely controlled by the courts | CPO Issues  | Appointment | Juvenile Law Institute     |
| State California CASA Director |               |             |               | Guidelines for hiring, accountable for performance...may be able to shift leadership when appointing a new CPO                                                                                                                                           | CPO Issues  | Appointment | Juvenile Law Subcommittee  |
| Deputy Probation Officer       | Sacramento    | Urban       | North         | Need for a new selection process that gives the CPO more autonomy                                                                                                                                                                                        | CPO Issues  | Appointment | SCOPO                      |
| Deputy Probation Officer       | San Bernadino | Urban       | South         | Appointment of CPO is a problem in their county; the CPO takes orders from the courts but is funded by the BOS                                                                                                                                           | CPO Issues  | Appointment | SCOPO                      |
| Deputy Probation Officer       | Kern          | Suburban    | Central       | CPO is appointed by the court – county has a good relationship with the court and the BOS is supportive in salary and benefits                                                                                                                           | CPO Issues  | Appointment | SCOPO                      |
| Deputy Probation Officer       | Orange        | Urban       | South         | Need employee input in selection of CPO                                                                                                                                                                                                                  | CPO Issues  | Appointment | SCOPO                      |
| Deputy Probation Officer       | Orange        | Urban       | South         | CPO was appointed to Assistant CEO, so the BOS has been appointing temporary chiefs to serve 2 year terms; need to appoint a permanent CPO                                                                                                               | CPO Issues  | Appointment | SCOPO                      |
| Deputy Probation Officer       | Merced        | Suburban    | Central       | DPOs should have a role in the selection of the CPO                                                                                                                                                                                                      | CPO Issues  | Appointment | SCOPO                      |
| Judge                          | Sonoma        | Suburban    | North         | There are no guidelines for evaluating CPOs Evaluations tend to be based on anecdote. Need protocols and guidelines for evaluation as with CEO                                                                                                           | CPO Issues  | Evaluation  | Juvenile Law Subcommittee  |
| Deputy Probation Officer       | Santa Cruz    | Suburban    | North         | DPOs report to many bosses – CPPA, the county, the courts                                                                                                                                                                                                | DPO Issues  |             | Family Violence Conference |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                         | County          | County type | Region   | Comment                                                                                                                                                                                                                                                                                                                                               | Theme/Topic | Subtopic       | Outreach Event             |
|-------------------------------------|-----------------|-------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------------|----------------------------|
| Deputy Probation Officer            | Placer          | Suburban    | North    | DPOs feel like they have two bosses.                                                                                                                                                                                                                                                                                                                  | DPO Issues  |                | Family Violence Conference |
| Juvenile Court Judge                | Contra Costa    | Urban       | Northern | Need to work out labor issues and contracts                                                                                                                                                                                                                                                                                                           | DPO Issues  |                | Juvenile Law Institute     |
| Commissioner                        | San Mateo       | Urban       | North    | DPOs want to make changes. We need to look beyond agency issues.                                                                                                                                                                                                                                                                                      | DPO Issues  |                | Juvenile Law Subcommittee  |
| State Department of Social Services |                 |             |          | DPOs resent to being made to do social work AB 575 is an eye-opener for social services Title IV-E requires DPO to think like a social worker (Probation has to think like social services to get Title IV-E)                                                                                                                                         | DPO Issues  |                | Juvenile Law Subcommittee  |
| Deputy Public Defender              | Contra Costa    | Urban       | North    | Concerned that there's no forum for seeking change to Deputy Probation Officer (e.g., parallel mechanism to Marsden motion if there is dissatisfaction with legal counsel); no place to address complaints                                                                                                                                            | DPO Issues  | Accountability | CPDA                       |
| Deputy Public Defender              | Placer          | Suburban    | North    | Also sees need for vehicle to change DPO when they have declared themselves against all other parties (gives example of family that was very involved and concerned; DPO didn't want to send the kid home, even though the group home counselor and others concluded that the kid would be best placed at home; DPO didn't like parental involvement) | DPO Issues  | Accountability | CPDA                       |
| Private Defense Counsel             | Alameda         | Urban       | North    | No mechanism exists for handling disagreements with DPO ... look at possibility of peer evaluation                                                                                                                                                                                                                                                    | DPO Issues  | Accountability | CPDA                       |
| Private Defense Counsel             | San Luis Obispo | Suburban    | Central  | DPOs tend to accept police report as fact; rarely contact juvenile or defense counsel; often juveniles don't know how to articulate mitigating defense ... DPOs need to work more collaboratively with defense                                                                                                                                        | DPO Issues  | Accountability | CPDA                       |
| Public Defender                     | Humboldt        | Suburban    | North    | Sees lack of accountability in probation system; court protects DPOs and let them "get away with all manner of incompetence"                                                                                                                                                                                                                          | DPO Issues  | Accountability | CPDA                       |
| Juvenile Court Judge                | Los Angeles     | Urban       | Southern | Unionization of probation officers is a problem because they are hard to fire.                                                                                                                                                                                                                                                                        | DPO Issues  | Accountability | Juvenile Law Institute     |
| Department of Social Services       | Placer          | Suburban    | North    | Integrating services is resisted because some DPOs are OK with doing nothing                                                                                                                                                                                                                                                                          | DPO Issues  | Accountability | Juvenile Law Subcommittee  |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder              | County     | County type | Region   | Comment                                                                                                                                                                                                                                        | Theme/Topic | Subtopic                  | Outreach Event                            |
|--------------------------|------------|-------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---------------------------|-------------------------------------------|
| District Attorney        |            |             |          | In Los Angeles, arming of DPOs is a big issue, due to the fact that they conduct aggressive probation searches. Law enforcement is reluctant to help probation if DPOs are not armed and trained to defend themselves if something goes wrong. | DPO Issues  | Arming                    | California District Attorneys Association |
| Court Executive          | Solano     | Suburban    | North    | There is a disparate view within probation community about arming                                                                                                                                                                              | DPO Issues  | Arming                    | CJAC                                      |
| Court Executive          | Solano     | Suburban    | North    | Surprised that task force is considering arming issue; why within task force purview?                                                                                                                                                          | DPO Issues  | Arming                    | CJAC                                      |
| Deputy Probation Officer | Fresno     | Suburban    | Central  | 75% of most departments are armed; DPO safety is a big issue                                                                                                                                                                                   | DPO Issues  | Arming                    | SCOPO                                     |
| Deputy Probation Officer | Sacramento | Urban       | North    | DPOs not social workers anymore; often in dangerous situations, have 85% felony caseloads – need to be armed.                                                                                                                                  | DPO Issues  | Arming                    | SCOPO                                     |
| Deputy Probation Officer | Sacramento | Urban       | North    | Role has changed: officers are armed and work with the police on the street                                                                                                                                                                    | DPO Issues  | Arming                    | SCOPO                                     |
| Deputy Probation Officer | Alameda    | Urban       | North    | No line staff are armed in county – very dangerous                                                                                                                                                                                             | DPO Issues  | Arming                    | SCOPO                                     |
| Probation Manager        | Santa Cruz | Suburban    | North    | Hard to recruit and retain enough qualified probation staff                                                                                                                                                                                    | DPO Issues  | Recruitment and Retention | Family Violence Conference                |
| Supervisor               | Ventura    | Urban       | Southern | Issue of how to staff facilities with qualified people                                                                                                                                                                                         | DPO Issues  | Retention & Training      |                                           |
| Supervisor               | Ventura    | Urban       | Southern | Difficult to recruit and retain probation officers                                                                                                                                                                                             | DPO Issues  | Retention & Training      | CSAC                                      |
| Supervisor               | Madera     | Rural       | Central  | Need information on how to staff facilities                                                                                                                                                                                                    | DPO Issues  | Retention & Training      | CSAC                                      |
| Supervisor               | Solano     | Suburban    | Northern | Need to train probation officers                                                                                                                                                                                                               | DPO Issues  | Retention & Training      | CSAC                                      |
| Deputy Probation Officer | Humboldt   | Suburban    | North    | Success with Diversion Caseload; This is a motivation for Deputy Probation Officer                                                                                                                                                             | DPO Issues  | Retention and Training    | BTB                                       |
| Deputy Probation Officer | Stanislaus | Suburban    | North    | New DPO training regarding services                                                                                                                                                                                                            | DPO Issues  | Retention and training    | BTB                                       |
| Deputy Probation Officer | Stanislaus | Suburban    | North    | Should have training for DPO & DSS on joint issues (& mental health) (i.e. Beyond the Bench)                                                                                                                                                   | DPO Issues  | Retention and training    | BTB                                       |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                           | County        | County type | Region        | Comment                                                                                                                                                            | Theme/Topic | Subtopic               | Outreach Event             |
|---------------------------------------|---------------|-------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------------------|----------------------------|
| Court Executive                       | Butte         | Suburban    | North         | Turnover is on the rise in probation. Turnover in probation is higher than in sheriff and other law enforcement. Probation is training ground for law enforcement  | DPO Issues  | Retention and training | CJAC                       |
| Court Executive                       | San Joaquin   | Suburban    | North         | Probation is having trouble recruiting, especially group home counselors                                                                                           | DPO Issues  | Retention and training | CJAC                       |
| Court Executive                       | San Joaquin   | Suburban    | North         | More education is required than for jails but pay is lower                                                                                                         | DPO Issues  | Retention and training | CJAC                       |
| Judge                                 | Colusa        | Rural       | North         | Deputy Probation Officers get paid far less than Deputy Sheriff, but more education is required                                                                    | DPO Issues  | Retention and training | CJAC                       |
| Public Defender                       | Humboldt      | Suburban    | North         | Sees huge turnover in probation staff and insufficient training for new staff                                                                                      | DPO Issues  | Retention and Training | CPDA                       |
| Public Defender                       | Humboldt      | Suburban    | North         | Poor training for DPOs and person in Probation Dept. charged with providing training is poorly supported in his job                                                | DPO Issues  | Retention and Training | CPDA                       |
| Probation Manager – Juvenile Division | Nevada        | Rural       | North         | In their county, suffer from “down the hill” problem where they train employees who then leave to move down hill to Placer, then Sacramento county for better \$\$ | DPO Issues  | Retention and training | Delinquency                |
| Domestic Violence Researcher          | San Francisco | Urban       | North         | Lack of training for DPOs because of such high turnover                                                                                                            | DPO Issues  | Retention and Training | Family Violence Conference |
| Domestic Violence Researcher          | San Francisco | Urban       | North         | There are not enough resources to adequately train DPOs                                                                                                            | DPO Issues  | Retention and Training | Family Violence Conference |
| Domestic Violence Researcher          | San Francisco | Urban       | North         | Counties conduct individual DPO training – need for more coordinated effort                                                                                        | DPO Issues  | Retention and Training | Family Violence Conference |
| Probation Manager                     | Santa Barbara | Suburban    | Central Coast | Their county received a training grant for DPOs in domestic violence issues through a college; DV advocates and DPOs from all over the state attended.             | DPO Issues  | Retention and Training | Family Violence Conference |
| Probation Manager                     | Santa Barbara | Suburban    | Central Coast | DPOs need formal and more extensive training                                                                                                                       | DPO Issues  | Retention and Training | Family Violence Conference |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                  | County        | County type | Region        | Comment                                                                                                                              | Theme/Topic | Subtopic               | Outreach Event             |
|------------------------------|---------------|-------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------|-------------|------------------------|----------------------------|
| Probation Manager            | Santa Barbara | Suburban    | Central Coast | DPOs should be trained by victim advocates and coordinators of batterers treatment programs.                                         | DPO Issues  | Retention and Training | Family Violence Conference |
| Deputy Probation Officer     | Santa Cruz    | Suburban    | North         | Manual of best training practices was developed at grant-funded training session; was the first time such a manual had been created. | DPO Issues  | Retention and Training | Family Violence Conference |
| Deputy Probation Officer     | Santa Cruz    | Suburban    | North         | High turnover is caused by the high stress level of a Domestic Violence DPO.                                                         | DPO Issues  | Retention and Training | Family Violence Conference |
| Domestic Violence Researcher | San Francisco | Urban       | North         | Probation departments need money to hire expert training consultants                                                                 | DPO Issues  | Retention and Training | Family Violence Conference |
| Deputy Probation Officer     | Merced        | Suburban    | Central       | Just took over DV caseload – is trained by supervisor                                                                                | DPO Issues  | Retention and Training | Family Violence Conference |
| Probation Manager            | Santa Barbara | Suburban    | Central Coast | DPOs are not traditionally trained in DV issues                                                                                      | DPO Issues  | Retention and Training | Family Violence Conference |
| Probation Manager            | Santa Barbara | Suburban    | Central Coast | DPOs have to work beyond their trained area of expertise                                                                             | DPO Issues  | Retention and Training | Family Violence Conference |
| Domestic Violence Researcher | San Francisco | Urban       | North         | Resource and training issues                                                                                                         | DPO Issues  | Retention and Training | Family Violence Conference |
| Deputy Probation Officer     | Merced        | Suburban    | Central       | Turnover not as high in their county                                                                                                 | DPO Issues  | Retention and Training | Family Violence Conference |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                  | County          | County type | Region  | Comment                                                                                                                                                                                                                                                                                                                                                                              | Theme/Topic | Subtopic               | Outreach Event             |
|------------------------------|-----------------|-------------|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------------------|----------------------------|
| Deputy Probation Officer     | San Luis Obispo | Suburban    | Central | <ul style="list-style-type: none"> <li>DPOs need competitive salaries and benefits; probation loses many DPOs to federal probation and parole, which pay about \$20,000/year more than probation. <ul style="list-style-type: none"> <li>Probation can't even compete at recruiting events</li> <li>Service demands are huge but DPO salaries do not pay well</li> </ul> </li> </ul> | DPO Issues  | Retention and Training | Family Violence Conference |
| Deputy Probation Officer     | Placer          | Suburban    | North   | Collaboration with DSS is awkward because probation officers make 15-20% less than social workers                                                                                                                                                                                                                                                                                    | DPO Issues  | Retention and Training | Family Violence Conference |
| Domestic Violence Researcher | San Francisco   | Urban       | North   | Probation is losing DPOs                                                                                                                                                                                                                                                                                                                                                             | DPO Issues  | Retention and Training | Family Violence Conference |
| Deputy Probation Officer     | Merced          | Suburban    | Central | A federal prison just opened in her county; losing DPOs because of better salaries and benefits                                                                                                                                                                                                                                                                                      | DPO Issues  | Retention and Training | Family Violence Conference |
| Deputy Probation Officer     | Inyo            | Rural       | Central | He is the fourth DPO in two years to takeover a DV caseload                                                                                                                                                                                                                                                                                                                          | DPO Issues  | Retention and Training | Family Violence Conference |
| Deputy Probation Officer     | San Luis Obispo | Suburban    | Central | Probation gets grants but they can't use them because they can't fill probation positions.                                                                                                                                                                                                                                                                                           | DPO Issues  | Retention and Training | Family Violence Conference |
| Judge                        | Los Angeles     | Urban       | South   | <ul style="list-style-type: none"> <li>Training in juvenile probation is weak – philosophy moving towards corrections vs. rehabilitation</li> <li>There is no training in mental health</li> <li>Also, training at field level is needed, DPOs want to be trained but its not offered</li> <li>Many changes have been due to advocacy</li> </ul>                                     | DPO Issues  | Retention and Training | Juvenile Law Subcommittee  |
| Deputy Probation Officer     | Sacramento      | Urban       | North   | The task force should look at the ability of probation to attract personnel.                                                                                                                                                                                                                                                                                                         | DPO Issues  | Retention and Training | SCOPO                      |
| Deputy Probation Officer     | Sacramento      | Urban       | North   | County has a 26% vacancy rate; need 25-27 more DPOs but difficult due to salary and benefits issues. Probation can't compete with other law enforcement agencies                                                                                                                                                                                                                     | DPO Issues  | Retention and Training | SCOPO                      |
| Deputy Probation Officer     | Sacramento      | Urban       | North   | Rigid psychological testing results in a small applicant pool                                                                                                                                                                                                                                                                                                                        | DPO Issues  | Retention and Training | SCOPO                      |
| Deputy Probation Officer     | Sacramento      | Urban       | North   | Benefits are not competitive                                                                                                                                                                                                                                                                                                                                                         | DPO Issues  | Retention and Training | SCOPO                      |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder              | County        | County type | Region  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Theme/Topic | Subtopic               | Outreach Event |
|--------------------------|---------------|-------------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------------------|----------------|
| Deputy Probation Officer | Sacramento    | Urban       | North   | DPOs are required to have college degrees, sheriffs don't but they receive a 5% salary boost if they have a degree; probation doesn't.                                                                                                                                                                                                                                                                                                                                                                                      | DPO Issues  | Retention and Training | SCOPO          |
| Deputy Probation Officer | Kern          | Suburban    | Central | Recruitment and retention problems; <ul style="list-style-type: none"> <li>▪ Lose individuals to state and federal law enforcement agencies due to higher salary and benefits packages</li> <li>▪ Less-experienced and educated pool of employees</li> <li>▪ Turnover very high – leave as soon as they are trained</li> <li>▪ Earn less if working full-time as opposed to part-time, due to benefits</li> <li>▪ No incentives to stay in probation department and move up the line – incentive to leave exists</li> </ul> | DPO Issues  | Retention and Training | SCOPO          |
| SCOPO Lobbyist           |               |             |         | It is unfortunate that minorities with BA degrees cannot be found to be DPOs – salary issue                                                                                                                                                                                                                                                                                                                                                                                                                                 | DPO Issues  | Retention and Training | SCOPO          |
| Deputy Probation Officer | San Bernadino | Urban       | South   | Educational requirements have decreased because of hiring and retention problems                                                                                                                                                                                                                                                                                                                                                                                                                                            | DPO Issues  | Retention and Training | SCOPO          |
| Deputy Probation Officer | San Bernadino | Urban       | South   | Salaries and benefits are low                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | DPO Issues  | Retention and Training | SCOPO          |
| Deputy Probation Officer | San Bernadino | Urban       | South   | Probation losing staff to state parole and federal probation                                                                                                                                                                                                                                                                                                                                                                                                                                                                | DPO Issues  | Retention and Training | SCOPO          |
| Deputy Probation Officer | Sacramento    | Urban       | North   | Many hiring and retention problems, so have lowered standards for probation aides (make home calls); they only need an AA degree.                                                                                                                                                                                                                                                                                                                                                                                           | DPO Issues  | Retention and training | SCOPO          |
| Deputy Probation Officer | Alameda       | Urban       | North   | Recruitment and retention very difficult; many officers transfer to federal probation or state parole or other counties.                                                                                                                                                                                                                                                                                                                                                                                                    | DPO Issues  | Retention and Training | SCOPO          |
| Deputy Probation Officer | Alameda       | Urban       | North   | Some upper-level managers have taken jobs as DPOs in other counties – doesn't make sense.                                                                                                                                                                                                                                                                                                                                                                                                                                   | DPO Issues  | Retention and Training | SCOPO          |
| Deputy Probation Officer | Alameda       | Urban       | North   | Low retention due to CPO, who is a taskmaster; the union wants to get rid of the CPO but the judges and the BOS supports                                                                                                                                                                                                                                                                                                                                                                                                    | DPO Issues  | Retention and Training | SCOPO          |
| Deputy Probation Officer | Sacramento    | Urban       | North   | 1994-1999: 35% retention rate of employees; spent millions in training people who left the department                                                                                                                                                                                                                                                                                                                                                                                                                       | DPO Issues  | Retention and Training | SCOPO          |
|                          |               |             |         | Task force needs to consider 3% at 50 (Safety Retirement)                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | DPO Issues  | Safety retirement      | BTB            |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                           | County          | County type | Region   | Comment                                                                                                                                                          | Theme/Topic | Subtopic          | Outreach Event                            |
|---------------------------------------|-----------------|-------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------|-------------------------------------------|
| Probation Manager – Juvenile Division | Nevada          | Rural       | North    | Issue of safety retirement – major concern as there are disparities across county lines                                                                          | DPO Issues  | Safety retirement | Delinquency                               |
| Deputy Probation Officer              | Stanislaus      | Suburban    | North    | Ownership – DPOs want to be state employees (w/parole)                                                                                                           | DPO Issues  | Status            | BTB                                       |
| Judge                                 | Riverside       | Urban       | South    | We need to educate BOS                                                                                                                                           | DPO Issues  | Status            | CJAC                                      |
| Judge                                 | Riverside       | Urban       | South    | We need to elevate to other public safety agency                                                                                                                 | DPO Issues  | Status            | CJAC                                      |
| Public Defender                       | Humboldt        | Suburban    | North    | POs are constantly jockeying for new position, usually with county law enforcement (DPO is seen as entrée into law enforcement field, not a position to stay in) | DPO Issues  | Status            | CPDA                                      |
| Probation Manager – Juvenile Division | Nevada          | Rural       | North    | What probation needs to improve status is TV series                                                                                                              | DPO Issues  | Status            | Delinquency                               |
| Department of Social Services         | Placer          | Suburban    | North    | The biggest problem is the pay disparity. Social workers make more than DPOs                                                                                     | DPO Issues  | Status            | Juvenile Law Subcommittee                 |
| Deputy Probation Officer              | Kern            | Suburban    | Central  | If move to state model, wants to be paid a state employee's salary                                                                                               | DPO Issues  | Status            | SCOPO                                     |
| Deputy Probation Officer              | Orange          | Urban       | South    | Has been an increase in the number of employee organizations, but no organization exists to represent county employees                                           | DPO Issues  | Status            | SCOPO                                     |
| Deputy Probation Officer              | San Luis Obispo | Suburban    | Central  | Salary discrepancy exists between probation and sheriff's departments                                                                                            | DPO Issues  | Status            | SCOPO                                     |
| Deputy Probation Officer              | San Luis Obispo | Suburban    | Central  | Need more educational requirements for DPOs;<br><ul style="list-style-type: none"> <li>▪ Bill provides \$1500/year for education for police officers</li> </ul>  | DPO Issues  | Status            | SCOPO                                     |
| District Attorney                     | Sonoma          | Suburban    | North    | Juvenile services and facilities take a second place to adult facilities – money is spent on building adult jails.                                               | Facilities  |                   | California District Attorneys Association |
| Chief Probation Officer               | Calaveras       | Rural       | North    | The issue of facilities should be considered by the PSTF                                                                                                         | Facilities  |                   | CPOC                                      |
| Supervisor                            | Ventura         | Urban       | Southern | Building \$65 million new facility                                                                                                                               | Facilities  |                   | CSAC                                      |
| Supervisor                            | Madera          | Rural       | Central  | New 70-bed JH facility being constructed                                                                                                                         | Facilities  |                   | CSAC                                      |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder              | County        | County type | Region        | Comment                                                                                                                                                                                                                                                                                                                 | Theme/Topic | Subtopic                  | Outreach Event |
|--------------------------|---------------|-------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---------------------------|----------------|
| Supervisor               | Inyo          | Rural       | Central       | If we keep building facilities, does that mean that they will keep being filled?<br><ul style="list-style-type: none"> <li>▪ The goal is to keep kids in the home, build services around kids.</li> <li>▪ Planned to rent out extra beds in their JH when it was constructed, but now it is completely full.</li> </ul> | Facilities  |                           | CSAC           |
| Chief Probation Officer  | Fresno        | Suburban    | Central       | Infrastructure/institutions has to be part of this process – wrong that probation is left with scraps (e.g., situation where probation is taking over old jail while sheriff gets new, \$50M jail)                                                                                                                      | Facilities  |                           | Delinquency    |
| Deputy Probation Officer | Kern          | Suburban    | Central       | Interested in having task force look into facilities issue; has many staff vacancies at the Juvenile Hall                                                                                                                                                                                                               | Facilities  |                           | SCOPO          |
| Deputy Probation Officer | Kern          | Suburban    | Central       | Changes in facilities population: more 5150s, more drug- and alcohol-addicted children                                                                                                                                                                                                                                  | Facilities  |                           | SCOPO          |
| Deputy Probation Officer | Sacramento    | Urban       | North         | The make-up of kids in Juvenile Hall is very different than 30 years ago; 30-40% of kids are taking psychotropic medication to control their behavior.                                                                                                                                                                  | Facilities  |                           | SCOPO          |
| Deputy Probation Officer | Merced        | Suburban    | Central       | Assumption exists that juvenile system works but there is a waiting list of 200 to serve JH time; the system is not effective if they don't do their time immediately because then juveniles don't understand why they're being punished.                                                                               | Facilities  |                           | SCOPO          |
| Chief Probation Officer  | Santa Cruz    | Urban       | Northern      | Crowding is a problem that needs to be improved                                                                                                                                                                                                                                                                         | Facilities  | Conditions of Confinement | CPOC           |
| Chief Probation Officer  | Alameda       | Urban       | North         | Need to underline responsibility for conditions of confinement                                                                                                                                                                                                                                                          | Facilities  | Conditions of confinement | Delinquency    |
| Chief Probation Officer  | Alameda       | Urban       | North         | Need to evaluate conditions of placement/detention facilities -> never can be fixed by individual county probation departments; statewide issue that demands state focus and statewide standards                                                                                                                        | Facilities  | Conditions of confinement | Delinquency    |
| Chief Probation Officer  | Santa Barbara | Suburban    | Central Coast | Institutions are significant time bombs ... unsafe for kids                                                                                                                                                                                                                                                             | Facilities  | Conditions of confinement | Delinquency    |
| Judge                    | Los Angeles   | Urban       | South         | Facilities are outdated ("anti-children") and are such that juveniles adjust to criminal treatment                                                                                                                                                                                                                      | Facilities  | Conditions of confinement | Delinquency    |
| Deputy Probation Officer | Kern          | Suburban    | Central       | Facilities running at 150-200% capacity<br><ul style="list-style-type: none"> <li>▪ Will get more beds, might help a bit but they are taking a band-aid approach; only have enough staff to plug the holes</li> </ul>                                                                                                   | Facilities  | Conditions of Confinement | SCOPO          |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder              | County        | County type | Region        | Comment                                                                                                                                                   | Theme/Topic | Subtopic                              | Outreach Event                            |
|--------------------------|---------------|-------------|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---------------------------------------|-------------------------------------------|
| Deputy Probation Officer | San Bernadino | Urban       | South         | Institutions are chronically overcrowded                                                                                                                  | Facilities  | Conditions of Confinement             | SCOPO                                     |
| Deputy Probation Officer | Sacramento    | Urban       | North         | Need to address facilities issue: rampant overcrowding at CYA – dangerous for officers, high-risk situation                                               | Facilities  | Conditions of Confinement             | SCOPO                                     |
| Chief Probation Officer  | Santa Cruz    | Urban       | Northern      | Disproportionate minority confinement is a problem                                                                                                        | Facilities  | Disproportionate Minority Confinement | CPOC                                      |
| Juvenile Court Judge     | Santa Cruz    | Suburban    | Central Coast | Overcrowding problem – Santa Cruz took care of it through Annie E. Casey study                                                                            | Facilities  | Disproportionate Minority Confinement | Delinquency                               |
| Deputy Probation Officer | Kern          | Suburban    | Central       | Run 70% non-DPOs in Juvenile Hall                                                                                                                         | Facilities  | Staffing                              | SCOPO                                     |
| Deputy Probation Officer | Kern          | Suburban    | Central       | Impossible to maintain staffing requirements in institutions, hard to retain                                                                              | Facilities  | Staffing                              | SCOPO                                     |
| Court Program Manager    | Placer        | Suburban    | North         | Need collaboration of Funding between agencies                                                                                                            | Funding     |                                       | BTB                                       |
| Defense Attorney         | Santa Barbara | Suburban    | Central       | Obvious when probation and Social Services not talking and fighting over money                                                                            | Funding     |                                       | BTB                                       |
| Judge                    | Sacramento    | Urban       | North         | Probation, low priority compared to other law enforcement entities                                                                                        | Funding     |                                       | BTB                                       |
| Judge                    | Sacramento    | Urban       | North         | Shouldn't have to rely on grants                                                                                                                          | Funding     |                                       | BTB                                       |
| Mental Health            | Fresno        | Suburban    | Central       | Need to blend funding streams                                                                                                                             | Funding     |                                       | BTB                                       |
| State CYA                |               |             |               | Strategies for program funding: Need to have state department or agencies, i.e. delinquency services from State Mental Health etc.                        | Funding     |                                       | BTB                                       |
| District Attorney        | Riverside     | Urban       | South         | Probation also administers large amounts of funds from the state and federal government that impact not just the courts, but also the entire community.   | Funding     |                                       | California District Attorneys Association |
| District Attorney        |               |             |               | Funding issue: Problem exists when someone is responsible for funding, but they do not get input on the impact of funding; creates personnel issues, etc. | Funding     |                                       | California District Attorneys Association |
| Court Executive          | Butte         | Suburban    | North         | County won't give money for administrative services, infrastructure. They need to do a reality check                                                      | Funding     |                                       | CJAC                                      |
| Court Executive          | Contra Costa  | Urban       | North         | Budget cuts in early 90s led probation to cut misdemeanor programs                                                                                        | Funding     |                                       | CJAC                                      |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder             | County        | County type | Region        | Comment                                                                                                                                                                                                                                                                                                | Theme/Topic | Subtopic | Outreach Event |
|-------------------------|---------------|-------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------|----------------|
| Judge                   | Colusa        | Rural       | North         | CPO doesn't have staff                                                                                                                                                                                                                                                                                 | Funding     |          | CJAC           |
| Judge                   | Riverside     | Urban       | South         | Adult not as well funded as juvenile although both are underfunded                                                                                                                                                                                                                                     | Funding     |          | CJAC           |
| Judge                   | Solano        | Suburban    | North         | Probation is under-funded for what it is asked to do                                                                                                                                                                                                                                                   | Funding     |          | CJAC           |
| Judge                   | Solano        | Suburban    | North         | Need adequate funding to solve problems with probation departments                                                                                                                                                                                                                                     | Funding     |          | CJAC           |
| Judge                   | Santa Barbara | Suburban    | Central Coast | Money isn't balanced rationally, felons are banked but grant funded misd. Are supervised and receive services                                                                                                                                                                                          | Funding     |          | CJAC           |
| Judge                   | Santa Barbara | Suburban    | Central Coast | Large banked felony caseloads, not enough money                                                                                                                                                                                                                                                        | Funding     |          | CJAC           |
|                         |               |             |               | Look at "patch" available through AFDC/Foster care that can pay for probation placement                                                                                                                                                                                                                | Funding     |          | CPDA           |
| Deputy Public Defender  | Contra Costa  | Urban       | North         | Surprised at statement made that juvenile probation is well funded; her belief is that decisions are made with view toward protecting budget. The AB 575 plan required by probation calls for a psych evaluation but it's often not done (and it rarely happens if it's out of the probation's budget) | Funding     |          | CPDA           |
| Chief Probation Officer | Lake          | Rural       | North         | Small county – has more than 480 felons on his caseload; Prop 36 will mean he will receive funding to supervise misdemeanor drug offenders but no money to supervise serious felons – this doesn't make sense to him.                                                                                  | Funding     |          | CPOC           |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                       | County   | County type | Region   | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Theme/Topic | Subtopic | Outreach Event |
|-----------------------------------|----------|-------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------|----------------|
| Chief Probation Officer (retired) | Shasta   | Suburban    | North    | <ul style="list-style-type: none"> <li>▪ Sees greater distinction between the courts and county administrations in the future due to TCF</li> <li>▪ Sources of funding are complicated and “braided” (money comes from TANF, Title IV, Social Services, Prop 172)</li> <li>▪ Not much money comes from the General Fund</li> <li>▪ No money comes from courts, even though Pos carry out their orders</li> <li>▪ Funding stream complicated since probation offers such a wide array of services</li> <li>▪ Leans toward TCF as base for funding</li> <li>▪ Little money available for adult probation</li> <li>▪ CPOs have to be creative, and spend a great deal of time chasing dollars; compete for grants with each other.</li> </ul> | Funding     |          | CPOC           |
| Chief Probation Officer           | Alameda  | Urban       | Northern | Judges’ orders have a financial impact (e.g. the case in which the firing of a CPO by a PJ caused a lawsuit to be brought against the court)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Funding     |          | CPOC           |
| Chief Probation Officer           | Mariposa | Rural       | Central  | Mariposa BOS is supportive, but the system needs to be improved so that CPOs don’t have to beg for funding                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Funding     |          | CPOC           |
| Chief Probation Officer           | Shasta   | Suburban    | Northern | Most probation departments are funded 50-70% by external sources (TANF, grants, etc.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Funding     |          | CPOC           |
| Chief Probation Officer           | Ventura  | Urban       | South    | Trial Court Funding was a significant change that will continue to affect probation in the future; separation of the courts from the county will create funding problems since the BOS funds probation but does not have as much control over CPOs as they’d like.                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Funding     |          | CPOC           |
| Chief Probation Officer           | Ventura  | Urban       | South    | A statewide system in which only one funding source exists may be an improvement in terms of consistency.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Funding     |          | CPOC           |
| Supervisor                        | Ventura  | Urban       | Southern | Funding is a problem                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Funding     |          | CSAC           |
| Chief Probation Officer           | Tulare   | Suburban    | Central  | <ul style="list-style-type: none"> <li>▪ Have a 210-bed facility with open beds, so sold 60 beds to the INS – created \$3.4 million in revenue; probation needs to “think outside the box”</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Funding     |          | CSAC           |
| Chief Probation Officer           | Butte    | Suburban    | North    | ERAF issues: no funding to keep people out of prison                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Funding     |          | Delinquency    |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                           | County        | County type | Region          | Comment                                                                                                                                                                                                                                                                   | Theme/Topic | Subtopic | Outreach Event                    |
|---------------------------------------|---------------|-------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------|-----------------------------------|
| Chief Probation Officer               | Santa Barbara | Suburban    | Central Coast   | Good to see recognition of abandonment of CPO – have crashed other funding streams (e.g., TANF) – need to address lack of resources for adults (which don't exist except for drug courts, DV courts, etc.)                                                                | Funding     |          | Delinquency                       |
| Chief Probation Officer               | Santa Barbara | Suburban    | Central Coast   | Big fear that when price tag of probation is realized, hope all work of task force is not lost; all other services will be affected; mental health, social services, etc. ... all are facing funding difficulties                                                         | Funding     |          | Delinquency                       |
| Director of Children's System of Care | Placer        | Suburban    | North           | Need to look to Legislature to increase funding options for probation                                                                                                                                                                                                     | Funding     |          | Delinquency                       |
| Deputy Probation Officer              | Santa Cruz    | Suburban    | North           | More funding is necessary to pay DPOs more                                                                                                                                                                                                                                | Funding     |          | Family Violence <b>Conference</b> |
| Probation Manager                     | Santa Barbara | Suburban    | Central Coastal | Not much money goes to domestic violence caseloads, until there are several DV-related homicides.                                                                                                                                                                         | Funding     |          | Family Violence Conference        |
| Probation Manager                     | Santa Barbara | Suburban    | Central Coastal | Receive Modernization Fund money through TANF and Medi-Cal for adult probation                                                                                                                                                                                            | Funding     |          | Family Violence <b>Conference</b> |
| Juvenile Court Judge                  | Los Angeles   | Urban       | Southern        | Funding Issue: Due to a shortage of money, is not sure that it would be a good idea to have probation departments competing for funding on a statewide level.                                                                                                             | Funding     |          | Juvenile Law Institute            |
| Juvenile Court Judge                  | El Dorado     | Rural       | Northern        | Probation should be funded by the courts                                                                                                                                                                                                                                  | Funding     |          | Juvenile Law Institute            |
| Juvenile Court Judge                  | Contra Costa  | Urban       | Northern        | Also need to consider that probation departments would be contending with the state legislature for funding                                                                                                                                                               | Funding     |          | Juvenile Law Institute            |
| Attorney                              | San Diego     | Urban       | South           | <ul style="list-style-type: none"> <li>▪ Nature of funding: "Quicksand funding"</li> <li>▪ Competition locally (funding) – must compete w/ Mental Health, DSS etc.</li> <li>▪ Juvenile Committee must take hard look at records from their service perspective</li> </ul> | Funding     |          | Juvenile Law Subcommittee         |
| Referee                               | Los Angeles   | Urban       | North           | Need resources and training                                                                                                                                                                                                                                               | Funding     |          | Juvenile Law Subcommittee         |
| Deputy Probation Officer              | Fresno        | Suburban    | Central         | All county probation departments have different budgets and focus                                                                                                                                                                                                         | Funding     |          | SCOPO                             |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder              | County        | County type | Region  | Comment                                                                                                                                                                                                                | Theme/Topic | Subtopic | Outreach Event |
|--------------------------|---------------|-------------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------|----------------|
| Deputy Probation Officer | San Mateo     | Urban       | North   | <ul style="list-style-type: none"> <li>Probation receives 26% of its budget from general funds – the rest is federal money</li> </ul>                                                                                  | Funding     |          | SCOPO          |
| Deputy Probation Officer | San Bernadino | Urban       | South   | Problem: programs are designed to attract money, result is that money is diverted from other areas of the department, or other programs will be abandoned because resources are needed for the program that got funded | Funding     |          | SCOPO          |
| Deputy Probation Officer | San Bernadino | Urban       | South   | Received a grant for a new facility, so the BOS reduced their general funds \$ - those funds are necessary                                                                                                             | Funding     |          | SCOPO          |
| Deputy Probation Officer | Kern          | Suburban    | Central | Department has captured many grants, so the BOS takes away their core funds; need for a stable funding base                                                                                                            | Funding     |          | SCOPO          |
| Deputy Probation Officer | Kern          | Suburban    | Central | Over the last 20 years, general funds funding has decreased from 80% to 20%                                                                                                                                            | Funding     |          | SCOPO          |
| Deputy Probation Officer | Kern          | Suburban    | Central | If move to a state model, need a plan for when officials change offices – what happens to funding?                                                                                                                     | Funding     |          | SCOPO          |
| Deputy Probation Officer | Fresno        | Suburban    | Central | The current system does not work well because no stable system exists – fluctuates based on funding                                                                                                                    | Funding     |          | SCOPO          |
| Deputy Probation Officer | Merced        | Suburban    | Central | The public assumes that probation gets enough funding to do their jobs, and that when a judge makes an order, it is carried out by probation; this often doesn't happen.                                               | Funding     |          | SCOPO          |
| Deputy Probation Officer | Fresno        | Suburban    | Central | Lack of consistency in how departments are funded and directed                                                                                                                                                         | Funding     |          | SCOPO          |
| Deputy Probation Officer | Humboldt      | Suburban    | North   | Kids in programs funded with grants get lots of services but other kids have never met Deputy Probation Officer                                                                                                        | Funding     | Grants   | BTB            |
| Deputy Probation Officer | Humboldt      | Suburban    | North   | Too dependent on grant funding, not enough money & service for regular teams.                                                                                                                                          | Funding     | Grants   | BTB            |
| Deputy Probation Officer | San Diego     | Urban       | South   | Grants - Probation, Social Services, CBO, Mental Health working together--Need more level playing field                                                                                                                | Funding     | Grants   | BTB            |
| Deputy Probation Officer | Stanislaus    | Suburban    | North   | Grant funding is problematic                                                                                                                                                                                           | Funding     | Grants   | BTB            |
| Court Executive          | Butte         | Suburban    | North   | CPO has brought in innovative grant programs                                                                                                                                                                           | Funding     | Grants   | CJAC           |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                           | County        | County type | Region        | Comment                                                                                                                                                                                                                                | Theme/Topic        | Subtopic | Outreach Event |
|---------------------------------------|---------------|-------------|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------|----------------|
| Court Executive                       | Solano        | Suburban    | North         | Denigration of services since Prop 13<br>Active supervision of misdemeanors are non-existent                                                                                                                                           | Funding            | Grants   | CJAC           |
| Court Executive                       | Solano        | Suburban    | North         | Grants – require to operate (since probation is at the bottom of the food chain)                                                                                                                                                       | Funding            | Grants   | CJAC           |
| Court Executive                       | Solano        | Suburban    | North         | Creative in obtaining grant funding; successful in diverting lots of cases away from courts. Want to preserve this under any model                                                                                                     | Funding            | Grants   | CJAC           |
| Judge                                 | Santa Barbara | Suburban    | Central Coast | Grant funding from the state and federal government tells CPO how to spend \$\$                                                                                                                                                        | Funding            | Grants   | CJAC           |
| Judge                                 | Santa Barbara | Suburban    | Central Coast | Grants from State; drives programs/policy, then BOS, judges, grantees (State/Feds), many masters.                                                                                                                                      | Funding            | Grants   | CJAC           |
| Public Defender                       | Humboldt      | Suburban    | North         | Describes “grant prostitution” in which well-admired CPO succeeds in getting grants, but the majority of kids aren’t getting services; energy and ambition devoted to getting grants, and then a slim majority of juveniles get served | Funding            | Grants   | CPDA           |
| Supervisor                            | Madera        | Rural       | Central       | Problem: Grant funding <ul style="list-style-type: none"> <li>Impossible to hire FTEs if continued funding is not guaranteed</li> <li>Need for more stable funding</li> </ul>                                                          | Funding            | Grants   | CSAC           |
| Deputy Probation Officer              | San Bernadino | Urban       | South         | Probation has to chase grants; we need a stable funding source                                                                                                                                                                         | Funding            | Grants   | SCOPO          |
| Deputy Probation Officer              | Kern          | Suburban    | Central       | Have received grant money for more beds in facility, but can only fill them with people with certain characteristics – can no longer have pre-court detention                                                                          | Funding            | Grants   | SCOPO          |
| Deputy Probation Officer              | Orange        | Urban       | South         | Preponderance of funding goes to juveniles because probation chases grants                                                                                                                                                             | Funding            | Grants   | SCOPO          |
| Deputy Probation Officer              | Fresno        | Suburban    | Central       | Grants are too restrictive and cause conflict within the department; give money for certain programs that the entire department should have                                                                                            | Funding            | Grants   | SCOPO          |
| Probation Manager – Juvenile Division | Nevada        | Rural       | North         | Interstate compact – lots of kids from other states (especially Nevada); if adjudicated in California, but child lives in Nevada, they can’t transfer wardship to another state, but also can’t provide any supervision                | Interstate compact |          | Delinquency    |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                       | County       | County type | Region   | Comment                                                                                                                                                            | Theme/Topic   | Subtopic                 | Outreach Event                            |
|-----------------------------------|--------------|-------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------|-------------------------------------------|
| Court Program Manager             | Placer       | Suburban    | North    | Top leadership all meet weekly (workable in small county)                                                                                                          | Relationships |                          | BTB                                       |
| District Attorney                 |              |             |          | Prosecution and law enforcement should have been on the task force.                                                                                                | Relationships |                          | California District Attorneys Association |
| Supervisor                        | Solano       | Suburban    | Northern | Troublesome that judges and BOS never meet together; on mental health issues they meet with juvenile judges                                                        | Relationships |                          | CSAC                                      |
| Supervisor                        | Madera       | Rural       | Central  | There is not a great deal of trust or information sharing between agencies                                                                                         | Relationships |                          | CSAC                                      |
| Supervisor                        | Madera       | Rural       | Central  | Judges not engaged with BOS                                                                                                                                        | Relationships |                          | CSAC                                      |
| Juvenile Judge                    | Contra Costa | Urban       | Northern | The Trial Court Employees Act has brought new areas of liability to the courts, but we can't let the threat of lawsuits scare us. Judges have to learn management. | Relationships |                          | Juvenile Law Institute                    |
|                                   |              |             |          | Need to address issue of children with dual status (241.1 dual status) explore staying 300 or 602                                                                  | Relationships | Dual Status              | BTB                                       |
| Attorney (children in Dependency) | El Dorado    | Rural       | North    | Services are for 300 kids and not 602s (Placement vs. Services)                                                                                                    | Relationships | Dual Status              | BTB                                       |
| Department of Social Services     | Sacramento   | Urban       | Central  | 241 proceeding once child is done with 602 no way to go back to 300 or home. Therefore kept in placement                                                           | Relationships | Dual Status              | BTB                                       |
| Department of Social Services     | San Joaquin  | Suburban    | Central  | 241.1                                                                                                                                                              | Relationships | Dual Status              | BTB                                       |
| Deputy Probation Officer          | San Diego    | Urban       | South    | System for 300/ 600 cross over                                                                                                                                     | Relationships | Dual Status              | BTB                                       |
| Judge                             | Santa Clara  | Urban       | North    | Standing Court Order, exchange of information among service providers & work well together (some cases go from 600 system to 300 system)                           | Relationships | Dual Status              | BTB                                       |
| Attorney (children in Dependency) | El Dorado    | Rural       | North    | Services are punitive, with 300 they are rehabilitative                                                                                                            | Relationships | Dual Status              | BTB                                       |
| Department of Social Services     | Placer       | Suburban    | North    | Statutorily Services are available to 300 and 600 kids but services aren't provided in 600, this is bad policy                                                     | Relationships | Dual Status              | BTB                                       |
| Attorney (children in Dependency) | El Dorado    | Rural       | North    | Neighboring counties need to coordinated/pool funding                                                                                                              | Relationships | Organizational structure | BTB                                       |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                   | County          | County type | Region  | Comment                                                                                                                                                                                                                                          | Theme/Topic   | Subtopic                 | Outreach Event                            |
|-------------------------------|-----------------|-------------|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------|-------------------------------------------|
| Department of Social Services | Inyo            | Central     | Rural   | Fragmentation isn't working. Need state leadership as to what works with these kids                                                                                                                                                              | Relationships | Organizational structure | BTB                                       |
| Deputy Probation Officer      | Humboldt        | Suburban    | North   | Juvenile and adult should be separate (Juvenile appointment by Juvenile PJ, adult by Court Presiding Judge)                                                                                                                                      | Relationships | Organizational structure | BTB                                       |
| Deputy Probation Officer      | Stanislaus      | Suburban    | North   | Probation should follow state model based on DSS – state level agency with county and regional offices (Good local relationship)                                                                                                                 | Relationships | Organizational structure | BTB                                       |
| Judge                         | Sacramento      | Urban       | North   | Approval Process SF method of appointing separate CPO for adult and juvenile services interesting, may not make sense to keep adult and juvenile together                                                                                        | Relationships | Organizational structure | BTB                                       |
| Probation Manager             | San Luis Obispo | Suburban    | Central | Need to create a state probation department, currently there is a lack of state leadership. This hurts probation in terms of money and legislation                                                                                               | Relationships | Organizational structure | BTB                                       |
| Probation Manager             | San Luis Obispo | Suburban    | Central | No mechanism to make statewide change                                                                                                                                                                                                            | Relationships | Organizational structure | BTB                                       |
| Probation Manager             | San Luis Obispo | Suburban    | Central | There is a need for coordination between counties                                                                                                                                                                                                | Relationships | Organizational structure | BTB                                       |
| Probation Manager             | San Luis Obispo | Suburban    | Central | Difference between juvenile and adult and within department they compete for money                                                                                                                                                               | Relationships | Organizational structure | BTB                                       |
| State CYA                     |                 |             |         | Legislative support at state level is needed to advocate for probation                                                                                                                                                                           | Relationships | Organizational structure | BTB                                       |
| District Attorney             | Riverside       | Urban       | South   | Concerned about who funds probation, its structure, and where responsibilities lie.                                                                                                                                                              | Relationships | Organizational Structure | California District Attorneys Association |
| Assistant Court Executive     | Fresno          | Suburban    | Central | We ask probation to do so much, maybe it should be broken up <ul style="list-style-type: none"> <li>▪ Institutions: County</li> <li>▪ Services (Court, pre and post): Court</li> </ul>                                                           | Relationships | Organizational structure | CJAC                                      |
| Court Executive               | Riverside       | Urban       | South   | Local system creates disparity from county to county in services and resources                                                                                                                                                                   | Relationships | Organizational structure | CJAC                                      |
| Court Executive               | Santa Clara     | Urban       | North   | Break up probation <ul style="list-style-type: none"> <li>▪ Custody – Should remain with county</li> <li>▪ Services with court</li> </ul>                                                                                                        | Relationships | Organizational structure | CJAC                                      |
| Court Executive               | Santa Clara     | Urban       | North   | Should parallel with Sheriff and MOU for services. <ul style="list-style-type: none"> <li>▪ Cost-effective way of doing business</li> <li>▪ Level of service may go up</li> <li>▪ Look at jurisdictions where probation does juvenile</li> </ul> | Relationships | Organizational structure | CJAC                                      |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder              | County                                       | County type                         | Region                      | Comment                                                                                                                                                                                                                           | Theme/Topic   | Subtopic                 | Outreach Event            |
|--------------------------|----------------------------------------------|-------------------------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------|---------------------------|
| Court Executive          | Santa Clara                                  | Urban                               | North                       | If probation services were realigned, how would the money be handled? MOE, dealing with revenue source? Similar to TCF                                                                                                            | Relationships | Organizational structure | CJAC                      |
| Deputy Public Defender   | Santa Clara (formerly in San Joaquin County) | Urban (formerly in suburban county) | North (formerly in central) | Questions rotation system from adult to juvenile ... is any thought given to specialization in certain fields?                                                                                                                    | Relationships | Organizational Structure | CPDA                      |
| Chief Probation Officer  | Santa Barbara                                | Suburban                            | Central Coast               | Would advocate for greater integration of adult/juvenile probation services (doesn't agree that two departments should be separated) – better equipped to address intergenerational cycles of crime if departments are integrated | Relationships | Organizational structure | Delinquency               |
| Judge                    | Los Angeles                                  | Urban                               | South                       | Recommends separating adult and juvenile probation services                                                                                                                                                                       | Relationships | Organizational structure | Delinquency               |
| Judge                    | Los Angeles                                  | Urban                               | South                       | Criticizing SYSTEM, not PEOPLE                                                                                                                                                                                                    | Relationships | Organizational structure | Delinquency               |
| Judge                    | Plumas                                       | Rural                               | North                       | Must separate adult and juvenile probation services                                                                                                                                                                               | Relationships | Organizational structure | Delinquency               |
| Juvenile Judge           | Los Angeles                                  | Urban                               | Southern                    | The separation between juvenile and adult probation doesn't make sense to him – the two departments should be merged into one.                                                                                                    | Relationships | Organizational Structure | Juvenile Law Institute    |
| Juvenile Judge           | Contra Costa                                 | Urban                               | Northern                    | Model for consideration: partnership between the courts, probation, and the CDC (parole)                                                                                                                                          | Relationships | Organizational Structure | Juvenile Law Institute    |
| Commissioner             | San Mateo                                    | Urban                               | North                       | Need leadership from the top to change attitudes about how we view our children                                                                                                                                                   | Relationships | Organizational Structure | Juvenile Law Subcommittee |
| Deputy Probation Officer | San Bernadino                                | Urban                               | South                       | If a move is made to a TCF model, don't take away local oversight, don't abandon programs, and don't force them to hire certain types of employees                                                                                | Relationships | Organizational Structure | SCOPO                     |
| Deputy Probation Officer | Orange                                       | Urban                               | South                       | Need for a central agency to iron out differences between counties (i.e. if 18 year olds can be placed in juvenile hall, etc.)                                                                                                    | Relationships | Organizational Structure | SCOPO                     |
| Deputy Probation Officer | Orange                                       | Urban                               | South                       | Should look at Connecticut – Have a unified police department                                                                                                                                                                     | Relationships | Organizational Structure | SCOPO                     |
| Deputy Probation Officer | Orange                                       | Urban                               | South                       | We have a state parole department; we should look at that model since salaries and benefits are uniform throughout the state                                                                                                      | Relationships | Organizational Structure | SCOPO                     |
| Deputy Probation Officer | San Diego                                    | Urban                               | South                       | Training of DPOs and CBOs is key                                                                                                                                                                                                  | Relationships | Probation to CBOs        | BTB                       |
| Deputy Probation Officer | San Diego                                    | Urban                               | South                       | Can't have success with out CBO partnership                                                                                                                                                                                       | Relationships | Probation to CBOs        | BTB                       |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder            | County        | County type | Region   | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Theme/Topic   | Subtopic            | Outreach Event |
|------------------------|---------------|-------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------------|----------------|
| CPO                    | Ventura       | Urban       | Southern | CBOs are better suited to provide services than probation officers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Relationships | Probation to CBOs   | CPOC           |
| Judge                  | Riverside     | Urban       | South    | Big concern is liability issue. Subjects Board/County to liability                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Relationships | Probation to County | CJAC           |
| Judge                  | Solano        | Suburban    | North    | Educate BOS about work of Probation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Relationships | Probation to County | CJAC           |
| Judge                  | Solano        | Suburban    | North    | Probation gets less than DA and sheriff                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Relationships | Probation to County | CJAC           |
| Judge                  | Plumas        | Rural       | North    | Keep independent/autonomy of county; makes it more flexible to local needs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Relationships | Probation to County | Delinquency    |
| Defense Attorney       | Santa Barbara | Suburban    | Central  | Judge needs to be involved                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Relationships | Probation to Court  | BTB            |
| Judge                  | Sacramento    | Urban       | North    | Multi-Disciplinary Teams – since probation part of court, they participate, hard to get Sheriff and Police involved                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Relationships | Probation to Court  | BTB            |
| Court Executive        | Fresno        | Suburban    | Central  | Timelines of Probation Violation notification are inadequate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Relationships | Probation to Court  | CJAC           |
| Judge                  | Alameda       | Urban       | North    | Functions of probation sometimes not consistent with neutrality of court – need to consider! Can't be an "arm" of court for that reason                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Relationships | Probation to Court  | CJAC           |
| Judge                  | Riverside     | Urban       | South    | Probation Department-functions as eyes and ears of court: <ul style="list-style-type: none"> <li>▪ Gets information about charge and appropriate consequences (sentence, etc.)</li> <li>▪ Ensures that defendant/youth complies with orders and notifies court if not complying</li> <li>▪ Court reports provide necessary information</li> <li>▪ Assist court in carrying out orders of court and notifying if defendant is not complying.</li> <li>▪ Probation and Social Services-regarding juveniles, probation's job is to develop juvenile delinquency prevention programs; make appropriate referrals; should work collaboratively</li> </ul> | Relationships | Probation to Court  | CJAC           |
| Judge                  | Riverside     | Urban       | South    | Legitimate concern is that Courts haven't been good at overseeing and supervising CPO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Relationships | Probation to Court  | CJAC           |
| Judge                  | Riverside     | Urban       | South    | Professionalism in Court Executive area has bled over into CPO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Relationships | Probation to Court  | CJAC           |
| Deputy Public Defender | Placer        | Suburban    | North    | Referees are especially vulnerable to the influence of the POs and others -> don't challenge DPO or county counsel and will always go along with the recommendations to preserve job                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Relationships | Probation to Court  | CPDA           |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                  | County                                       | County type                         | Region                      | Comment                                                                                                                                                                                                                 | Theme/Topic   | Subtopic                      | Outreach Event                            |
|------------------------------|----------------------------------------------|-------------------------------------|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------|-------------------------------------------|
| Deputy Public Defender       | Santa Clara (formerly in San Joaquin County) | Urban (formerly in suburban county) | North (formerly in central) | Sees lack of discretion – probation viewed as arm of the court                                                                                                                                                          | Relationships | Probation to Court            | CPDA                                      |
| Chief Probation Officer      | Alameda                                      | Urban                               | North                       | Is concerned that judges may be unaccustomed to negotiating (a skill required in administration); if probation moves under the courts, she would like the Judicial Council to provide management and training to judges | Relationships | Probation to Court            | CPOC                                      |
| Supervisor                   | Solano                                       | Suburban                            | Northern                    | PJ and Juvenile PJ very cooperative                                                                                                                                                                                     | Relationships | Probation to Court            | CSAC                                      |
| Chief Probation Officer      | Butte                                        | Suburban                            | North                       | Some judges don't care if orders are enforced                                                                                                                                                                           | Relationships | Probation to Court            | Delinquency                               |
| Chief Probation Officer      | Butte                                        | Suburban                            | North                       | Lots of pressures on probation; judge makes orders, expect it to happen without engaging in the delivery of day-to-day operations                                                                                       | Relationships | Probation to Court            | Delinquency                               |
| Judge                        | Los Angeles                                  | Urban                               | South                       | Courts should appoint CPO for juvenile and should direct the department                                                                                                                                                 | Relationships | Probation to Court            | Delinquency                               |
| Judge                        | Los Angeles                                  | Urban                               | South                       | Prepared to work to make changes                                                                                                                                                                                        | Relationships | Probation to Court            | Delinquency                               |
| Juvenile Court Judge         | Santa Cruz                                   | Suburban                            | Central Coast               | Judges have to support CPO                                                                                                                                                                                              | Relationships | Probation to Court            | Delinquency                               |
| Deputy Probation Officer     | Merced                                       | Suburban                            | Central                     | Department has good relationships with the courts because DPOs are in the courts (court officers), and the judges take the DPO's opinions into account.                                                                 | Relationships | Probation to Court            | Family Violence <b>Conference</b>         |
| Domestic Violence Researcher | San Francisco                                | Urban                               | North                       | Probation is an arm of the court – it should be funded by the state.                                                                                                                                                    | Relationships | Probation to Court            | Family Violence <b>Conference</b>         |
| District Attorney            | Sonoma                                       | Suburban                            | North                       | Courts are looked upon differently than District Attorneys offices, since although DAs are funded by the counties, at least one voice advocates for DAs. There is a lack of leadership in the courts.                   | Relationships | Probation to Court and County | California District Attorneys Association |
|                              |                                              |                                     |                             | CPO should be elected (Power like District Attorney, Sheriff)                                                                                                                                                           | Relationships | Probation to Court and County | BTB                                       |
|                              |                                              |                                     |                             | Budget should be with Presiding Judge not the Board                                                                                                                                                                     | Relationships | Probation to Court and County | BTB                                       |
| Court Program Manager        | Placer                                       | Suburban                            | North                       | Sees probation as an arm of the court                                                                                                                                                                                   | Relationships | Probation to Court and County | BTB                                       |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder              | County        | County type | Region        | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Theme/Topic   | Subtopic                      | Outreach Event                            |
|--------------------------|---------------|-------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------|-------------------------------------------|
| Deputy Probation Officer | Humboldt      | Suburban    | North         | Probation needs to be arm of court                                                                                                                                                                                                                                                                                                                                                                                                                                           | Relationships | Probation to Court and County | BTB                                       |
| Judge                    | Sacramento    | Urban       | North         | Separation of powers is an issue when considering appointing authority                                                                                                                                                                                                                                                                                                                                                                                                       | Relationships | Probation to Court and County | BTB                                       |
| Judge                    | Sacramento    | Urban       | North         | Can't separate money from appointment                                                                                                                                                                                                                                                                                                                                                                                                                                        | Relationships | Probation to Court and County | BTB                                       |
| Judge                    | Santa Clara   | Urban       | North         | CPO should be selected by court, needs to be responsible to court.                                                                                                                                                                                                                                                                                                                                                                                                           | Relationships | Probation to Court and County | BTB                                       |
| District Attorney        | Riverside     | Urban       | South         | In my county, the court is not interested in being involved in issues outside of the administration of justice; the Board of Supervisors is more interested in community issues.                                                                                                                                                                                                                                                                                             | Relationships | Probation to Court and County | California District Attorneys Association |
| District Attorney        | Merced        | Suburban    | Central       | Have a new, very good Chief Probation Officer, but the fact that the courts controls him is a problem. The courts often ignore mandates, and they are not included in the probation reports.                                                                                                                                                                                                                                                                                 | Relationships | Probation to Court and County | California District Attorneys Association |
| District Attorney        | Sonoma        | Suburban    | North         | Has a very good relationship with the CPO, but looking down the road, can see that as a result of Trial Court Funding, the Supervisors perceive that the courts are out of the loop; they have a parasitic relationship. There is resentment about the way the Court Executive Officers handle personnel relationships. If probation separates from the county, the counties might resent probation more since it is funded by the counties but is supervised by the courts. | Relationships | Probation to Court and County | California District Attorneys Association |
| Judge                    | Santa Barbara | Suburban    | Central Coast | CPO has many masters                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Relationships | Probation to Court and County | CJAC                                      |
| Court Executive          | Butte         | Suburban    | North         | Court appoints but BOS evaluates with judicial input                                                                                                                                                                                                                                                                                                                                                                                                                         | Relationships | Probation to Court and County | CJAC                                      |
| Court Executive          | Butte         | Suburban    | North         | Probation is 2nd Class Citizen <ul style="list-style-type: none"> <li>▪ Stuck between BOS and court without advocate</li> <li>▪ Dysfunctional – BOS sets price; serve at will of judges</li> <li>▪ Neither county nor court has taken ownership (similar to Ct Exec before TCF)</li> </ul>                                                                                                                                                                                   | Relationships | Probation to Court and County | CJAC                                      |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder     | County        | County type | Region        | Comment                                                                                                                                                                                                                                                                                                                | Theme/Topic   | Subtopic                      | Outreach Event |
|-----------------|---------------|-------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------|----------------|
| Court Executive | Contra Costa  | Urban       | North         | <ul style="list-style-type: none"> <li>▪ Gaps in supervision of CPO (due to cycles of Juvenile Presiding Judge) lead to lack of continuity</li> <li>▪ Accountability will increase if there is greater continuity in leadership</li> <li>▪ Better for court to supervise but need continuity and leadership</li> </ul> | Relationships | Probation to Court and County | CJAC           |
| Court Executive | Marin         | Suburban    | North         | <p>BOS and Court work together</p> <ul style="list-style-type: none"> <li>▪ Board retains formal appointment authority, but works jointly with court</li> <li>▪ Board evaluates CPO</li> <li>▪ Board sees budget as driving other costs (jails)/probation budget linked to other county services</li> </ul>            | Relationships | Probation to Court and County | CJAC           |
| Court Executive | Riverside     | Urban       | South         | Counties may be rewarded (like facilities) if the gave short shrift to services.                                                                                                                                                                                                                                       | Relationships | Probation to Court and County | CJAC           |
| Court Executive | Solano        | Suburban    | North         | <p>Solano County BOS- one that sought legislation to change appointment authority due to relationship</p> <ul style="list-style-type: none"> <li>▪ CPO w/ BOS; resolved through joint evaluation of CPO by CAO and panel of judges</li> <li>▪ Probation (function is related to court; funded by county)</li> </ul>    | Relationships | Probation to Court and County | CJAC           |
| Court Executive | Solano        | Suburban    | North         | Washington state may be model where probation is unit/organization department under court                                                                                                                                                                                                                              | Relationships | Probation to Court and County | CJAC           |
| Judge           | Riverside     | Urban       | South         | BOS approached by judges to seek legislation to put CPO under CAO in that county; court adamantly opposed. Then an audit followed. Result was a Probation Oversight Committee (1994). Still in place, meets periodically, evaluates CPO                                                                                | Relationships | Probation to Court and County | CJAC           |
| Judge           | Riverside     | Urban       | South         | CPO has to answer to court to get needed services                                                                                                                                                                                                                                                                      | Relationships | Probation to Court and County | CJAC           |
| Judge           | Riverside     | Urban       | South         | In 7 counties where BOS appoints, do they have greater funding? This would argue for having BOS appoint CPO                                                                                                                                                                                                            | Relationships | Probation to Court and County | CJAC           |
| Judge           | Santa Barbara | Suburban    | Central Coast | BOS doesn't treat CPO as well as BOS-appointed management, therefore CPO needs support from sheriff etc.                                                                                                                                                                                                               | Relationships | Probation to Court and County | CJAC           |
| Judge           | Solano        | Suburban    | North         | CPO should be under court and held accountable                                                                                                                                                                                                                                                                         | Relationships | Probation to Court and County | CJAC           |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder             | County  | County type | Region   | Comment                                                                                                                                                                                                                                                               | Theme/Topic   | Subtopic                      | Outreach Event |
|-------------------------|---------|-------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------|----------------|
| Judge                   | Solano  | Suburban    | North    | If you look at specialized courts, very expensive – should be under court, not board                                                                                                                                                                                  | Relationships | Probation to Court and County | CJAC           |
| Judge                   | Solano  | Suburban    | North    | Have Probation Committee with involvement of supervisors. <ul style="list-style-type: none"> <li>▪ Role of Probation Committee – looks at operations, timeliness, etc.</li> </ul>                                                                                     | Relationships | Probation to Court and County | CJAC           |
| Chief Probation Officer | Lake    | Rural       | North    | <ul style="list-style-type: none"> <li>▪ CPOs pulled in two different directions: judges' demands for more supervision don't meet the desires of the BOS, who do not allocate enough resources</li> <li>▪ Has had to answer to many masters for many years</li> </ul> | Relationships | Probation to Court and County | CPOC           |
| Chief Probation Officer | Nevada  | Rural       | North    | Works for many masters – wants to be with the courts                                                                                                                                                                                                                  | Relationships | Probation to Court and County | CPOC           |
| Chief Probation Officer | Nevada  | Rural       | North    | Has a good working relationship with judges, but lot of political hurdles exist with regard to the BOS – has seen 5 BOS members come and go in 4 years                                                                                                                | Relationships | Probation to Court and County | CPOC           |
| Chief Probation Officer | Nevada  | Rural       | North    | Judges know far more about daily operation of his department than the BOS                                                                                                                                                                                             | Relationships | Probation to Court and County | CPOC           |
| Chief Probation Officer | Alameda | Urban       | North    | Probation is “whipsawed” by being in the middle of the counties and the courts; many demands/mandates from judiciary, county and CAO                                                                                                                                  | Relationships | Probation to Court and County | CPOC           |
| Chief Probation Officer | Napa    | Suburban    | North    | If the economy worsens, so will the problem of probation serving two masters                                                                                                                                                                                          | Relationships | Probation to Court and County | CPOC           |
| Chief Probation Officer | Trinity | Rural       | Northern | People have mentioned the high costs of placing probation under the courts, but we need to consider the loss of manpower and time spent chasing dollars and grants; a state system could end up saving a lot of money in the long-run.                                | Relationships | Probation to Court and County | CPOC           |
| Supervisor              | Ventura | Urban       | Southern | Probation has a good relationship with the courts – the courts select the CPO but the BOS has veto power; system works well                                                                                                                                           | Relationships | Probation to court and county | CSAC           |
| Supervisor              | Madera  | Rural       | Central  | BOS has budget control of probation, but no responsibility because the court requires/demands something different; the courts have no budget control                                                                                                                  | Relationships | Probation to court and county | CSAC           |
| Supervisor              | Tulare  | Suburban    | Central  | Tulare has a rocky relationship with the courts <ul style="list-style-type: none"> <li>▪ Lack of administrative capabilities at the court level</li> <li>▪ Have a good CPO, works well with CAO</li> </ul>                                                            | Relationships | Probation to court and County | CSAC           |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                    | County     | County type | Region  | Comment                                                                                                                                                                                                                                               | Theme/Topic   | Subtopic                      | Outreach Event |
|--------------------------------|------------|-------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------|----------------|
| Chief Probation Officer        | Butte      | Suburban    | North   | Structural problem – failure of advocacy; judges have allowed probation departments to atrophy, haven't permitted probation to maintain funding/stature of other agencies (i.e., welfare, social services)                                            | Relationships | Probation to Court and County | Delinquency    |
| Chief Probation Officer        | Butte      | Suburban    | North   | CAOs have same problem with elected officials (as with CPOs) – responsibility for department, but no authority over who is elected as department head; not sure if “fixing” the appointment system will help anything                                 | Relationships | Probation to Court and County | Delinquency    |
| Chief Probation Officer        | Butte      | Suburban    | North   | Sees juvenile as ward of court, CPO as officer of court; following logic, probation should reside where it belongs (with court)                                                                                                                       | Relationships | Probation to Court and County | Delinquency    |
| Chief Probation Officer        | Fresno     | Suburban    | Central | Please solve problem of having to serve two masters – needs independence of TCF models, supports this bud would require judges to stand behind probation                                                                                              | Relationships | Probation to Court and County | Delinquency    |
| Chief Probation Officer        | Fresno     | Suburban    | Central | Would like to see judges' support when probation goes before BOS                                                                                                                                                                                      | Relationships | Probation to Court and County | Delinquency    |
| Chief Probation Officer        | Sacramento | Urban       | North   | As TCF is perfected, tension between court and county will increase and CPO will be thrust further into tense, stressful situation                                                                                                                    | Relationships | Probation to Court and County | Delinquency    |
| Chief Probation Officer        | Sacramento | Urban       | North   | Liability – independently elected officials have resulted in enormous settlements; don't let CPO settlement in Lassen County drive decision about appointment authority                                                                               | Relationships | Probation to Court and County | Delinquency    |
| Chief Probation Officer        | Sacramento | Urban       | North   | Appointment of CPO started out as catalyst, going beyond operation of system, means revision of law; appears to be larger task than was original envisioned and may require a more long-term examination; don't let other stuff “dangle,” just do CPO | Relationships | Probation to Court and County | Delinquency    |
| Deputy Chief Probation Officer | Shasta     | Suburban    | North   | Bring probation under TCF, make probation employees part of “court executive” staff (now disparity in salaries, etc. following TCF between court and probation employees)                                                                             | Relationships | Probation to Court and County | Delinquency    |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                           | County       | County type | Region   | Comment                                                                                                                                                                                                                                                                                                                                                             | Theme/Topic   | Subtopic                       | Outreach Event            |
|---------------------------------------|--------------|-------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------|---------------------------|
| Deputy Chief Probation Officer        | Shasta       | Suburban    | North    | Case in Lassen County (CPO fired by PJ, settled with county for \$2.3M – issue of liability) is not valid basis for change to governance structure; need to look at that as isolated incident – concerned that this is a push for county to take over probation                                                                                                     | Relationships | Probation to Court and County  | Delinquency               |
| Director of Children's System of Care | Placer       | Suburban    | North    | Bring probation into trial court funding model                                                                                                                                                                                                                                                                                                                      | Relationships | Probation to Court and County  | Delinquency               |
| Judge                                 | Plumas       | Rural       | North    | CPO is difficult position due to governance relationship: funding from the county and direction from the court                                                                                                                                                                                                                                                      | Relationships | Probation to Court and County  | Delinquency               |
| Judge                                 | Plumas       | Rural       | North    | Who controls the budget should control services                                                                                                                                                                                                                                                                                                                     | Relationships | Probation to Court and County  | Delinquency               |
| Juvenile Court Judge                  | Contra Costa | Urban       | Northern | It is impossible to manage an agency whose employees are hired by one agency and controlled by another; current practice violates the first rule of management                                                                                                                                                                                                      | Relationships | Probation to Court and County  | Juvenile Law Institute    |
| Judge                                 | Sonoma       | Suburban    | North    | Appointment authority should be commission – equitable solution: body pays bills and courts both have say-so but Court should have veto power (right of refusal)                                                                                                                                                                                                    | Relationships | Probation to Court and County  | Juvenile Law Subcommittee |
| Chief Probation Officer               | Fresno       | Suburban    | Central  | Hopes the work of the PSTF will be a reality check for the courts. Thinks that the courts will realize that probation does work for the courts, and hopes that the courts will stand behind probation.                                                                                                                                                              | Relationships | Probation to Courts            | CPOC                      |
| Juvenile Judge from Indiana           | Indiana      |             |          | Juvenile judges hire and fire the CPO, run probation facilities and services; works well for them <ul style="list-style-type: none"> <li>▪ But recognizes that it is difficult for judges to learn management and administration; these skills are not taught in law school</li> <li>▪ This model would require a new area of responsibility from judges</li> </ul> | Relationships | Probation to Courts            | Juvenile Law Institute    |
| Chief Probation Officer               | Shasta       | Suburban    | Northern | Predicts the status quo; thinks probation will report to both the BOS and the court but the system will become mandatory                                                                                                                                                                                                                                            | Relationships | Probation to Courts and County | CPOC                      |
| Chief Probation Officer               | Shasta       | Suburban    | Northern | Probation should move either entirely under the BOS or the courts                                                                                                                                                                                                                                                                                                   | Relationships | Probation to Courts and County | CPOC                      |
| Chief Probation Officer               | Shasta       | Suburban    | Northern | Wants a quasi state agency under the court system to be in charge of probation                                                                                                                                                                                                                                                                                      | Relationships | Probation to Courts and County | CPOC                      |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                   | County        | County type | Region   | Comment                                                                                                                                                                                  | Theme/Topic   | Subtopic                                            | Outreach Event         |
|-------------------------------|---------------|-------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------------------------|------------------------|
| Chief Probation Officer       | Shasta        | Suburban    | Northern | Wants to shift to TCF model – court administration of probation would not be that expensive, if only the responsibility for court-related aspects of probation are shifted to the courts | Relationships | Probation to Courts and County                      | CPOC                   |
| Chief Probation Officer       | Shasta        | Suburban    | Northern | Workload standards can't be created under the county model, due to individual funding streams                                                                                            | Relationships | Probation to Courts and County                      | CPOC                   |
| Juvenile Court Judge          | Los Angeles   | Urban       | Southern | Wants county level control over probation; concerned that the state is taking over control of the courts                                                                                 | Relationships | Probation to Courts and County                      | Juvenile Law Institute |
| Juvenile Court Judge          | El Dorado     | Rural       | Northern | The courts should appoint and control the CPO; state control would be more stable and less susceptible to local political changes                                                        | Relationships | Probation to Courts and County                      | Juvenile Law Institute |
| Deputy Probation Officer      | Fresno        | Suburban    | Central  | TCF hasn't had much of an effect on probation yet; perhaps more stable due to court unification                                                                                          | Relationships | Probation to Courts and County                      | SCOPO                  |
| Deputy Probation Officer      | Fresno        | Suburban    | Central  | Moving to court-ordered collaboration with law enforcement                                                                                                                               | Relationships | Probation to Other Collaborative County Agencies    | SCOPO                  |
| Attorney                      | San Francisco | Urban       | North    | Problems with District Attorney not following through                                                                                                                                    | Relationships | Probation to Other Collaborative County Departments | BTB                    |
| Defense Attorney              | Santa Barbara | Suburban    | Central  | State should spend money to get everyone together to talk                                                                                                                                | Relationships | Probation to Other Collaborative County Departments | BTB                    |
| Department of Social Services | Placer        | Suburban    | North    | Probation needs to work with Social Services etc.                                                                                                                                        | Relationships | Probation to Other Collaborative County Departments | BTB                    |
| Department of Social Services | Placer        | Suburban    | North    | Shared placements                                                                                                                                                                        | Relationships | Probation to Other Collaborative County Departments | BTB                    |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                   | County      | County type | Region  | Comment                                                                                                 | Theme/Topic   | Subtopic                                            | Outreach Event |
|-------------------------------|-------------|-------------|---------|---------------------------------------------------------------------------------------------------------|---------------|-----------------------------------------------------|----------------|
| Department of Social Services | Placer      | Suburban    | North   | Work together and be collaborative (Probation and Social Services)                                      | Relationships | Probation to Other Collaborative County Departments | BTB            |
| Department of Social Services | Sacramento  | Urban       | Central | CPS/Probation have good relationship--Multi-disciplinary teams                                          | Relationships | Probation to Other Collaborative County Departments | BTB            |
| Department of Social Services | San Joaquin | Suburban    | Central | Doesn't work together                                                                                   | Relationships | Probation to Other Collaborative County Departments | BTB            |
| Department of Social Services | San Joaquin | Suburban    | Central | Local community agencies needs to talk to one another (works better when everyone works together)       | Relationships | Probation to Other Collaborative County Departments | BTB            |
| Judge                         | Santa Clara | Urban       | North   | Social Services & probation work well together (history of probation in dependency)                     | Relationships | Probation to Other Collaborative County Departments | BTB            |
| Mental Health                 | Fresno      | Suburban    | Central | Important to have partnerships (Social Services, Mental Health, Education, Probation)                   | Relationships | Probation to Other Collaborative County Departments | BTB            |
| Social Worker                 | Los Angeles | Urban       | South   | Probation needs to get feedback from ancillary services (PD Officer, DA, DSS, Mental Health, Education) | Relationships | Probation to Other Collaborative County Departments | BTB            |
| Social Worker                 | Los Angeles | Urban       | South   | Little coordination of services; need to consider all services                                          | Relationships | Probation to Other Collaborative County Departments | BTB            |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder              | County     | County type | Region   | Comment                                                                                                                                                                                                                                                          | Theme/Topic   | Subtopic                                            | Outreach Event                            |
|--------------------------|------------|-------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------------------------|-------------------------------------------|
| District Attorney        |            |             |          | DAs would like Victim/Witness Units to be in their office, not in probation departments. Close to 20 units in the state are located in the probation departments of that county, while in the other counties they are located in the District Attorney's office. | Relationships | Probation to Other Collaborative County Departments | California District Attorneys Association |
| District Attorney        | Merced     | Suburban    | Central  | Prosecution should be involved in the task force.                                                                                                                                                                                                                | Relationships | Probation to Other Collaborative County Departments | California District Attorneys Association |
| CPO                      | Shasta     | Suburban    | Northern | Hopes that the significant statutory role of each county's Juvenile Justice Commission is not ignored by the PSTF                                                                                                                                                | Relationships | Probation to Other Collaborative County Departments | CPOC                                      |
| CPO                      | Alameda    | Urban       | Northern | Spends a great deal of time defining "probation" and "parole" to legislators; what will happen if probation becomes a state agency – will it be incorporated into parole?                                                                                        | Relationships | Probation to Other Collaborative County Departments | CPOC                                      |
| Supervisor               | Tehama     | Rural       | Northern | Sees cooperation between probation and county agencies; Social Services and Mental Health work with probation to get better results                                                                                                                              | Relationships | Probation to other collaborative county departments | CSAC                                      |
| Supervisor               | Solano     | Suburban    | Northern | Probation has been whipsawed; will meet with Juvenile Justice Coordinating Council to establish goals jointly on budget/appointment issues, what probation officers should do                                                                                    | Relationships | Probation to Other Collaborative County Departments | CSAC                                      |
| Deputy Probation Officer | Merced     | Suburban    | Central  | The District Attorney, victim/witness advocates, and DPOs are beginning to evaluate programs together; the group meets weekly to collaborate. <ul style="list-style-type: none"> <li>• This system should be statewide</li> </ul>                                | Relationships | Probation to Other Collaborative County Departments | Family Violence Conference                |
| Deputy Probation Officer | Santa Cruz | Suburban    | North    | Probation department has vertical and horizontal collaboration – DPOs work with other officers at other levels of supervision and experience, and they collaborate with Mental Health to get wraparound services.                                                | Relationships | Probation to Other Collaborative County Departments | Family Violence Conference                |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder              | County        | County type | Region          | Comment                                                                                                                                                                              | Theme/Topic   | Subtopic                                            | Outreach Event                    |
|--------------------------|---------------|-------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------------------------|-----------------------------------|
| Deputy Probation Officer | Santa Cruz    | Suburban    | North           | Probation department starting to work with other social service agencies.                                                                                                            | Relationships | Probation to Other Collaborative County Departments | Family Violence Conference        |
| Deputy Probation Officer | Santa Cruz    | Suburban    | North           | Probation's success depends largely on which service providers it partners with                                                                                                      | Relationships | Probation to Other Collaborative County Departments | Family Violence Conference        |
| Deputy Probation Officer | Santa Cruz    | Suburban    | North           | Collaboration between agencies is needed                                                                                                                                             | Relationships | Probation to Other Collaborative County Departments | Family Violence Conference        |
| Deputy Probation Officer | Placer        | Suburban    | North           | County has children's system of care – made up of interdisciplinary teams between DSS and probation                                                                                  | Relationships | Probation to Other Collaborative County Departments | Family Violence <b>Conference</b> |
| Deputy Probation Officer | Merced        | Suburban    | Central         | Probation works well with CPS and employment development programs                                                                                                                    | Relationships | Probation to Other Collaborative County Departments | Family Violence <b>Conference</b> |
| Deputy Probation Officer | Placer        | Suburban    | North           | CPO meets weekly with the PJ; they find money to get DPOs (they have 5 DPOs from mental health money) <ul style="list-style-type: none"> <li>• Collaboration is essential</li> </ul> | Relationships | Probation to Other Collaborative County Departments | Family Violence <b>Conference</b> |
| Deputy Probation Officer | Placer        | Suburban    | North           | Probation has developed a system of care for adults and juveniles in collaboration with DSS                                                                                          | Relationships | Probation to Other Collaborative County Departments | Family Violence <b>Conference</b> |
| Probation Manager        | Santa Barbara | Suburban    | Central Coastal | Department collaborates a lot with DSS and Mental Health, but mainly in juvenile probation.                                                                                          | Relationships | Probation to Other Collaborative County Departments | Family Violence <b>Conference</b> |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                       | County        | County type | Region  | Comment                                                                                                                                                                                                                                                                                                                                          | Theme/Topic   | Subtopic                                            | Outreach Event            |
|-----------------------------------|---------------|-------------|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------------------------|---------------------------|
| Attorney                          | San Diego     | Urban       | South   | Need communication between probation, social services, MH etc.                                                                                                                                                                                                                                                                                   | Relationships | Probation to Other Collaborative County Departments | Juvenile Law Subcommittee |
| Department of Social Services     | Placer        | Suburban    | North   | <ul style="list-style-type: none"> <li>▪ Integration of probation and social service is the key to the system.</li> <li>▪ Probation needs to align itself with social services to get services</li> <li>▪ Would permit access to services from any angle</li> </ul>                                                                              | Relationships | Probation to Other Collaborative County Departments | Juvenile Law Subcommittee |
| Judge                             | Los Angeles   | Urban       | South   | <ul style="list-style-type: none"> <li>▪ Probation needs to works with Dependency system</li> <li>▪ Probation needs to work more closely with dependency system, outside of special projects</li> <li>▪ Needs to work better on 241.1 issues</li> <li>▪ Need systemic change</li> <li>▪ Probation has slipped into the stepchild role</li> </ul> | Relationships | Probation to Other Collaborative County Departments | Juvenile Law Subcommittee |
| Referee                           | Los Angeles   | Urban       | North   | <ul style="list-style-type: none"> <li>▪ Public Defenders are not child advocates</li> <li>▪ PDs are rotated and don't understand services and unique role</li> </ul>                                                                                                                                                                            | Relationships | Probation to Other Collaborative County Departments | Juvenile Law Subcommittee |
| Social Worker/Service Provider    | Los Angeles   | Urban       | South   | Invite Providers in; Wrap around services; need to provide preventative Services                                                                                                                                                                                                                                                                 | Services      |                                                     | BTB                       |
|                                   |               |             |         | Services needed related to gangs                                                                                                                                                                                                                                                                                                                 | Services      |                                                     | BTB                       |
| Attorney                          | San Francisco | Urban       | North   | Focus on end of spectrum (gangs) rather than beginning (truancy) – need to address needs and front-end- truancy courts                                                                                                                                                                                                                           | Services      |                                                     | BTB                       |
| Attorney (children in Dependency) | El Dorado     | Rural       | North   | Need to give kids goals other than “Going Home” or turning 18                                                                                                                                                                                                                                                                                    | Services      |                                                     | BTB                       |
| Department of Social Services     | Sacramento    | Urban       | Central | Wraparound Services pilot (5 year with control) is working well                                                                                                                                                                                                                                                                                  | Services      |                                                     | BTB                       |
| Deputy Probation Officer          | Humboldt      | Suburban    | North   | DPO visits the home, school, etc. not just office visits                                                                                                                                                                                                                                                                                         | Services      |                                                     | BTB                       |
| Deputy Probation Officer          | Humboldt      | Suburban    | North   | There are few services offered in the home                                                                                                                                                                                                                                                                                                       | Services      |                                                     | BTB                       |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                    | County        | County type | Region        | Comment                                                                                                                                                                                               | Theme/Topic | Subtopic | Outreach Event                            |
|--------------------------------|---------------|-------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------|-------------------------------------------|
| Deputy Probation Officer       | Humboldt      | Suburban    | North         | Gang Units - Left to police not probation                                                                                                                                                             | Services    |          | BTB                                       |
| Deputy Probation Officer       | Stanislaus    | Suburban    | North         | Need to provide more supervision and supervision in the community, not the office                                                                                                                     | Services    |          | BTB                                       |
| Deputy Probation Officer       | Stanislaus    | Suburban    | North         | Informal probation is a joke                                                                                                                                                                          | Services    |          | BTB                                       |
| Social Worker/Service Provider | Los Angeles   | Urban       | South         | Need to keep kids with family whenever possible                                                                                                                                                       | Services    |          | BTB                                       |
| State CYA                      |               |             |               | AB 575 – probation needs to provide services but no money                                                                                                                                             | Services    |          | BTB                                       |
| District Attorney              | San Francisco | Urban       | North         | Is the PSTF looking at victim restitution issues and how probation departments can collaborate with the Board of Control and Franchise Tax and other agencies to improve victim restitution?          | Services    |          | California District Attorneys Association |
| District Attorney              | Sonoma        | Suburban    | North         | Dichotomy exists between adult and juvenile services, since different statutes govern each division. Prop 21 will intensify this dichotomy.                                                           | Services    |          | California District Attorneys Association |
| Court Executive                | Contra Costa  | Urban       | North         | Collection/compliance unit created under court, contract with probation services                                                                                                                      | Services    |          | CJAC                                      |
| Court Executive                | Solano        | Suburban    | North         | Intervention works, especially with juveniles. Want to preserve this under any model                                                                                                                  | Services    |          | CJAC                                      |
| Judge                          | Colusa        | Rural       | North         | Issues don't change with size of county—rural counties face same probation-related issues as medium and large counties (see comments at CJAC)                                                         | Services    |          | CJAC                                      |
| Judge                          | Riverside     | Urban       | South         | Drug Court (Adult/Juvenile) is successful. Probation has been innovative in the area of Domestic Violence                                                                                             | Services    |          | CJAC                                      |
| Judge                          | Riverside     | Urban       | South         | Juvenile services – some good programs (e.g. Home Supervision) due to overcrowding in Juvenile Hall                                                                                                   | Services    |          | CJAC                                      |
| Judge                          | Santa Barbara | Suburban    | Central Coast | Probation does guardianship investigation – seems misplaced                                                                                                                                           | Services    |          | CJAC                                      |
| Judge                          | Riverside     | Urban       | South         | The Court has taken over collection; has assumed responsibilities because probation doesn't have staff to do it (misdemeanor & felony). Restitution can be collected with fees, fines and forfeitures | Services    |          | CJAC                                      |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                  | County          | County type | Region   | Comment                                                                                                                                                                                                                                                                                    | Theme/Topic | Subtopic | Outreach Event             |
|------------------------------|-----------------|-------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------|----------------------------|
| Judge                        | Solano          | Suburban    | North    | Restitution – another major issue; no follow up done                                                                                                                                                                                                                                       | Services    |          | CJAC                       |
| Chief Probation Officer      | Ventura         | Urban       | South    | Negative aspects of TCF model: scope of probation services would have to narrow.                                                                                                                                                                                                           | Services    |          | CPOC                       |
| Chief Probation Officer      | Napa            | Suburban    | North    | The number of services offered will decrease if the economy worsens                                                                                                                                                                                                                        | Services    |          | CPOC                       |
| Chief Probation Officer      | Ventura         | Urban       | Southern | The scope of probation services needs to be narrowed. People hold unrealistic expectations regarding probation's ability to provide a great deal of services; need to mainly focus on court issues and supervision of probationers                                                         | Services    |          | CPOC                       |
| CAO                          | Del Norte       | Rural       | Northern | Probation officers should be in schools, visiting homes (along with Social Services and Mental Health)                                                                                                                                                                                     | Services    |          | CSAC                       |
| Chief Probation Officer      | Tulare          | Suburban    | Central  | Have had much success privatizing electronic monitoring services <ul style="list-style-type: none"> <li>▪ Have successfully reduced banked caseload from 5,000 to 1,000</li> <li>▪ Cost savings huge – offenders pay for monitoring service, the county supervises the service.</li> </ul> | Services    |          | CSAC                       |
| Domestic Violence Researcher | San Francisco   | Urban       | North    | Probation has been given a big job from PC 1203.097                                                                                                                                                                                                                                        | Services    |          | Family Violence Conference |
| Deputy Probation Officer     | Santa Cruz      | Suburban    | North    | DPOs are allowed to be present in treatment programs to answer client questions, etc.                                                                                                                                                                                                      | Services    |          | Family Violence Conference |
| Deputy Probation Officer     | San Luis Obispo | Suburban    | Central  | DPOs not allowed to be present in treatment programs in their county.                                                                                                                                                                                                                      | Services    |          | Family Violence Conference |
| Deputy Probation Officer     | San Luis Obispo | Suburban    | Central  | A DPO's relationship with probationers is what matters most in terms of a probationer's progress.                                                                                                                                                                                          | Services    |          | Family Violence Conference |
| Domestic Violence Researcher | San Francisco   | Urban       | North    | San Francisco has a specialized court for juvenile DV cases.                                                                                                                                                                                                                               | Services    |          | Family Violence Conference |
| Juvenile Court Judge         | Los Angeles     | Urban       | Southern | Need for more services in probation; juveniles are a second thought.                                                                                                                                                                                                                       | Services    |          | Juvenile Law Institute     |
| Deputy Probation Officer     | Placer          | Suburban    | North    | Probation's main job is to supervise felony probationers; 94% of clients are felons <ul style="list-style-type: none"> <li>▪ Can't get too wrapped up in special projects</li> </ul>                                                                                                       | Services    |          | SCOPO                      |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder              | County     | County type | Region   | Comment                                                                                                                                                                                                                                                                                                    | Theme/Topic | Subtopic       | Outreach Event             |
|--------------------------|------------|-------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------------|----------------------------|
| Deputy Probation Officer | San Mateo  | Urban       | North    | In addition to felony probationers, probation also needs to supervise and rehabilitate misdemeanants so they don't get further into the system.                                                                                                                                                            | Services    |                | SCOPO                      |
| Deputy Probation Officer | Orange     | Urban       | South    | Need to look at what doesn't work – example of how Prop 36 came about                                                                                                                                                                                                                                      | Services    |                | SCOPO                      |
| Deputy Probation Officer | Merced     | Suburban    | Central  | DPOs too busy putting out fires                                                                                                                                                                                                                                                                            | Services    |                | SCOPO                      |
| Deputy Probation Officer | Fresno     | Suburban    | Central  | A study was conducted and asked if in anything has really changed in probation over the last 30 years. Conclusion was that focus hasn't really changed. <ul style="list-style-type: none"> <li>▪ Innovative programs are really just repeats from the 1970s (e.g. probation officers on campus)</li> </ul> | Services    |                | SCOPO                      |
| Chief Probation Officer  | Mariposa   | Rural       | Central  | Unfortunate that there are no services for adult felony probationers, since probation can work if there is enough funding and supervision                                                                                                                                                                  | Services    | Adult          | CPOC                       |
| Chief Probation Officer  | Santa Cruz | Urban       | Northern | Lack of adult supervision                                                                                                                                                                                                                                                                                  | Services    | Adult          | CPOC                       |
| Chief Probation Officer  | Santa Cruz | Urban       | Northern | BOS funds juvenile programs rather than adult programs                                                                                                                                                                                                                                                     | Services    | Adult          | CPOC                       |
| Deputy Probation Officer | Alameda    | Urban       | North    | Need more resources for adults, have too many banked caseloads                                                                                                                                                                                                                                             | Services    | Adult          | SCOPO                      |
| Chief Probation Officer  | Butte      | Suburban    | North    | 2/3 of caseload is adults; everyone is happy with adult drug courts, but all they are is old-fashioned probation                                                                                                                                                                                           | Services    | Adults         | Delinquency                |
| Deputy Probation Officer | San Diego  | Urban       | South    | High need for risk assessment                                                                                                                                                                                                                                                                              | Services    | Assessment     | BTB                        |
| Private Defense Counsel  | Alameda    | Urban       | North    | No individualized assessment is provided                                                                                                                                                                                                                                                                   | Services    | Assessment     | CPDA                       |
| Probation Manager        | Santa Cruz | Suburban    | North    | Their county uses Santa Barbara's risk management assessment tool                                                                                                                                                                                                                                          | Services    | Assessment     | Family Violence Conference |
| Attorney                 | San Diego  | Urban       | South    | Develop book listing services and collaboration                                                                                                                                                                                                                                                            | Services    | Best Practices | Juvenile Law Subcommittee  |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                       | County        | County type | Region  | Comment                                                                                                                                                                                                                       | Theme/Topic | Subtopic                 | Outreach Event             |
|-----------------------------------|---------------|-------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------------|----------------------------|
| Court Program Manager             | Placer        | Suburban    | North   | Cross supervision of probation and social services and education; Co Located; Much quicker by working together                                                                                                                | Services    | Collaboration            | BTB                        |
| Mental Health                     | Fresno        | Suburban    | Central | Assess Community resources (don't have enough court resources so you need to work with community)                                                                                                                             | Services    | Collaboration            | BTB                        |
| Probation Manager                 | Placer        | Suburban    | North   | 7 years probation and Social Services working together (Co-Located)—this works well                                                                                                                                           | Services    | Collaboration            | BTB                        |
| Assistant Chief Probation Officer | Lake          | Rural       | North   | Developmentally disabled often slip through cracks (i.e., placement, responsibility) – especially difficult in smaller counties; if criminal petition is dismissed, the kid is shipped off to CPS (not appropriate placement) | Services    | Developmentally Disabled | Delinquency                |
| Deputy Probation Officer          | Santa Cruz    | Suburban    | North   | Probation has the most information related to domestic violence treatment programs.                                                                                                                                           | Services    | Domestic Violence        | Family Violence Conference |
| Deputy Probation Officer          | Merced        | Suburban    | Central | No tolerance DV caseload is very intense; DPO is on call 24 hours/day, victims call in to report on status of offender; the program is effective, though.                                                                     | Services    | Domestic Violence        | Family Violence Conference |
| Deputy Probation Officer          | Merced        | Suburban    | Central | Spouses and children of probationers come to DPOs with problems; DPO meets with victims at least once a month, probationers twice a month.                                                                                    | Services    | Domestic Violence        | Family Violence Conference |
| Attorney                          | San Francisco | Urban       | North   | Educational needs of kids in 602 and 300; look at models in Nevada County                                                                                                                                                     | Services    | Education                | BTB                        |
| Attorney                          | San Francisco | Urban       | North   | In Monterey--School got grant to fund truancy program on campus (Deputy Probation Officer at School)                                                                                                                          | Services    | Education                | BTB                        |
| Deputy Probation Officer          | San Diego     | Urban       | South   | Education – attending schools should be <b>key</b> to probation                                                                                                                                                               | Services    | Education                | BTB                        |
| Deputy Probation Officer          | San Diego     | Urban       | South   | It is a disservice to kids to not deal with truancy                                                                                                                                                                           | Services    | Education                | BTB                        |
| Deputy Probation Officer          | San Diego     | Urban       | South   | Need legislation regarding 601 to make sure kids go to school                                                                                                                                                                 | Services    | Education                | BTB                        |
| Mental Health                     | Fresno        | Suburban    | Central | Contract for services regarding truancy, mentoring, working with schools.                                                                                                                                                     | Services    | Education                | BTB                        |
| Judge                             | Los Angeles   | Urban       | South   | Need to improve quality of education                                                                                                                                                                                          | Services    | Education                | Delinquency                |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                | County          | County type | Region  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                 | Theme/Topic | Subtopic   | Outreach Event             |
|----------------------------|-----------------|-------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------|----------------------------|
| Public Defender            | Humboldt        | Suburban    | North   | Great frustration that programs (i.e., those funded by special grants) are not proven; no empirical evidence that they work                                                                                                                                                                                                                                                                                             | Services    | Evaluation | CPDA                       |
| Public Defender            | Humboldt        | Suburban    | North   | Concept of “wraparound” services viewed by PDs as “runaround” services, they have never been brought in to discuss or evaluate                                                                                                                                                                                                                                                                                          | Services    | Evaluation | CPDA                       |
| Judge                      | Los Angeles     | Urban       | South   | Need qualitative assessment of current programs                                                                                                                                                                                                                                                                                                                                                                         | Services    | Evaluation | Delinquency                |
| Probation Manager          | Santa Cruz      | Suburban    | North   | A case manager started certifying programs that worked, but has since stopped since lack of staff resources                                                                                                                                                                                                                                                                                                             | Services    | Evaluation | Family Violence Conference |
| Probation Manager          | Santa Cruz      | Suburban    | North   | <ul style="list-style-type: none"> <li>• Doesn't feel qualified to evaluate programs and models</li> <li>• Has a conflict of interest – can't audit and evaluate programs <ul style="list-style-type: none"> <li>• Would be beneficial to have state organization that audits programs, so individual counties don't have to do them.</li> </ul> </li> <li>• Need technical support from outside department.</li> </ul> | Services    | Evaluation | Family Violence Conference |
| Deputy Probation Officer   | San Luis Obispo | Suburban    | Central | Probation officers need to go to programs unannounced to evaluate them in order to get results/maintain standards                                                                                                                                                                                                                                                                                                       | Services    | Evaluation | Family Violence Conference |
| Deputy Probation Officer   | San Luis Obispo | Suburban    | Central | Their department uses Santa Clara's program evaluation standards                                                                                                                                                                                                                                                                                                                                                        | Services    | Evaluation | Family Violence Conference |
| Deputy Probation Officer   | Santa Cruz      | Suburban    | North   | Probation department has a manual, but no standards that lay out what the programs are supposed to accomplish                                                                                                                                                                                                                                                                                                           | Services    | Evaluation | Family Violence Conference |
| Deputy Probation Officer   | Santa Cruz      | Suburban    | North   | Inadequate DPO training                                                                                                                                                                                                                                                                                                                                                                                                 | Services    | Evaluation | Family Violence Conference |
| Deputy Probation Officer   | Fresno          | Suburban    | Central | <p>“Defining Success” doesn't work: definition based on many things, recidivism, etc.; battle over what makes a successful program</p> <ul style="list-style-type: none"> <li>▪ “Models” of success don't work – often, they declare a 100% success rate because they don't fail anyone</li> </ul>                                                                                                                      | Services    | Evaluation | SCOPO                      |
| Attorney, Youth Law Center |                 |             |         | Effects of parents on parole/probation – look at this (the number of kids is huge)                                                                                                                                                                                                                                                                                                                                      | Services    | Family     | Juvenile Law Subcommittee  |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                           | County        | County type | Region   | Comment                                                                                                                                                                                                                                   | Theme/Topic | Subtopic      | Outreach Event            |
|---------------------------------------|---------------|-------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---------------|---------------------------|
| Deputy Public Defender                | Riverside     | Urban       | South    | Concern about services for juvenile girls: they are often held in Juvenile Hall two times as long as boys (approx. 4-5 months for girls vs. 1½ - 3 months for boys; need to develop more placement options for female juvenile population | Services    | Girls         | CPDA                      |
| Chief Probation Officer               | Santa Cruz    | Urban       | Northern | Services that need to be addressed/improved: lack of programs for girls                                                                                                                                                                   | Services    | Girls         | CPOC                      |
|                                       |               |             |          | Lack of psychiatrists, 10% of children in juvenile hall are on meds, resulting in recidivism                                                                                                                                              | Services    | Mental health | BTB                       |
| Judge                                 | Sacramento    | Urban       | North    | Local Mental Health facilities need locked and not locked Pre and Post                                                                                                                                                                    | Services    | Mental health | BTB                       |
| Judge                                 | Shasta        | Suburban    | North    | In mental health issue of kids in delinquency <ul style="list-style-type: none"> <li>▪ Mental Health in juvenile hall - positive impact</li> <li>▪ Mental Health working well with probation</li> </ul>                                   | Services    | Mental Health | BTB                       |
| Mental Health                         | Fresno        | Suburban    | Central  | Merger of Mental Health and Social Services has had positive impact                                                                                                                                                                       | Services    | Mental Health | BTB                       |
| Mental Health                         | Fresno        | Suburban    | Central  | Mental Health staff in juvenile hall and boot camps                                                                                                                                                                                       | Services    | Mental Health | BTB                       |
| Assistant Chief Probation Officer     | Lake          | Rural       | North    | Mental health has major impact on probation departments due to placements in CPS                                                                                                                                                          | Services    | Mental health | Delinquency               |
| Director of Children's System of Care | Placer        | Suburban    | North    | Recognition that there is little in the way of resources for juvenile mental health/treatment services                                                                                                                                    | Services    | Mental health | Delinquency               |
| Judge                                 | Los Angeles   | Urban       | South    | Need for better and more mental health services in camps                                                                                                                                                                                  | Services    | Mental Health | Delinquency               |
| Probation Manager – Juvenile Division | Nevada        | Rural       | North    | Desperate need for therapy, but bureaucracy (paperwork, etc) burdens service providers                                                                                                                                                    | Services    | Mental health | Delinquency               |
| Juvenile Court Judge                  | El Dorado     | Rural       | Northern | There are no mental/physical health services because the BOS doesn't want to fund them.                                                                                                                                                   | Services    | Mental health | Juvenile Law Institute    |
| Attorney, Youth Law Center            |               |             |          | Mental health/probation – collaboration is hopeful.                                                                                                                                                                                       | Services    | Mental Health | Juvenile Law Subcommittee |
| Defense Attorney                      | Santa Barbara | Suburban    | Central  | Outside service placement problem                                                                                                                                                                                                         | Services    | Placement     | BTB                       |
| Defense Attorney                      | Santa Barbara | Suburban    | Central  | Special needs kids end up in juvenile hall for weeks or months waiting for placement                                                                                                                                                      | Services    | Placement     | BTB                       |
| Department of Social Services         | Sacramento    | Urban       | Central  | Difficulty with placements: Some placements prefer 602's because of juvenile hall threat                                                                                                                                                  | Services    | Placement     | BTB                       |
| Deputy Public Defender                | Contra Costa  | Urban       | North    | If child is approaching majority, a placement often is not sought (or they go to Youth Authority)                                                                                                                                         | Services    | Placement     | CPDA                      |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                       | County        | County type | Region        | Comment                                                                                                                                                                                                                                                                                                            | Theme/Topic | Subtopic  | Outreach Event |
|-----------------------------------|---------------|-------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------|----------------|
| Deputy Public Defender            | Riverside     | Urban       | South         | Need to identify better placement options for smart kids with drug problems. Now only two options: (1) go to program where there is access to public school (academics OK, but no good treatment programs; or (2) in-house school (academics not challenging enough, but no access to drugs)                       | Services    | Placement | CPDA           |
| Deputy Public Defender            | Riverside     | Urban       | South         | Insufficient services for juveniles with fire-setting history: private facilities won't take them due to liability, so they go to YA or go home                                                                                                                                                                    | Services    | Placement | CPDA           |
| Deputy Public Defender            | Riverside     | Urban       | South         | Placement reviews: not terribly thorough or insightful; she keeps tabs on kids and can often provide the court with more specifics about a juvenile's situation than the DPO can (i.e., the contact between the DPO and the kid is limited)                                                                        | Services    | Placement | CPDA           |
| Assistant Chief Probation Officer | Lake          | Rural       | North         | Practice of having to pay for CYA commitments affects how the department is run; major impact on what services are paid at the local level; county now having to keep more violent children or those who have exhausted all other resources (and who formerly, pre sliding-scale fee, would have been sent to CYA) | Services    | Placement | Delinquency    |
| Assistant Chief Probation Officer | Lake          | Rural       | North         | If judges were responsible for the budget, would decisions be different (like CYA commitments??); may result in more thought going into decisions; now care for child is often secondary – decision based primarily on financial factors                                                                           | Services    | Placement | Delinquency    |
| Chief Probation Officer           | Santa Barbara | Suburban    | Central Coast | <ul style="list-style-type: none"> <li>▪ Need to look at cost of operation, construction is expensive but may be worth it — shouldn't have to worry about financial aspects of placement decisions</li> <li>▪ Especially concerned about group home industry</li> </ul>                                            | Services    | Placement | Delinquency    |
| Public Defender                   | Humboldt      | Suburban    | North         | Public defenders are not brought into planning process; they are required to learn about new programs after the fact (e.g., Juvenile Drug Court) – no funds provided for PD services, but there is additional money for probation                                                                                  | Services    | Planning  | CPDA           |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                           | County                                       | County type                         | Region                      | Comment                                                                                                                                                                                                                                            | Theme/Topic | Subtopic              | Outreach Event |
|---------------------------------------|----------------------------------------------|-------------------------------------|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------|----------------|
| Deputy Public Defender                | Riverside                                    | Urban                               | South                       | Need to develop alternate in-home placement programs for families with very specific problems -> lack of school attendance (often due to child care issues, transportation, indigence) ... kids end up in placement even though it's not necessary | Services    | Pre-Placement Options | CPDA           |
| Deputy Public Defender                | Riverside                                    | Urban                               | South                       | Sees desperate need for more emphasis on home-based programs                                                                                                                                                                                       | Services    | Pre-Placement Options | CPDA           |
| Juvenile Court Judge                  | Santa Cruz                                   | Suburban                            | Central Coast               | At-home/community programs need to be developed, with focus on proven programs                                                                                                                                                                     | Services    | Pre-placement options | Delinquency    |
| CAO                                   | Del Norte                                    | Rural                               | Northern                    | Would like to see the task force weigh in on the importance of prevention vs. incarceration                                                                                                                                                        | Services    | Prevention            | CSAC           |
| Department of Social Services         | Placer                                       | Suburban                            | North                       | Primary prevention and intervention is crucial -- Many don't get services until it's too late                                                                                                                                                      | Services    | Prevention            | BTB            |
| Supervisor                            | Tulare                                       | Suburban                            | Central                     | Need to stress the importance of prevention, since it costs almost as much to run an unoccupied Juvenile Hall as an occupied one.                                                                                                                  | Services    | Prevention            | CSAC           |
| Deputy Probation Officer              | San Mateo                                    | Urban                               | North                       | Fallacy exists that you prevent adult crime by stopping juvenile crime, since most adult criminals start committing crimes at age 25                                                                                                               | Services    | Prevention            | SCOPO          |
| Deputy Public Defender                | Riverside                                    | Urban                               | South                       | Inconsistency in disposition report vs. what court officer recommends before court (Court DPO will agree with the judge, even though it's inconsistent with the disposition recommendation)                                                        | Services    | Probation Reports     | CPDA           |
| Deputy Public Defender                | Santa Clara (formerly in San Joaquin County) | Urban (formerly in suburban county) | North (formerly in central) | Probation reports are part of the problem; it usually consists of the DPO taking the "worst" out of the police report and perpetuates it, and these "facts" become part of the record                                                              | Services    | Probation Reports     | CPDA           |
| Public Defender                       | Marin                                        | Suburban                            | North                       | Need to examine strengths- or assets-based approach to probation and include more positive statements in probation reports (see Dennis Maloney on this subject)                                                                                    | Services    | Probation Reports     | CPDA           |
| Probation Manager – Juvenile Division | Nevada                                       | Rural                               | North                       | Need to streamline system, not getting resources delivered                                                                                                                                                                                         | Services    | Service providers     | Delinquency    |
| Court Program Manager                 | Placer                                       | Suburban                            | North                       | Drug Courts, successfully work together also Day Reporting, center, Domestic Violence Court                                                                                                                                                        | Services    | Specialty Courts      | BTB            |
| Judge                                 | Riverside                                    | Urban                               | South                       | DV courts, judge is doing job of DPO; need that role fulfilled to do field services, interventions, referral to family services, etc.                                                                                                              | Services    | Specialty Courts      | CJAC           |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                  | County          | County type | Region          | Comment                                                                                                                                                                                                                                                | Theme/Topic | Subtopic         | Outreach Event             |
|------------------------------|-----------------|-------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------------|----------------------------|
| Judge                        | Santa Barbara   | Suburban    | Central Coast   | Specialty courts grew out of probation not supervising certain groups (drug courts). Circular system, maybe moving back                                                                                                                                | Services    | Specialty courts | CJAC                       |
| Judge                        | Santa Clara     | Urban       | North           | Services are inconsistent                                                                                                                                                                                                                              | Services    | Standards        | BTB                        |
| Probation Manager            | San Luis Obispo | Suburban    | Central         | Need Service Standards                                                                                                                                                                                                                                 | Services    | Standards        | BTB                        |
| Domestic Violence Researcher | San Francisco   | Urban       | North           | Meetings between counties are needed to establish standards                                                                                                                                                                                            | Services    | Standards        | Family Violence Conference |
| Deputy Probation Officer     | Sacramento      | Urban       | North           | Need to standardize services statewide, then allow for local discretion for some programs                                                                                                                                                              | Services    | Standards        | SCOPO                      |
| Deputy Probation Officer     | Merced          | Suburban    | Central         | No standard of supervision                                                                                                                                                                                                                             | Services    | Standards        | SCOPO                      |
| Deputy Probation Officer     | Humboldt        | Suburban    | North           | Drug Rehab Low success but typical of such programs                                                                                                                                                                                                    | Services    | Substance Abuse  | BTB                        |
| Judge                        | Solano          | Suburban    | North           | Prop 36 will create problems. Create new cases/ We need to consider this                                                                                                                                                                               | Services    | Substance abuse  | CJAC                       |
| Supervisor                   | Ventura         | Urban       | Southern        | Prop 36 impacts: hope will provide infrastructure for prevention                                                                                                                                                                                       | Services    | Substance Abuse  | CSAC                       |
| Chief Probation Officer      | Butte           | Suburban    | North           | Facing landslide of impact on probation services with Prop 36                                                                                                                                                                                          | Services    | Substance Abuse  | Delinquency                |
| Judge                        | Los Angeles     | Urban       | South           | Sees insufficient drug treatment and lack of coordination                                                                                                                                                                                              | Services    | Substance Abuse  | Delinquency                |
| Deputy Probation Officer     | San Luis Obispo | Suburban    | Central         | Every DV offender in the county has a DPO                                                                                                                                                                                                              | Services    | Supervision      | Family Violence Conference |
| Probation Manager            | Santa Barbara   | Suburban    | Central Coastal | When the economy worsens, the first question asked is usually, "which programs are mandated?" <ul style="list-style-type: none"> <li>• Supervision levels are discretionary; supervision gets cut in the budget because it is not mandated.</li> </ul> | Services    | Supervision      | Family Violence Conference |
| Deputy Probation Officer     | San Luis Obispo | Suburban    | Central         | Because of staff shortages, only the most high risk cases can be supervised – others have to be banked.                                                                                                                                                | Services    | Supervision      | Family Violence Conference |
| Judge                        | Los Angeles     | Urban       | South           | Need to develop transition services when kids leave camps that involve parents                                                                                                                                                                         | Services    | Transition       | Delinquency                |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder              | County      | County type | Region   | Comment                                                                                                                                                                                                                                        | Theme/Topic               | Subtopic   | Outreach Event                            |
|--------------------------|-------------|-------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------|-------------------------------------------|
| Public Defender          | Marin       | Suburban    | North    | Need to provide greater assessment in juvenile halls ... not much provided for juveniles in detention (issues of health, education, and mental health); quality of education inadequate -> need to examine application of individualized plans | Services in Juvenile Hall | Assessment | CPDA                                      |
| Deputy Probation Officer | Stanislaus  | Suburban    | North    | Computerized system to check on kids because probation doesn't have access                                                                                                                                                                     | Technology                |            | BTB                                       |
| State CYA                |             |             |          | Need data on treatment needs                                                                                                                                                                                                                   | Technology                |            | BTB                                       |
| Supervisor               | Solano      | Suburban    | Northern | Need to integrate technology; DPO should be able to look in one place for all information related to a family                                                                                                                                  | Technology                |            | CSAC                                      |
| Supervisor               | Solano      | Suburban    | Northern | Would like to see automation and technological innovation – no more writing on 3x5 cards                                                                                                                                                       | Technology                |            | CSAC                                      |
| Deputy Probation Officer | Humboldt    | Suburban    | North    | Juvenile probation, not aligned with law enforcement in same way as happens with adult                                                                                                                                                         | Vision for Probation      |            | BTB                                       |
| Deputy Probation Officer | Humboldt    | Suburban    | North    | Multidisciplinary teams, place in juvenile, maybe not with adult                                                                                                                                                                               | Vision for Probation      |            | BTB                                       |
| Deputy Probation Officer | Stanislaus  | Suburban    | North    | Law enforcement is an issue, but DPO need to enforce orders                                                                                                                                                                                    | Vision for Probation      |            | BTB                                       |
| Judge                    | Santa Clara | Urban       | North    | Losing rehabilitation, becoming law enforcement—tone is enforcement, may be appropriate with adult but not with juvenile                                                                                                                       | Vision for Probation      |            | BTB                                       |
| Judge                    | Santa Clara | Urban       | North    | Hiring DPOs with criminal justice background, rather than social services                                                                                                                                                                      | Vision for Probation      |            | BTB                                       |
| District Attorney        | Riverside   | Urban       | South    | Probation's scope is very large – the community needs to be involved.                                                                                                                                                                          | Vision for Probation      |            | California District Attorneys Association |
| Supervisor               | Madera      | Rural       | Central  | Probation Department based on law enforcement model – shouldn't be.                                                                                                                                                                            | Vision for Probation      |            | CSAC                                      |
| Supervisor               | Madera      | Rural       | Central  | There has recently been a shift in paradigm with the increase in drug courts and the passage of Prop 36 <ul style="list-style-type: none"> <li>▪ Need to expand probation's scope</li> <li>▪ Need to rename probation department?</li> </ul>   | Vision for probation      |            | CSAC                                      |

**Probation Services Task Force**  
**Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder                  | County        | County type | Region        | Comment                                                                                                                                                                                                                                                                      | Theme/Topic          | Subtopic | Outreach Event             |
|------------------------------|---------------|-------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------|----------------------------|
| Chief Probation Officer      | Sacramento    | Urban       | North         | One option is name change for probation to change negative connotation: e.g., "community corrections," but there are other options                                                                                                                                           | Vision for Probation |          | Delinquency                |
| Juvenile Court Judge         | Santa Cruz    | Suburban    | Central Coast | Need to elevate public's perception of probation; now viewed as soft on crime ("Oh, he only got probation")                                                                                                                                                                  | Vision for Probation |          | Delinquency                |
| Domestic Violence Researcher | San Francisco | Urban       | North         | Need community role in criminal justice system                                                                                                                                                                                                                               | Vision for Probation |          | Family Violence Conference |
| Domestic Violence Researcher | San Francisco | Urban       | North         | Probation's scope needs to expand to serve victims and offenders with wraparound services                                                                                                                                                                                    | Vision for Probation |          | Family Violence Conference |
| Domestic Violence Researcher | San Francisco | Urban       | North         | Probation needs to have an interdisciplinary approach                                                                                                                                                                                                                        | Vision for Probation |          | Family Violence Conference |
| Commissioner                 | San Mateo     | Urban       | North         | Legislation has demonized children and the response has been to make probation part of law enforcement                                                                                                                                                                       | Vision for Probation |          | Juvenile Law Subcommittee  |
| Judge                        | Sonoma        | Suburban    | North         | Even where local jurisdiction wants more rehabilitation state moving away from rehabilitation. For example in Sonoma developed plans for juvenile hall – Board of Corrections wants beds only; and took out clinic/treatment areas, etc.                                     | Vision for Probation |          | Juvenile Law Subcommittee  |
| Referee                      | Los Angeles   | Urban       | South         | <ul style="list-style-type: none"> <li>▪ Need to recognize that DPO has to be both law enforcement AND social service, therefore DPO plays dual role.</li> <li>▪ Much like an attorney in the dependency system.</li> <li>▪ Probation needs to work on both roles</li> </ul> | Vision for Probation |          | Juvenile Law Subcommittee  |
| Referee                      | Los Angeles   | Urban       | South         | Goal is rehabilitation - These kids have the same needs as kids in dependency but there is also a community protection component.                                                                                                                                            | Vision for Probation |          | Juvenile Law Subcommittee  |
| Referee                      | Los Angeles   | Urban       | North         | History of probation: 25 years ago dependency was stepchild and now it has switched Probation doesn't have advocate in the system                                                                                                                                            | Vision for Probation |          | Juvenile Law Subcommittee  |
| Deputy Probation Officer     | Fresno        | Suburban    | Central       | Original definition of probation was to help people; now, it is a dumping ground for people who don't go to jail                                                                                                                                                             | Vision for Probation |          | SCOPO                      |

**Probation Services Task Force  
Stakeholder Input: Sorted by Theme/Topic and Subtopic**

| Stakeholder               | County        | County type | Region        | Comment                                                                                                                                                                        | Theme/Topic          | Subtopic | Outreach Event |
|---------------------------|---------------|-------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------|----------------|
| Deputy Probation Officer  | Fresno        | Suburban    | Central       | Can't treat all probationers the same because some are very dangerous – must define who clients are and the role of probation.                                                 | Vision for Probation |          | SCOPO          |
| Deputy Probation Officer  | San Mateo     | Urban       | North         | Originally, probation was able to intervene so people don't commit more crimes; now, POs are cops or social workers – they can't intervene so people don't commit more crimes. | Vision for Probation |          | SCOPO          |
| Deputy Probation Officer  | Fresno        | Suburban    | Central       | Need to define probation's role                                                                                                                                                | Vision for Probation |          | SCOPO          |
| Deputy Probation Officer  | Fresno        | Suburban    | Central       | Probation's role has changed county by county, CPO by CPO, legislative term by legislative term                                                                                | Vision for Probation |          | SCOPO          |
| Deputy Probation Officer  | Merced        | Suburban    | Central       | The public doesn't understand probation's role because it differs so much between counties                                                                                     | Vision for Probation |          | SCOPO          |
| Assistant Court Executive | Los Angeles   | Urban       | South         | Probation is stepchild of criminal justice system. Not sure if situation would change under model where court oversaw probation                                                | Vision of Probation  |          | CJAC           |
| Assistant Court Executive | Los Angeles   | Urban       | South         | Perception is that probation is less; lock 'em up! Public thinks getting probation is getting off. Money would still not flow to probation. It's extremely difficult.          | Vision of Probation  |          | CJAC           |
| Judge                     | Santa Barbara | Suburban    | Central Coast | Need to look at original purpose of probation                                                                                                                                  | Vision of Probation  |          | CJAC           |
| Judge                     | Solano        | Suburban    | North         | Evaluated status of CPO (like that of DA)                                                                                                                                      | Vision of Probation  |          | CJAC           |

# **APPENDIX E**

## **Probationer Roundtable Discussion Summary**

# ADULT PROBATIONER THEMES

## *General Comments*

After visiting a rural northern county, a suburban central county, and an urban southern county, it appears that adult probationers share similar concerns about probation. While no one likes being on probation, most adults have expressed that probation has helped them to solve their problems, especially those that are in specialized treatment programs, such as drug court, substance abuse treatment, and batterers treatment programs. These programs for the most part are intensive (at the beginning of substance abuse treatment the probationer must attend classes and be drug-tested up to three times per week), last from six months to over a year, and provide counseling services. Many adults that were on probation as juveniles reported that probation has improved over the years with regard to the provision of services and their treatment by their probation officer.

A common perception among adults is that probation is a money-making venture for the state, and most probationers think that their fines are very high. The conditions of their probation necessitate their participation in numerous programs, and fines and fees become expensive quickly. Probation should offer more flexible payment plans and reduce finance charges; one probationer reported having to pay a thirty-dollar finance charge on a two hundred dollar fine. Some probationers also feel that they are forced to contribute to funds that are not related to their offense. For example, one adult that committed a victimless crime did not understand why she had to contribute to a victim's fund.

Many probationers feel that probation makes excessive and unrealistic demands – that they are forced to jump through too many hoops. Several probationers have noted the difficulty of juggling all of their terms of probation; they have to either have a full-time job or be a full-time student, go to meetings, treatment, get drug-tested, take care of children, etc. It was suggested that probation should offer child care or child care stipends, as finding child care while at court or in treatment is very difficult and expensive. Generally, probationers think that they are sentenced to excessive amounts of community service. However, there is consensus that probationers feel a greater sense of accomplishment if they are able to participate in building projects or projects that affect their community, rather than activities such as highway or dump clean-up.

Many adults and juveniles are unaware of legal procedures, such as how to petition to remove a felony from their record, and of their conditions of probation, such as whether they have a curfew. They expressed a desire for better access to information about their

case and the law, and felt that their public defenders and probation officers did not do a very good job of explaining their conditions of probation, and offenses for which they could be given a violation.

The difficulty that probationers experience in finding and retaining a job was noted several times. It is difficult to maintain a full-time job when probation demands participation in treatment programs and classes; it was also noted that probation carries a strong stigma with employers. Probation conditions such as travel restrictions and the prohibition of entering establishments that sell liquor have interfered with some probationer's employment, and one adult reported losing several valuable contracts because she would be required to travel outside California. Several adult probationers have mentioned that they wish their probation officer had helped them more to find jobs.

Some probationers feel that the conditions of their probation infringe on the rights of others. For example, one probationer's wife may not drink in their home since the husband is not allowed to have alcohol in the home.

### ***Probation Officers***

While most adult probationers like their probation officers, almost everyone had witnessed or experienced an officer treating someone with a lack of respect and/or abusing his/her power, and many requested that probation officers and department staff (such as receptionists) be given personal skills training. One adult commented that whenever she drops off her monthly check-in report, the receptionist treats her well based on her appearance but then starts to treat her rudely when she realizes that she is on probation.

Many probationers feel that probation needs to establish a means of reporting complaints about a probation officer's inappropriate behavior. When one probationer tried to report a probation officer's rudeness to a child's grandparents to a supervisor, she was denied. When she told her own probation officer about the inappropriate behavior, she perceived that her probation officer was upset, yet accustomed to hearing such reports. By the same token, probationers feel that good probation officers should be recognized and rewarded more often. Probationers are very appreciative of their probation officer's efforts to write letters of recommendation for prospective employers and to get their children back from a spouse or from the Department of Social Services.

Several probationers perceive that the more they improve, the more probation officers punish them for minor violations; they feel that the closer they get to completing their programs or getting off probation, their probation officers find minor reasons to give them violations. Instead, they would like to be rewarded for performing well and to be given more incentives, such as getting their felonies reduced or removed from their records.

They feel that their probation officers should mainly be concerned with major violations of their probation, instead of picking on small errors. Several probationers mentioned the fact that their probation officers sometimes abuse their power by threatening them with incarceration for minor violations; they feel that certain officers like to demonstrate their power over probationers.

While it doesn't bother some probationers that probation officers are armed, others feel that they should not wear their guns in a business setting. The latter group perceives that wearing guns in their offices is an unnecessary reminder of a probation officer's power.

Several probationers commented that probation needs to be more personalized; they don't like being treated like a case number. Probationers often have long lists of conditions, some of which are often not applicable to their offense. For example, several adults mentioned having to attend substance abuse treatment classes such as Narcotics or Alcoholics Anonymous when they did not have a substance abuse problem.

Some probationers have had numerous probation officers; they feel that they have been transferred from officer to officer too much. Others have never met their probation officer or have met him/her only once. Many adults understand that probation officers have enormous caseloads, and they request the addition of more officers so that their probation officers have more time to focus on their individual cases. One probationer commented that his probation officer was unprepared in court and didn't have current information about his case. He felt that his probation officer's mistake was unfairly taken out on him in subsequent unpleasant encounters with the officer, since he perceived that the officer was humiliated when the judge received the correct documents from the probationer himself.

It has been widely observed that the attitude and approach of the individual probation officer is a very important factor in the success of a program and the progress of individual probationers. Many adults and juveniles expressed appreciation for probation officers that make an effort to make a program work for them.

### ***Probation Services***

Successful programs share several components; these programs employ a counseling-based approach, have strong staff support, intensive drug testing, and last from three months to one year. Conversely, ineffective programs employed the use of videos, role-playing, or were lecture-style classes in which probationers did not perceive that the staff were dedicated to helping them.

The majority of probationers expressed that intensive substance abuse treatment programs, including residential treatment centers, were effective at keeping them off drugs. Alcoholics or Narcotics Anonymous programs are seen as effective by some probationers and as ineffective by others. Many adults take advantage of the educational services (GED and college classes) of one substance abuse program, but feel that the program's drug testing schedule is inconvenient. They suggest having extended hours to accommodate people with jobs, having more restrooms by utilizing the staff restroom, or allowing clients to test at alternative locations (such as a police station), as testing can sometimes take several hours if many people are called in for drug tests. Several adults in this program report logistical difficulties in getting to their meetings and classes on time, an offense for which several have been given violations. They feel that their probation officers should be more flexible in this area, since the majority of the adults take public transportation and often live or work far from the meeting location.

In many cases anger management classes were evaluated poorly; they were compared negatively to traffic school and DUI classes. Many probationers reported that the manner in which the classes are conducted is counter-productive; many classes involve role-playing, where participants are given a situation and told to express their anger by shouting. They have expressed that the treatment method is not helpful, since they are trying to control their anger instead of expressing it.

A counseling-based batterers treatment program was perceived as being very helpful and effective; many participants attributed a profound personal change to the class and to the counselor. Most participants felt that the counselor really cares about their progress, and that he is more flexible regarding rescheduling classes than other counselors. The class typically lasts one year, but it can last longer if the counselor doesn't feel that the student's treatment has been successful; the counselor calls the students' partners frequently to ask for updates on their behavior at home. One student was self-referred.

Drug court is very highly regarded, due to the individual efforts of and the effective collaboration between the participants' counselors, probation officers, and the drug court judge. Many participants mentioned that the demeanor of their drug court counselor played a big role in their success in the program, and an effective support structure was identified as being a very important factor in the success of the individuals. Participants were grateful that their charges are pending while they are in drug court, and that they are dismissed upon successful completion of the program. Life skills classes are considered to be helpful in looking for a job, since they include resume-writing and interviewing skills training.

### ***Public Defenders***

There is a general consensus among probationers that public defenders have not been very helpful to them, and that in most cases their public defenders did not explain their probation orders to them well. One probationer misunderstood her orders and felt that she was tricked; she chose to go to jail instead of enrolling in a treatment program because the treatment program lasted longer, but when she was released from jail she discovered that she had to go to the treatment program anyway.

### ***The Courts***

Some probationers feel that the courts are unfair and favor incarceration over treatment. One probationer that could not afford an attorney felt that she was not treated respectfully by the court because she was representing herself. One participant in the batterers treatment program felt that some judges discriminate against men and always rule in favor of women, even if the woman is charged with battering the man.



# JUVENILE PROBATIONER THEMES

## ***General Comments***

Like adult probationers, juveniles in northern rural, central suburban, and southern urban counties share similar concerns about probation, despite location and demographic differences. In all three counties, many more programs and services exist for juveniles than for adults. Several juveniles mentioned that probation is helpful because it deters them from re-offending, and that their probation officers have been helpful in helping them solve their problems. In a day treatment center, the probation officers offer wraparound services and conduct home visits and family counseling sessions to help families work through their problems; the officers that conduct these visits are very well-respected by the children.

Many juveniles report having family members on probation or parole. In one group, four out of five juveniles have family members on probation; one child's father is serving three life sentences in prison, her uncle is also incarcerated, and her brothers are on probation. It is also common for juveniles to have family members or friends in gangs. One juvenile had been given a violation for associating with a gang member, but it was because his cousin, a gang member, was at his family's house for Thanksgiving dinner; he felt that this violation was very unfair.

Overall, juvenile probationers feel that public defenders are not very helpful; one juvenile was told to answer "yes" to the judge's questions even though he didn't understand them. Many juveniles feel that their public defender did not explain their conditions of probation to them well either, and several juveniles were unclear as to whether they have a curfew, what time it is, what type of clothing is prohibited, etc.

Several probationers commented that the police target and hassle minorities for no reason. They report that white officers detain them while walking down the street, and feel that the police looks for excuses to pull over cars with African-Americans or Asian-Americans in them.

## ***Probation Officers***

In most cases, probationers have had a probation officer that was helpful. They understand that probation officers are trying to help them, and appreciate when their probation officer gives them chances to improve instead of incarcerating them right away, and when their probation officer arranges social outings.

Like adult probation, the success of individual programs in having a positive impact on the juvenile is largely dependent on the personalities of the program's staff, and their ability to make a connection with the children. Juveniles give higher evaluations to programs when they feel that the staff really care about them and their families.

However, juveniles identified ways in which they thought their relationship with their probation officer could be improved. Some probationers feel that probation officers engage in favoritism and hold double standards, unfairly punishing certain individuals for certain violations that they overlook with other kids. Many juveniles comment that they would like to be rewarded for completing the often numerous conditions of their probation. Probation officers do not praise them for doing well – they are rewarded by not having to see their probation officer as much.

Like adults, juveniles feel that the closer they get to completing their terms of probation, the harder their probation officer tries to violate them for a minor offense. They would prefer that probation officers focus on major violations instead of punishing them for minor offenses.

Many juveniles have had several probation officers in a short period of time and dislike how often their probation officers change. Many probationers have never met their probation officer or have only met him/her once. Some juveniles in Juvenile Hall do not feel that their “outside” probation officers are helpful; their probation officers frequently do not return their phone calls.

Another common comment was that probation officers often do not provide probationers with sufficient information about their case and do not clearly explain their terms of probation to them. Some juveniles are not sure what they are allowed or not allowed to do, and when asked, several probationers reported that they have not been told by their probation officer where they will be placed after leaving Juvenile Hall.

### ***Probation Services***

In the three counties visited, more services and programs exist for juveniles than for adults. On several occasions, juveniles report that they would like to have more family and one-on-one counseling, field trips, programs for teenagers, and more job/vocational skills training.

One probationer had been on probation in two counties and reported that their probation departments were very different. He feels that some probation departments are much stricter and supervision is more intensive in some counties than in others.

A couple of probationers were enrolled in sex offender classes, and they felt that the class was helpful in teaching about personal boundaries, sexual harassment, and the harm they caused to their victims.

Most juveniles feel that anger management classes are not helpful.

### ***Effective Programs***

While opinions of programs varied based on individual experience, several recurring components were identified as being helpful to juveniles. Again, the personality of the program staff or probation officer plays a large role in the evaluation of that program. Programs that last 90 days or more are described as more effective than short-term programs. Several probationers said that they prefer small classes and programs, and feel that they are more effective for this reason.

One-on-one counseling is helpful, as well as art therapy. Wraparound services are effective at addressing the needs of children and their parents. Juveniles feel that home visits and family counseling by probation officers are helpful and help juveniles work out problems with their parents. Children think highly of programs that collaborate with community-based organizations like the Boys and Girls Club.

Employment programs are very helpful because they help teenagers write resumes, interview, and find a job in an area that interests them. In one program, the probation department finds conditional employment for the juvenile, and they are normally hired by the employer after they have worked there for a trial period and are recommended by their probation officer.

A prevention/intervention program for girls is very well evaluated; girls like vocational and life skills training classes, counseling, and field trips with other girls.

Substance abuse treatment programs such as residential group homes and juvenile drug court are thought of as being very effective. Many juveniles felt that group homes were helpful in that they were taught responsibility and how to get along with their peers. Frequent drug testing is a deterrent to using drugs.

Educational programs that offer incentives like earning more credits to do more work motivate kids to work harder.

Trust-building activities such as the ropes course are well-liked.

### ***Substance Abuse Programs***

Juvenile drug court is very effective at getting kids off drugs. Many juveniles hope to participate in the program. However, it was mentioned that it is very discouraging to have to start the program from the beginning if a participant relapses. Probationers feel that they should be penalized, but should not have all of their good time in the program erased if they relapse; they feel that this penalty is too harsh and makes them feel so far from completing the program that they start using drugs regularly again.

Drug programs that are targeted toward people their own age are more effective. Attending Alcoholics or Narcotics Anonymous with adults is less helpful, because they do not relate as well to older people with substance abuse problems. Residential treatment programs are effective. Allowing the police to give a probationer a breathalyzer test at any time is a good deterrent against drinking.

Some juveniles feel that chemical dependency classes are useful, but others will continue to drink alcohol and use drugs after getting off probation. In boot camp, most kids had used drugs but were not receiving substance abuse treatment classes, even though they exist. Drug videos are ineffective; they are repetitive and boring.

### ***Gang Intervention***

Gang intervention programs are seen as ineffective – many juveniles reported that they will continue to associate with gangs after completing the class, since most of their outside friends belong to gangs.

Probationers in gangs mentioned that it is very difficult to stop associating with gangs if family members belong to the gang, and that it is also difficult to stop associating with past friends, especially if they live in the same neighborhood, attend the same school, etc.

### ***Institutions***

Juveniles feel that they learn to be better criminals in juvenile hall, and that they fight because they are confined with many people in a small space. Probationers feel that they should attend regular high school instead of institutional schools whenever possible, so that they receive positive reinforcement from teachers and are exposed to positive role models; they think that confining many people together that have committed crimes is a bad idea. Juveniles feel that they do not receive sufficient support from teachers in institutions.

Several probationers feel that time served in institutions should count starting at the time of their arrest, and that they should get credit towards their sentence for time served. Juveniles would prefer to be placed on electronic monitoring rather than be in Juvenile Hall.

Juvenile Hall doesn't help people with drug programs; people that have substance abuse problems need to go to a treatment facility and receive services for several months in order to be able to resist drugs. Group substance abuse classes in the hall are boring and ineffective; they consist of watching movies about the dangers of using drugs.

Girls would like to be separated by age in Juvenile Hall like the boys; they feel that having all age groups together causes problems, since younger girls are less mature and often provoke older girls. Girls would also like more sports programs in facilities.

Juvenile Hall needs more life skills classes to ensure that teenagers can get jobs and don't return to the hall. They would also like longer family visits and counseling.

Juveniles feel that staff in the institutions provoke them and engage in favoritism. Probationers also think there is a need for more drug counselors and young probation officers, since they relate to younger people better. They feel that more probation officers in general are needed because their probation officers are overworked; more officers would be helpful since kids wouldn't have to spend as much time in Juvenile Hall waiting for placements.

Medical clinics in institutions are bad; girls must place a sick call and wait until the next day to be treated. Many feel that the clinic staff are unskilled.

In boot camp, juveniles feel that it is unfair to penalize the entire group when one person misbehaves.

### ***Education***

Almost everyone agreed that schoolwork in institutions and in alternative schools is easy, but allows them to catch up. Most facilities and treatment centers offer GED or diploma programs. Almost all juveniles would like to return to regular schools.

In Juvenile Hall, students are graded more on their behavior in class than on the quality of work that they complete. They receive credits based on the number of individual packets of work that they complete. Teachers do little or no instruction, since students are at different grade and skill levels. Many feel that the teacher does not have time or does not care enough to help them individually; others report that help is available, but they are not motivated to ask for it.

Volunteer mentors come to a girls treatment facility and help them with schoolwork; the girls feel that the volunteers are better teachers than the teacher in the facility, whom they describe as being sarcastic and unhelpful.

Most juveniles think that they have been assessed for educational needs.

# **APPENDIX F**

## **Probation Services Task Force Comment Charts for Draft Interim Report and Draft Final Report**

## *Probation Services Task Force Draft Interim Report Comment Chart*

| Full Name                                  | Organization                                      | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Theme / Topic | Agree/Disagree/ No Response Necessary / Phase II Issue                                                                                                  |
|--------------------------------------------|---------------------------------------------------|----------------------|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| Andy Pickett<br>Administrative Analyst     | Sonoma County Administrator's Office              |                      | Blank                  | The relevancy of the comparison between appropriations for probation departments and prisons is not readily obvious to me.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Funding       | Disagree. The task force believes that the comparison between probation and prisons is relevant to equitable resource allocation in the justice system. |
| Andy Pickett<br>Administrative Analyst     | Sonoma County Administrator's Office              |                      | Blank                  | I don't know how accurate it is to characterize offender fees as a "primary funding source." This revenue is quite limited and makes up a small percentage of total revenue, eclipsed by other grants and programs, such as JJCPA.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Funding       | Disagree. Report does not characterize offender fees as a primary funding source.                                                                       |
| Andy Pickett<br>Administrative Analyst     | Sonoma County Administrator's Office              |                      | Blank                  | Without further explanation, I question the conclusion that a caseload with more felonies automatically is characterized as "markedly more violent." Are there crimes classified and/or tried as felonies that were heretofore misdemeanors? Are there any nonviolent felonies?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Probationers  | Agree. Will revise to better characterize probation population.                                                                                         |
| Bob Franklin<br>Executive Director         | State Coalition of Probation Organizations, SCOPO |                      |                        | Page 3 discusses the increase of felons on probation and the marked decrease of misdemeanants. In the early 1990s numerous departments closed their doors to the municipal courts. This action has continued after the consolidation of the courts and is now represented by a total refusal to offer services to misdemeanor cases. This has led directly to the reality of 70% of all probationers being felons. This decision was directly a result of budget restraints and the inability to meet local demands for service. The result relates to the question of whether probation should be offering prevention and intervention to those individuals most likely to gain from our involvement or are we to become an arm of law enforcement through intensive efforts with a population of felons with long-standing criminality? In many cases, our best efforts may be to provide surveillance and to return these individuals to incarceration at the earliest opportunity. This is not to say some may not finally gain insight and make positive change but the probability of this change lessens as criminality matures. | Services      | Agree. Report will be revised to acknowledge reasons why more probationers are felons (e.g., probation use of informal/court).                          |
| John M. Wardell<br>Chief Probation Officer | Nevada County Probation                           |                      | Agree only if modified | The report addresses how the chief probation officer may be appointed and who they will be responsible to. I understand that at the local level counties fiscally support the probation department even though the courts appoint us, and this has been an area of contention. I have always understood that I have two bosses. I believe that the majority of my colleagues do as well. In my case, at the local level I have over the past four years seen a turnover of four new boards of supervisors to no new judges. My point is that politics seem to play less of a role for me being appointed by the judges. If there were a way for county CEO/CAOs to be versed, involved and vested in the operations of a probation department, as the judges are, there would be less resistance for chief probation officers being totally responsible to CEO/CAOs.                                                                                                                                                                                                                                                                    | Governance    | Phase II.                                                                                                                                               |
| J. Steven Worthley<br>Chairman             | Tulare County Board of Supervisors                | X                    | Blank                  | Regarding Principles 1 & 2: We agree with the spirit of the first principle linking authority, responsibility and funding; however, we believe the point should be made more directly. The term "connected" does not clearly convey the necessity of placing authority and responsibility with a single entity. Principle 2 calling for partnerships to administer probation departments would then be in conflict with the first principle. A single entity must be identified to be responsible for probation services. That entity would then be empowered to work collaboratively with the various components of the justice system and the community as a whole to ensure that services are delivered efficiently and effectively.                                                                                                                                                                                                                                                                                                                                                                                                 | Principles    | Phase II.                                                                                                                                               |
| Family & Juvenile Subcommittee             | Judicial Council of California                    | X                    |                        | The readers are unclear as to why Principle 2 rises to the level of a principle. It reads substantially differently from the other principles; the task force might consider removing it. Indeed, Principle 2 reads like a recommendation. The readers recommend that it be dropped.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Principles    | Disagree. Fundamental principles were developed to guide the task force's process.                                                                      |

## *Probation Services Task Force Draft Interim Report* Comment Chart

| Full Name                              | Organization                                       | On Behalf of a Group | Check Box | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Theme / Topic | Agree/Disagree/ No Response Necessary / Phase II Issue                                                                                                                                                                                                                                                                             |
|----------------------------------------|----------------------------------------------------|----------------------|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| J. Steven Worthley<br>Chairman         | Tulare County Board of Supervisors                 | X                    | Blank     | Principle 5 is problematic in that the range of probation services is quite broad, and some services are similar to those provided by other arms of county government. To lock in to a single department concept could preclude future opportunities for innovative programming based on the capacities and needs of individual local jurisdictions. For purposes of future analysis by the task force, the single department concept could be used as a guideline, but we would not want to see it become an absolute requirement.                                                                                                                                    | Principles    | Disagree. The task force developed the five fundamental principles to serve as guiding principles for its work. This principle relates to the need for adult and juvenile probation to be connected and should not be interpreted as a recommendation for the integration of other services (e.g., substance mental health abuse). |
| Jose R. Villarreal<br>Public Defender  | Office of the Public Defender Santa Clara County   |                      |           | Add sixth fundamental principle: "The primary focus of probation departments/agencies at the local level should be to assist the probationer to remain compliant with the terms and conditions of the probation order."                                                                                                                                                                                                                                                                                                                                                                                                                                                | Principles    | Disagree. The five fundamental principles were developed by the task force to serve as guiding principles for its work. The suggestion is directed at probation activities and so could more appropriately be characterized as a recommendation.                                                                                   |
| Trish Clarke<br>Chair                  | CSAC Administration of Justice Policy Committee    | X                    |           | The development of five fundamental principles is, from the county perspective, one of the key accomplishments from the last 18 months. We are convinced that the use of these principles will serve as the appropriate basis for examining the current delivery of probation services and for evaluating various alternative probation system models. Of critical importance is that ongoing discussions and the development of any new governance models for probation continue to be guided by these five principles, especially the important recognition in Principle 1 that responsibility and liability must be connected to appointment and removal authority. | Principles    | Phase II.                                                                                                                                                                                                                                                                                                                          |
| Andy Pickett<br>Administrative Analyst | Sonoma County Administrator's Office               |                      | Blank     | Principle 1 and Principle 2 can be read to be mutually exclusive, and therefore contradictory as guiding principles. If authority and responsibility are connected, how can you also develop partnership to administer the department?                                                                                                                                                                                                                                                                                                                                                                                                                                 | Principles    | Phase II.                                                                                                                                                                                                                                                                                                                          |
| J. Steven Worthley<br>Chairman         | Tulare County Board of Supervisors                 | X                    | Blank     | We agree with the third and fourth principles as written.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Principles    | No response necessary.                                                                                                                                                                                                                                                                                                             |
| Family & Juvenile Subcommittee         | Judicial Council of California                     | X                    |           | On page 49, the task force refers to a minor as a defendant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | General       | Agree. Wording will be revised.                                                                                                                                                                                                                                                                                                    |
| Bob Franklin<br>Executive Director     | State Coalition of Probation Organizations (SCOPO) |                      |           | Page 43 discusses the balance of services. This issue was the subject of both the Governor's Blue Ribbon Commission and the CPPCA presentation, Corrections 2000. Both called for balanced funding, balanced attention and continued review. Neither had the desired impact and the problems continue.                                                                                                                                                                                                                                                                                                                                                                 | Services      | No response necessary.                                                                                                                                                                                                                                                                                                             |

## *Probation Services Task Force Draft Interim Report* Comment Chart

| Full Name                                       | Organization                                      | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Theme / Topic | Agree/Disagree/ No Response Necessary / Phase II Issue |
|-------------------------------------------------|---------------------------------------------------|----------------------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------|
| Gerald L. Gleeson<br>Public Defender            | San Joaquin County Public Defenders Office        |                      | Agree only if modified | Revise recommendation 1 to read: Probation departments must have adequate funding to effectuate rehabilitation and reentry into the community. Rehabilitative efforts should ensure offender accountability.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Funding       | Disagree.                                              |
| Doug Rublaitus<br>Chief Probation Officer       | Alpine County Probation                           |                      | Agree                  | More funding needs to be directed toward early intervention and prevention. This means more <u>real</u> , not superficial, collaboration between agencies is necessary.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Funding       | Phase II.                                              |
| Bob Franklin<br>Executive Director              | State Coalition of Probation Organizations, SCOPO |                      |                        | If less than 30% of a department's funding comes from local general funds we are forced to forever chase dollars over consideration of responding to actual needs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Funding       | No response necessary.                                 |
| Bekki Riggan<br>Principal Management Analyst    | Placer County Executive Office                    |                      | Agree                  | The experiences of Placer County mirror the issues highlighted in the draft <i>Probation Services Task Force Interim Report</i> . Clearly, current funding levels for probation services have not reflected the increases in correctional populations and the resulting increased demand on probation services. This is partly due to the current funding structure based on local government and the collection of offender fees. Although recent years have seen an infusion of state and federal grant funding opportunities, this patchwork method of funding complicates operational management and long-term planning efforts. Until an alternative funding structure is developed, probation will most likely be expected to reallocate existing resources—with limited increases in local contribution—to achieve their objectives. | Funding       | No response necessary.                                 |
| Kimberly Barrett<br>Chief Probation Officer     | San Luis Obispo Probation Dept.                   |                      | Agree                  | Probation clearly needs stable funding.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Funding       | No response necessary.                                 |
| Andy Pickett<br>Administrative Analyst          | Sonoma County Administrator's Office              |                      | Blank                  | Pg. 6 It could be argued that the programs are exemplary BECAUSE of the fiscal and operational challenges, not despite them. These forces could have brought about a balance of funding and efficiency.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Funding       | No response necessary.                                 |
| Doris Foster<br>Assistant Management Consultant | Stanislaus County - Chief Executive Office        |                      | Agree only if modified | Recommendation 1: Probation departments must have stable and adequate funding FROM THE STATE to protect the public and ensure offender accountability and rehabilitation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Funding       | Phase II.                                              |
| Doris Foster<br>Assistant Management Consultant | Stanislaus County - Chief Executive Office        |                      | Agree only if modified | The state should consider funding all probation programs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Funding       | Phase II.                                              |
| Family & Juvenile Subcommittee                  | Judicial Council of California                    | X                    |                        | Recommendation 1: Agree. The system of baseline funding with grant money to supplement for special projects should be preserved. However, the baseline must be adequate.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Funding       | Phase II.                                              |
| Family & Juvenile Subcommittee                  | Judicial Council of California                    | X                    |                        | There are financial implications of many of the recommendations. It may be more powerful to make that explicit, perhaps even writing a recommendation about the inextricable links between the proposed change in governance, other recommendations, and both the source of funding and the increased funding that will be necessary.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Funding       | Phase II.                                              |

## *Probation Services Task Force Draft Interim Report Comment Chart*

| Full Name                                          | Organization                                                                 | On Behalf of a Group | Check Box    | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Theme / Topic | Agree/Disagree/ No Response Necessary / Phase II Issue                                                                                                  |
|----------------------------------------------------|------------------------------------------------------------------------------|----------------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| Stephen Birdlebough                                | Friends Committee on Legislation of California                               |                      | Blank        | Consider refocusing the first recommendation to highlight the value of the services provided by effective probation supervision. Policy makers need to understand that expenditures for probation are designed to increase the number of satisfied victims, as well as the number of former offenders who become productive citizens.                                                                                                                                                                                               | Funding       | Agree. Text explaining context of recommendation will be revised.                                                                                       |
| Stephanie J. Larsen<br>Deputy County Administrator | County of San Joaquin                                                        |                      | Blank        | On Table 9 and in other places in the report, they refer to county funding as "base" funding, which to me implies that we are primarily responsible for funding probation services. I'd prefer wording of a "maintenance of effort" provision. I think the language should be similar to trial court funding's AB 233, where it was clearly stated that the primary funding responsibility was the state's, although counties would pitch in with a maintenance of effort payment.                                                  | Funding       | Disagree. Currently the county is primarily responsible for funding probation. During phase II, explore the task force I alternative funding scenarios. |
| Wendy Watanabe<br>Assistant Division Chief         | Los Angeles County Chief Administrator's Office                              |                      | Agree        | Concur with the draft Probation Services Task Force's Interim Report recommendations with a primary focus on the appropriate need for a stable/increased funding stream which would enable enhanced planning for longer-term service delivery, as probation funding is too often a "patchwork" of support, based in many instances on grant funding.                                                                                                                                                                                | Funding       | No response necessary.                                                                                                                                  |
| Robert G. McAlister<br>Chief Probation Officer     | Mendocino County Probation Department                                        |                      | Blank        | Recommendation 1: Under the current funding, the probation department must rely on grants and allocations to balance the budget. General funds are augmented with TANF, Title IV-E, CPA 2000 (AB 1913), and individual grants, such as the OCJP Juvenile Drug Court Enhanced Supervision Unit. While the courts indicate a lack of rehabilitative programs, the reality is that there is not sufficient funding to develop them locally.                                                                                            | Funding       | Phase II.                                                                                                                                               |
| Ray W. Miller<br>Probation Officer II              | San Bernardino County Probation                                              |                      | Do not agree | Recommendation 1: First, the work has to be defined, and how much it takes to accomplish the task. I have argued that probation should not be tied to the court any more than the DA or PD. The court is not involved with community prevention and does not want to be involved in detention facilities. Principles 2 and 3 say governance should be at the local level. This must be abandoned. For complete comments, see tab 41.                                                                                                | Funding       | Phase II.                                                                                                                                               |
| Mari Beraz<br>County Administrative Officer        | Monterey County Administrator's Office                                       | X                    | Blank        | Monterey County supports the fundamental concepts of recommendations 1 through 7. The county fully supports further review and strategy development in these areas to more specifically define methods, procedures, and needs, and to identify support mechanisms for achieving successful implementation of final recommendations by individual probation departments statewide. It should be noted that final recommendations must be flexible to local circumstances, needs and abilities, as determined by individual counties. | Funding       | No response necessary.                                                                                                                                  |
| Richmond, Harlan, Vinson, Krietich                 | Amador County Superior Court, Board of Supervisors, and Probation Department | X                    | Blank        | Recently, Amador County Superior Court appointed a new chief probation officer. This was done in a completely collaborative manner between the court, the board of supervisors, the juvenile justice commission, and neighboring probation departments. Similar appointment of the chief probation officer by the superior court appears to be appropriate, but a synergistic approach similar to Amador County seems to be in the true spirit of balanced justice.                                                                 | Governance    | Phase II.                                                                                                                                               |
| Bekki Riggan<br>Principal Management Analyst       | Placer County Executive Office                                               |                      | Agree        | Regarding the CPO appointment, evaluation, and removal processes, Placer County is a charter county, and as such supports a collaborative decision-making process between court and county officials.                                                                                                                                                                                                                                                                                                                               | Governance    | No response necessary.                                                                                                                                  |

## *Probation Services Task Force Draft Interim Report* Comment Chart

| Full Name                                             | Organization                                               | On Behalf of a Group | Check Box                    | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Theme / Topic | Agree/Disagree/ No Response Necessary / Phase II Issue |
|-------------------------------------------------------|------------------------------------------------------------|----------------------|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------|
| Fred Agular<br>Chairman                               | San Bernardino<br>County Board of<br>Supervisors           | X                    | Blank                        | As is pointed out in the draft report, the fragmentation of the current probation governance structure leaves boards of supervisors with financial responsibility for probation services although we exercise no formal authority regarding management of this important function. Unlike the current relationship between boards of supervisors and sheriffs/district attorneys (where those independently elected officials are directly responsible to the electorate for effective service delivery), the current probation structure leaves supervisors publicly accountable for actions taken by CPOs who report to officials within a separate branch of government. To remedy this, we urge the task force to address this issue before release of this Interim Report. While there is much to be reviewed over the next 18 months, regarding the overall scope of probation services, the need to address governance issues has taken on greater urgency due to evolving county/court relationships being crafted in response to the trial court reform. Specifically, this board believes that accountability and authority regarding probation operations should reside within a single branch of government. | Governance    | Phase II.                                              |
| Sylvia J.<br>Johnson<br>Chief<br>Probation<br>Officer | Alameda County<br>Probation<br>Department                  |                      | Agree                        | I regret the second study phase and was hopeful for resolution of the reporting authority for CPOs. This needs to be resolved as a step toward stable funding and professional views of the system and probation services.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Governance    | Phase II.                                              |
| J. Warchol<br>Chief<br>Probation<br>Officer           | El Dorado<br>County<br>Probation<br>Department             |                      | Blank                        | I continue to believe that the chief probation officer should remain under the supervision of the court. The relationship established between courts and CPO reinforces the spirit of cooperation and collaboration. As a CPO, being appointed is the "best day on the job." Nobody ever thinks about being terminated. However, that is a reality. If there is a problem with the actual process, then that is what should be addressed. We should focus on being consistent on appointments, evaluation, and removal of a CPO, since that is the real problem. Being under the CAO or committee is a conflict. Under a CAO, a chief probation officer could be terminated for not meeting budget targets or for issues beyond their control. It could create distance between a CPO and the courts. This is not good for probation departments, clients, or the courts.                                                                                                                                                                                                                                                                                                                                                | Governance    | Phase II.                                              |
| Doug Rublaitus<br>Chief<br>Probation<br>Officer       | Alpine County<br>Probation                                 |                      | Agree                        | It is imperative that the judicial and county BOS take an equally active role in the selection and evaluation of the CPO.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Governance    | Phase II.                                              |
| Larry Parish<br>County<br>Executive<br>Officer        | County of<br>Riverside,<br>Executive Office                | X                    | Blank                        | Riverside County supports alignment of the appointing authority of the CPO and the fiscal responsibility for probation services within a single branch of government.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Governance    | Phase II.                                              |
| Gail Steele<br>Supervisor                             | Alameda County<br>Board of<br>Supervisors                  |                      | Blank                        | The chief probation officer for Alameda County is exclusively accountable to one presiding juvenile judge who handles supervision, hiring and firing. This situation has absolutely not worked out. The judges do not administer their responsibilities regarding the CPO and are left without any accountability. I believe the CPO should be under the supervision of the board of supervisors. Alameda County currently hires the public defender and could do the same with the CPO. I truly believe that one judge should not have absolute power when it comes to administering programs of such importance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Governance    | Phase II.                                              |
| Thomas<br>Folena<br>Editor in Chief                   | State Coalition<br>of Probation<br>Organization<br>(SCOPO) |                      | Agree<br>only if<br>modified | I am hopeful that in the future you will be able to establish guidelines for the recruitment and hiring of CPOs. This is an area of major concern with me.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Governance    | Phase II.                                              |

## *Probation Services Task Force Draft Interim Report Comment Chart*

| Full Name                                        | Organization                                    | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Theme / Topic | Agree/Disagree/ No Response Necessary / Phase II Issue                                             |
|--------------------------------------------------|-------------------------------------------------|----------------------|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------------------------------------------------------------------------------------|
|                                                  | San Luis Obispo County Probation                | X                    | Agree                  | Because we write from San Luis Obispo County, we encourage some standardization in the chief probation officer selection and evaluation process. Our department has been through two lengthy investigations in 10 years that resulted in the termination of two separate chiefs, and several other investigations. We understand firsthand how important it is to have a chief that understands and accepts the dual roles of the probation officer, supports the officer safety issues and training, has the ability to effectively lobby for our needs on a local level, and will receive input from their experienced line staff the same way they would their managers.                                                                                                                                                                     | Governance    | Phase II.                                                                                          |
| Wendy Watanabe<br>Assistant<br>Division Chief    | Los Angeles County Chief Administrator's Office |                      | Agree                  | Concur with the draft Probation Services Task Force's Interim Report recommendations with a primary focus on governance issues, where local control is fundamental to developing probation services tailored to the distinct needs of the varied communities served. To this end, the appointment of chief probation officers by local leaders is constituent based, and thus, provides closer accountability than would generally be possible at the state level. Focus and consideration should be given to the unique characteristics and requirements of each county.                                                                                                                                                                                                                                                                       | Governance    | Phase II.                                                                                          |
| John M. Wardell<br>Chief<br>Probation<br>Officer | Nevada County Probation Department              |                      | Agree only if modified | How do facilities fit into the committee's report? Will juvenile facilities remain under the probation department? If so, is there a conflict with the local bench. If they will not, it will be extremely difficult given facilities are so vital to the overall effect of probation services.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Governance    | Phase II.                                                                                          |
| J. Warchol<br>Chief<br>Probation<br>Officer      | El Dorado County Probation Department           |                      | Blank                  | I believe that the supervision of juvenile halls should continue to be under the chief probation officer. To separate this connection would put distance between field supervision officers and the juvenile hall staff in terms of programs and services. Much like it stands in the adult world, adult field supervision probation officers have no input with the programs and services in jail. I fear that juvenile halls would turn into "mini-jails," and rehabilitation/treatment would not be a priority if taken from the supervision of the CPO.                                                                                                                                                                                                                                                                                     | Governance    | Phase II.                                                                                          |
| Alice Vilardi<br>Judge                           | Superior Court of California, County of Alameda |                      | Agree only if modified | The last sentence of the 2nd paragraph could be clarified to identify what aspects of assuming facilities emerged as an obstacle: The assumption of financial responsibility to build and/or maintain? The assumption of legal liability for injuries or losses that occur in or around the facilities? The responsibility for managing, staffing, maintaining, and responding to liability for facilities?                                                                                                                                                                                                                                                                                                                                                                                                                                     | Governance    | Agree. Will revise for clarity.                                                                    |
| Alice Vilardi<br>Judge                           | Superior Court of California, County of Alameda |                      | Agree only if modified | The draft uses the word "liability" in two senses on this page and in other contexts throughout the report. In some sentences, such as in the 2nd paragraph on p. 62, the term means "financial liability." In other contexts, such as in the 4th paragraph of this page, the term appears to mean "legal liability." Adding the modifiers throughout the document where the word liability occurs may be helpful to distinguish between obligations to provide and maintain, on the one hand, and the obligation to respond to lawsuits. The reference to "a court-funded insurance policy" in the 4th may confuse who has legal liability to pay any judgment or settlement filed with how it [they?] finance the legal liability. Because there are so many ways to fund legal liability other than insurance, the clause should be deleted. | Governance    | Agree. Will revise for clarity.                                                                    |
| Ray W. Miller<br>Probation<br>Officer II         | San Bernardino County Probation                 |                      | Do not agree           | Recommendation 2: I have given my critique of the principles and believe they disagree with the spirit of the charge. Principles 2 and 3 restrict open-minded thinking on the organization/funding issues. Regarding the mission statement, I contend you cannot have 59. Otherwise, you can have 59 different organizations. For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Governance    | Phase II.                                                                                          |
| Gerald L. Gleeson<br>Public<br>Defender          | San Joaquin County Public Defenders Office      |                      | Agree only if modified | Omit recommendation 2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Governance    | Disagree. Development of a governance model is necessary for the task force to fulfill its charge. |

## *Probation Services Task Force Draft Interim Report Comment Chart*

| Full Name                                       | Organization                                       | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Theme / Topic | Agree/Disagree/ No Response Necessary / Phase II Issue |
|-------------------------------------------------|----------------------------------------------------|----------------------|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------|
| C. Brent Wallace<br>County Administrator        | County of Tuolumne<br>Administrator's Office       |                      | Agree only if modified | The issue of accountability for the work product of the probation department, more specifically, the chief probation officer, remains open. It appears that Rec. 2 is designed to develop an eventual answer as to whom the probation chief/department will be accountable to, but I read nothing in the report as to a recommendation resolving this issue. In fact, the language appears to be vague. It is recognized that each county has a different model in place as to governance, accountability and structure and that it is virtually impossible to develop a single model that will fit each county. However, the current system of divided responsibility between the court, the board of supervisors and, in some cases, a county administrator is unacceptable. There may need to be multiple models developed, such as those that are available for the provision of Mental Health Services, but the report should come to some conclusions as to recommending models that may be implemented to resolve the accountability concerns. | Governance    | Phase II.                                              |
| Bob Franklin<br>Executive Director              | State Coalition of Probation Organization, (SCOPO) |                      |                        | FUTURE OF PROBATION: the task force did a great job in evaluating the variations of governance. One concern is to guard against any governance placing undue pressure on probation to support law enforcement, prosecution or relief from overcrowding in jails and institutions at the expense of other services. These include the ability of probation to take independent and at times opposing positions especially in areas of investigation, recommendations and needs assessments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Governance    | Phase II.                                              |
| Trish Clarke<br>Chair                           | CSAC Administration of Justice Policy Committee    | X                    |                        | We remain concerned, however, that several fundamental issues in need of resolution remain under consideration — especially in the areas of governance, financing, and core services. In the second phase of the task force, we will be endeavoring to complete the development of a probation model that, among other things, adheres to the principle that responsibility and authority must be connected. In the meantime, county representatives will continue to advocate interim steps to address existing concerns in counties with respect to governance and appointment issues. In our view, the governance issue must be resolved before we can move forward on the other issues identified in Section VI that outlines future steps.                                                                                                                                                                                                                                                                                                       | Governance    | Phase II.                                              |
| Kimberly Barrett<br>Chief Probation Officer     | San Luis Obispo Probation Dept.                    |                      | Agree                  | Probation clearly needs to remain a local executive and judiciary agency.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Governance    | Phase II.                                              |
| Doris Foster<br>Assistant Management Consultant | Stanislaus County - Chief Executive Office         |                      | Agree only if modified | The chief probation officer should be appointed by the board of supervisors if program funding is going to continue to be primarily at the local level.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Governance    | Phase II.                                              |
| Family & Juvenile Subcommittee                  | Judicial Council of California                     | X                    |                        | Recommendation 2: Agree. The treatment of the problem and the recommendation itself are well done and "hit the nail on the head." The task force was wise to state that they need time and further study on the governance matter.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Governance    | Phase II.                                              |
| Family & Juvenile Subcommittee                  | Judicial Council of California                     | X                    |                        | There are interesting issues regarding centralization and governance, beyond the fact that Recommendation 2 must be addressed before Recommendation 9 can be considered. An issue that would arise as this recommendation is implemented is: Would we have a system that allows localities to identify cases for prevention and early intervention that are based in local standards? (E.g., courts may differ in how they view misdemeanor drug possession and those differences may be grounded in legitimate views about the link—in those communities—between that offense, on the one hand, and harm and risk, on the other.)                                                                                                                                                                                                                                                                                                                                                                                                                    | Governance    | Phase II.                                              |
| Bart Bohn<br>County Administrative Officer      | Fresno County                                      |                      | Blank                  | I will continue to closely monitor the progress of the report and continue to support your efforts to solidify and embrace the importance of your work on this most important topic. I am particularly interested in your governance review and recommendation of the selection and appointment of the chief probation officer position. Again, congratulations on an excellent Interim Report and best wishes on your continued effort.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Governance    | No response necessary.                                 |
| Fred Agular<br>Chairman                         | San Bernardino County Board of Supervisors         | X                    | Blank                  | In response to the AOC's call for comments regarding the draft Probation Services Task Force Interim Report, the San Bernardino County Board of Supervisors submits this letter to encourage the task force to fully explore options which unify authority and responsibility for probation management.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Governance    | Phase II.                                              |

## *Probation Services Task Force Draft Interim Report*

### **Comment Chart**

| <b>Full Name</b>                                     | <b>Organization</b>                                     | <b>On Behalf of a Group</b> | <b>Check Box</b> | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Theme / Topic</b> | <b>Agree/Disagree/ No Response Necessary / Phase II Issue</b> |
|------------------------------------------------------|---------------------------------------------------------|-----------------------------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|---------------------------------------------------------------|
| James Rowland<br>Chief<br>Probation<br>Officer       | Napa County<br>Probation<br>Department                  | X                           | Agree            | In regard to the overall concept of developing a statewide probation model, we see considerable promise, especially in view of the incisiveness of these recommendations. There is great potential benefit in establishing working definitions of ourselves and our work, especially vis-à-vis the related agencies with whom we collaborate. Our reservation would be related to how this might affect individual counties' ability to creatively address their specific local issues. We see that this concern has been considered, and look forward to further elucidation.                                                                                                                                                                                                                                                                                                                                                                                                                                         | Governance           | Phase II.                                                     |
| Stephen Birdlebough                                  | Friends<br>Committee on<br>Legislation of<br>California |                             | Blank            | In recommendation 2, avoid any implications that further study will delay immediate progress. The core issues affecting probation services lie in the quality of the relationships that develop between the providers and the clients (both victims and offenders). Therefore, management training, constant feedback from the clients, and constant efforts to facilitate the things that work best are at the core of success. This requires a self-monitoring system that is in constant change as it responds to unexpected demands of the client base. The task force could move quickly to create a high-quality, low-cost, cutting-edge management training and research regime similar to CJER. The most robust probation models will emerge from the voluntary application of best practices by informed professionals. The task force (and its successors) can then describe the models that emerge as a means of educating the Legislature and others.                                                      | Governance           | Phase II.                                                     |
| Robert G. McAlister<br>Chief<br>Probation<br>Officer | Mendocino<br>County<br>Probation<br>Department          |                             | Blank            | I believe that the chief probation officer should be appointed and evaluated by the board of supervisors, with input from the courts regarding the judicial duties of the CPO as one of his functions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Governance           | Phase II.                                                     |
| Robert G. McAlister<br>Chief<br>Probation<br>Officer | Mendocino<br>County<br>Probation<br>Department          |                             | Blank            | Recommendation 2: I concur that further study is needed to develop this model. Until these three issues are resolved, there will not be a uniform method of applying services. In my opinion, it comes down to "the who is holding the purse strings gets to call the dance." Programs can be mandated, but without adequate funding, not implemented. Therefore, either the courts and state should fund and have authority over the probation officer, or the county should be responsible for funding and the appointment and evaluation of the CPO.                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Governance           | Phase II.                                                     |
| Robert G. McAlister<br>Chief<br>Probation<br>Officer | Mendocino<br>County<br>Probation<br>Department          |                             | Blank            | I believe the courts have no interest in the administration or financial issues of the department, but wish to retain full authority over the appointment of the CPO. I believe the Judicial Council, as a whole, in this county does not understand the administrative functions of the CPO, such as budget preparation and maintenance, grant and funding procurement, personnel and disciplinary issues, and the general duties of a chief executive officer. They see the probation officer as an arm of the court, who will provide needed services in a timely and efficient manner, regardless of budgetary or personnel constraints. Although the county administrative office is supportive and helpful in the budget arena, and perhaps sympathetic about the demands made by the courts on the probation officer, its concern is more financial than program oriented. The CAO sees the everyday operations of the department and best understands the executive duties needed to provide the end services. | Governance           |                                                               |
| Penelope Clarke<br>Administrator                     | County of<br>Sacramento<br>Public Protection<br>Agency  | X                           | Blank            | California Probation Model: Recommendation 2 suggests further study into the development of a model that conforms to the tasks force's fundamental principles and addresses the governance, structural, and fiscal concerns facing local probation departments. Generally, Sacramento County is interested in maintaining an integrated justice system with no new mandates to restrict the ability to fund departments appropriately and within local financing capabilities. The past few organizational changes initiated by the state (trial court funding and child support services) have had both positive and negative impacts on the system.                                                                                                                                                                                                                                                                                                                                                                  | Governance           | Phase II.                                                     |
| Penelope Clarke<br>Administrator                     | County of<br>Sacramento<br>Public Protection<br>Agency  | X                           | Blank            | The court model appears to be the least attractive choice because probation services are such an integral part of county functions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Governance           | Phase II.                                                     |

## *Probation Services Task Force Draft Interim Report Comment Chart*

| Full Name                                       | Organization                                      | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Theme / Topic      | Agree/Disagree/ No Response Necessary / Phase II Issue                                                                                                                                                                                                                                   |
|-------------------------------------------------|---------------------------------------------------|----------------------|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Penelope Clarke<br>Administrator                | County of Sacramento<br>Public Protection Agency  | X                    | Blank                  | The local executive model is the preferred model at this time. Sacramento County's Probation Department is structurally linked to many county departments and particularly to the integrated justice system. The local executive model maintains the current structure and provides the flexibility and authority to determine program levels within available financing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Governance         | Phase II.                                                                                                                                                                                                                                                                                |
| Penelope Clarke<br>Administrator                | County of Sacramento<br>Public Protection Agency  | X                    | Blank                  | The state model appears to be similar to the child support services model. The county has had a positive experience developing this model, making it an acceptable alternative. The structure allows for state regulations accompanied with state financing while allowing the department to maintain its integrated county functions. If this were chosen as the California Probation Model it would be important to include all current operating costs when establishing the MOE and all future costs should be state financed.                                                                                                                                                                                                                                                                                                                    | Governance         | Phase II.                                                                                                                                                                                                                                                                                |
| Mari Beraz<br>County Administrative Officer     | Monterey County<br>Administrator's Office         | X                    | Blank                  | Monterey County supports the fundamental concepts of recommendations 1 through 7. The county fully supports further review and strategy development in these areas to more specifically define methods, procedures, and needs, and to identify support mechanisms for achieving successful implementation of final recommendations by individual probation departments statewide. It should be noted that final recommendations must be flexible to local circumstances, needs and abilities, as determined by individual counties.                                                                                                                                                                                                                                                                                                                   | Governance         | Phase II.                                                                                                                                                                                                                                                                                |
| Dario L. Marengo<br>Board Member                | San Joaquin County Board of Supervisors           |                      |                        | The concern in our county about the probation department is that it actually has been placed in a difficult position by the state. The probation department in San Joaquin County works under the direction of the courts, but it is not funded by the courts' budget. The courts appoint and supervise the chief probation officer and the probation staff. However, the probation department is funded under the county's, not the court's, budget. This has placed the probation dept. in an awkward situation and is causing a widening rift within the county. Obviously, this is not a good situation. The probation department should work under, and be funded by, the same entity: either the courts or the county. The current splitting of jurisdiction and funding should be addressed and resolved at some point as this report evolves. | Governance         | Phase II.                                                                                                                                                                                                                                                                                |
| Michael F. Brown<br>County Administrator        | County of Santa Barbara<br>Administrator's Office |                      | Do not agree           | Since the board of supervisors has to fund probation they should have the authority to control the department, hire and fire the chief. If the judiciary wants to control it, it should be in the state judiciary budget. The current system violates the separation of powers of doctrine and subverts accountability. The judges pressure the board of supervisors to increase the probation budget but are not accountable to the voters for the taxes.                                                                                                                                                                                                                                                                                                                                                                                            | Governance         | Phase II.                                                                                                                                                                                                                                                                                |
| Gerald L. Gleeson<br>Public Defender            | San Joaquin County Public Defenders Office        |                      | Agree only if modified | Omit recommendation 3.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Mission statements | Disagree. The task force believes the recommendation is necessary to improve probation services.                                                                                                                                                                                         |
| Stephen Heggen<br>Supervising Probation Officer | El Dorado County Probation                        |                      | Do not agree           | A mission statement defines the purpose of the organization. Goals and objectives define the plan to fulfill the purpose of the organization. Goals and objectives define the plan to fulfill the mission. Goals and objectives (measurable, attainable and all that management 101 stuff), should be modified in a planned and consistent manner and are best served in the form of a living document. An annual review is not sufficient to serve that purpose. The mission statement would usually not change for a period of three to five years and then only minor changes to refocus the organization. Mission statement (purpose of organization) is a separate document from plans to fulfill mission (goals and objectives). One cannot exist without the other, but they each serve a different purpose.                                   | Mission statements | Agree. The task force is recommending the development of mission statements to last for more than one year, with annual review to ensure that the department is meeting the mission; the task force is not suggesting annual revision. The report will be revised to clarify this point. |

## Probation Services Task Force Draft Interim Report Comment Chart

| Full Name                                            | Organization                                  | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Theme / Topic        | Agree/Disagree/ No Response Necessary / Phase II Issue                                                                                                                                                                                                                                          |
|------------------------------------------------------|-----------------------------------------------|----------------------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bekki Riggan<br>Principal<br>Management<br>Analyst   | Placer County<br>Executive Office             |                      | Agree                  | In encouraging the development and implementation of results-based planning that establishes goals, standards and outcome measures, Recommendations 3–6 are among the most significant from a county management perspective. Allocating scarce resources among competing needs at the local level requires outcome-based information regarding programs and approaches proven to be the most effective with offender populations. In addition, this type of data will help strengthen the collaborative partnerships among the local stakeholders such as the courts, law enforcement, prosecution and defense attorneys, and service providers who collectively see to the local administration of justice. Placer County is currently practicing a number of the approaches discussed in Recommendation 17, which calls for a balanced approach to probation blending offender accountability, victim restoration, competency development, and community collaboration. | Mission statements   | No response necessary.                                                                                                                                                                                                                                                                          |
| Family & Juvenile Subcommittee                       | Judicial Council of California                | X                    |                        | Recommendation 3: Agree. The mission statement ought to be publicly available since probation is a public institution. It's hard to imagine 58 unique mission statements; common goals can be articulated with direction from the state.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Mission statements   | No response necessary.                                                                                                                                                                                                                                                                          |
| Family & Juvenile Subcommittee                       | Judicial Council of California                | X                    |                        | Consider the possibility of merging Recommendations 3 and 4.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mission statements   | Disagree. Mission statements and goals and objectives, although related, are not necessarily connected.                                                                                                                                                                                         |
| Robert G. McAlister<br>Chief<br>Probation<br>Officer | Mendocino County<br>Probation<br>Department   |                      | Blank                  | Recommendation 3: We have done that and will continue to do so. The mission statement and goals are reviewed each year in conjunction with budget preparation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Mission statements   | No response necessary.                                                                                                                                                                                                                                                                          |
| Ray W. Miller<br>Probation<br>Officer II             | San Bernardino County<br>Probation            |                      | Do not agree           | Recommendation 3: Yes they should! Who will hold the CPO's accountable? I have given my argument against 59 mission statements. One mission statement that clearly defines probation's role can include a phrase that gives local flexibility. For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Mission statements   | Agree. During phase II, CPOC will develop a mission statement to replace the one developed in 1980; however, the task force believes that each probation department should also independently develop a mission statement taking into account local considerations for use in its jurisdiction. |
| Mari Beraz<br>County<br>Administrative<br>Officer    | Monterey County<br>Administrator's<br>Office  | X                    | Blank                  | Monterey County supports the fundamental concepts of recommendations 1 through 7. The county fully supports further review and strategy development in these areas to more specifically define methods, procedures, and needs, and to identify support mechanisms for achieving successful implementation of final recommendations by individual probation departments statewide. It should be noted that final recommendations must be flexible to local circumstances, needs and abilities, as determined by individual counties.                                                                                                                                                                                                                                                                                                                                                                                                                                       | Mission statements   | No response necessary.                                                                                                                                                                                                                                                                          |
| Gerald L. Gleeson<br>Public<br>Defender              | San Joaquin County Public<br>Defenders Office |                      | Agree only if modified | Omit recommendation 4.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Goals and objectives | Disagree. The task force believes the recommendation is necessary to improve probation services.                                                                                                                                                                                                |

## *Probation Services Task Force Draft Interim Report Comment Chart*

| Full Name                                       | Organization                                    | On Behalf of a Group | Check Box    | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Theme / Topic        | Agree/Disagree/No Response Necessary / Phase II Issue                                                                                                                                                                                                                                    |
|-------------------------------------------------|-------------------------------------------------|----------------------|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Stephen Heggen<br>Supervising Probation Officer | El Dorado County Probation                      |                      | Do not agree | A mission statement defines the purpose of the organization. Goals and objectives define the plan to fulfill the purpose of the organization. Goals and objectives define the plan to fulfill the mission. Goals and objectives (measurable, attainable and all that management 101 stuff) should be modified in a planned and consistent manner and are best served in the form of a living document. An annual review is not sufficient to serve that purpose. The mission statement would usually not change for a period of three to five years and then only minor changes to refocus the organization. Mission statement (purpose of organization) is a separate document from plans to fulfill mission (goals and objectives). One cannot exist without the other, but they each serve a different purpose.                                                                                                                                                        | Goals and objectives | Agree. The task force is recommending the development of mission statements to last for more than one year, with annual review to ensure that the department is meeting the mission; the task force is not suggesting annual revision. The report will be revised to clarify this point. |
| Larry Parish<br>County Executive Officer        | County of Riverside, Executive Office           | X                    | Blank        | Riverside County supports measurable outcomes based on a uniform definition of probation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Goals and objectives | No response necessary.                                                                                                                                                                                                                                                                   |
| Bekki Riggan<br>Principal Management Analyst    | Placer County Executive Office                  |                      | Agree        | In encouraging the development and implementation of results-based planning that establishes goals, standards and outcome measures, Recommendations 3-6 are among the most significant from a county management perspective. Allocating scarce resources among competing needs at the local level requires outcome-based information regarding programs and approaches proven to be the most effective with offender populations. In addition, this type of data will help strengthen the collaborative partnerships among the local stakeholders such as the courts, law enforcement, prosecution and defense attorneys, and service providers who collectively see to the local administration of justice. Placer County is currently practicing a number of the approaches discussed in Recommendation 17, which calls for a balanced approach to probation blending offender accountability, victim restoration, competency development, and community collaboration. | Goals and objectives | No response necessary.                                                                                                                                                                                                                                                                   |
| Family & Juvenile Subcommittee                  | Judicial Council of California                  | X                    |              | Recommendation 4: Agree. Once the governance issue (Rec. 2) is solved, the development of measurable outcomes can proceed. There will be a link between funding and oversight; only then does it become reasonable to hold departments accountable to outcomes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Goals and objectives | No response necessary.                                                                                                                                                                                                                                                                   |
| Family & Juvenile Subcommittee                  | Judicial Council of California                  | X                    |              | Recommendations 4 through 7 are all about the ingredients needed to develop a case management system; they could all be reframed with that overarching goal in mind. (They could even be merged into one recommendation.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Goals and objectives | Disagree. The task force believes the recommendation is necessary to improve probation services.                                                                                                                                                                                         |
| Family & Juvenile Subcommittee                  | Judicial Council of California                  | X                    |              | Consider the possibility of merging Recommendations 3 and 4.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Goals and objectives | Disagree. Mission statements and goals and objectives, although related, are not necessarily connected.                                                                                                                                                                                  |
| Stephen Birdlebough                             | Friends Committee on Legislation of California  |                      | Blank        | In recommendation 4, note that outcomes can be measured by the educational progress, relationship formation, leadership roles, and the taxable income generated by probationers over an extended period of time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Goals and objectives | Agree. Will revise text to include examples of outcome measures.                                                                                                                                                                                                                         |
| Wendy Watanabe<br>Assistant Division Chief      | Los Angeles County Chief Administrator's Office |                      | Agree        | Concur with the draft Probation Services Task Force's Interim Report recommendations with a primary focus on: the need for incorporating measurable outcomes, through the continue commitment to an ongoing outcome measurement program which serves in the evaluation of service effectiveness, and supports expansion or alteration of programs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Goals and objectives | No response necessary.                                                                                                                                                                                                                                                                   |

## Probation Services Task Force Draft Interim Report Comment Chart

| Full Name                                            | Organization                                     | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Theme / Topic        | Agree/Disagree/ No Response Necessary / Phase II Issue                                           |
|------------------------------------------------------|--------------------------------------------------|----------------------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|--------------------------------------------------------------------------------------------------|
| Robert G. McAlister<br>Chief<br>Probation<br>Officer | Mendocino<br>County<br>Probation<br>Department   |                      | Blank                  | Recommendation 4: Many of the grants we receive require measurable outcomes. I apply these outcomes to other programs within the department and to the department as a whole.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Goals and objectives | No response necessary.                                                                           |
| Ray W. Miller<br>Probation<br>Officer II             | San Bernardino<br>County<br>Probation            |                      | Do not agree           | Recommendation 4: This is the control function that should be centralized in order for accountability. Control is the last phase, and will be implemented by management. For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Goals and objectives | No response necessary.                                                                           |
| Mari Beraz<br>County<br>Administrative<br>Officer    | Monterey<br>County<br>Administrator's<br>Office  | X                    | Blank                  | Monterey County supports the fundamental concepts of recommendations 1 through 7. The county fully supports further review and strategy development in these areas to more specifically define methods, procedures, and needs, and to identify support mechanisms for achieving successful implementation of final recommendations by individual probation departments statewide. It should be noted that final recommendations must be flexible to local circumstances, needs and abilities, as determined by individual counties.                                                                                                                                                                                                                                                                                                                                                                                                                                       | Goals and objectives | No response necessary.                                                                           |
| Gerald L. Gleeson<br>Public<br>Defender              | San Joaquin<br>County Public<br>Defenders Office |                      | Agree only if modified | Omit recommendation 5.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Communication        | Disagree. The task force believes the recommendation is necessary to improve probation services. |
| Bekki Riggan<br>Principal<br>Management<br>Analyst   | Placer County<br>Executive Office                |                      | Agree                  | In encouraging the development and implementation of results-based planning that establishes goals, standards and outcome measures, Recommendations 3–6 are among the most significant from a county management perspective. Allocating scarce resources among competing needs at the local level requires outcome-based information regarding programs and approaches proven to be the most effective with offender populations. In addition, this type of data will help strengthen the collaborative partnerships among the local stakeholders such as the courts, law enforcement, prosecution and defense attorneys, and service providers who collectively see to the local administration of justice. Placer County is currently practicing a number of the approaches discussed in Recommendation 17, which calls for a balanced approach to probation blending offender accountability, victim restoration, competency development, and community collaboration. | Communication        | No response necessary.                                                                           |
| Ray W. Miller<br>Probation<br>Officer II             | San Bernardino<br>County<br>Probation            |                      | Do not agree           | Recommendation 5: I have seen the word <i>statewide</i> throughout the report. This trend has led me to view probation as a state function. If so, why do we say "administered" at the "local level?" That is why I hope you mean "managed" or "executed" at the local level. For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Communication        | No response necessary.                                                                           |
| Mari Beraz<br>County<br>Administrative<br>Officer    | Monterey<br>County<br>Administrator's<br>Office  | X                    | Blank                  | Monterey County supports the fundamental concepts of recommendations 1 through 7. The county fully supports further review and strategy development in these areas to more specifically define methods, procedures, and needs, and to identify support mechanisms for achieving successful implementation of final recommendations by individual probation departments statewide. It should be noted that final recommendations must be flexible to local circumstances, needs and abilities, as determined by individual counties.                                                                                                                                                                                                                                                                                                                                                                                                                                       | Communication        | No response necessary.                                                                           |
| Family &<br>Juvenile<br>Subcommittee                 | Judicial Council<br>of California                | X                    |                        | Recommendation 5: Agree. Again, a system where commonality is mandated is not feasible until change in governance is achieved. (Funding is the principal tool of control.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Language             | No response necessary.                                                                           |
| Family &<br>Juvenile<br>Subcommittee                 | Judicial Council<br>of California                | X                    |                        | Recommendations 4 through 7 are all about the ingredients needed to develop a case management system; they could all be reframed with that overarching goal in mind. (They could even be merged into one recommendation.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Language             | Disagree. The task force believes the recommendation is necessary to improve probation services. |

## Probation Services Task Force Draft Interim Report Comment Chart

| Full Name                                       | Organization                                                                 | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Theme / Topic | Agree/Disagree/ No Response Necessary / Phase II Issue                                           |
|-------------------------------------------------|------------------------------------------------------------------------------|----------------------|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------------------------------------------------|
| James Rowland<br>Chief Probation Officer        | Napa County Probation Department                                             | X                    | Agree                  | The development of a common statewide language has potentially great benefit in facilitating improved communication and information sharing among counties, but may limit individual counties of varying sizes and demographics from tailoring individualized solutions to their own needs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Language      | No response necessary.                                                                           |
| Richmond, Harlan, Vinson, Kriletich             | Amador County Superior Court, Board of Supervisors, and Probation Department | X                    | Blank                  | Recommendation 5 discusses a common language for probation statewide. This may be appropriate in most cases; however, the diversity of California may hamper a language that will be appropriate in all jurisdictions. An example of the diversity of California is the vast difference between what may be important to stakeholders in Los Angeles compared to stakeholders in Alpine County.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Language      | Phase II.                                                                                        |
| Stephen Birdlebough                             | Friends Committee on Legislation of California                               |                      | Blank                  | Communication, identification, and human interaction technologies are developing at rates that are likely to strongly challenge traditional probation processes. The report would do well to acknowledge some of these factors. Hopefully, the task force is well on its way to address them.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Language      | Phase II.                                                                                        |
| Robert G. McAlister<br>Chief Probation Officer  | Mendocino County Probation Department                                        |                      | Blank                  | Recommendation 5: I agree that a problem exists in this area. What we called "supervising probation officers" until recently were called "division directors or managers" in larger counties. Programs of the same ilk are called many different things. This is a task for the Assistant Probations Association that should be assigned by CPOC.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Language      | Phase II.                                                                                        |
| Gerald L. Gleeson<br>Public Defender            | San Joaquin County Public Defenders Office                                   |                      | Agree only if modified | Omit recommendation 6.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Technology    | Disagree. The task force believes the recommendation is necessary to improve probation services. |
| Bekki Riggan<br>Principal Management Analyst    | Placer County Executive Office                                               |                      | Agree                  | In encouraging the development and implementation of results-based planning that establishes goals, standards and outcome measures, Recommendations 3–6 are among the most significant from a county management perspective. Allocating scarce resources among competing needs at the local level requires outcome- based information regarding programs and approaches proven to be the most effective with offender populations. In addition, this type of data will help strengthen the collaborative partnerships among the local stakeholders such as the courts, law enforcement, prosecution and defense attorneys, and service providers who collectively see to the local administration of justice. Placer County is currently practicing a number of the approaches discussed in Recommendation 17, which calls for a balanced approach to probation blending offender accountability, victim restoration, competency development, and community collaboration. | Technology    | No response necessary.                                                                           |
| Kimberly Barrett<br>Chief Probation Officer     | San Luis Obispo Probation Dept.                                              |                      | Agree                  | Probation desperately needs technology to measure what we do so well!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Technology    | No response necessary.                                                                           |
| Doris Foster<br>Assistant Management Consultant | Stanislaus County - Chief Executive Office                                   |                      | Agree only if modified | Recommendation 6: Probation technology resources should be reconfigured and augmented BY THE STATE OF CALIFORNIA to enhance statewide communication and improve operational systems, resource allocation, and capacity for evaluation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Technology    | Phase II.                                                                                        |
| Family & Juvenile Subcommittee                  | Judicial Council of California                                               | X                    |                        | Recommendation 6: Agree. Linked technology systems are especially important in the juvenile arena where very often information from other counties takes too long to arrive at the new court. The governance issue is raised again: There will be no uniformity so long as individual boards of supervisors have to decide to each fund their piece of a new technology.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Technology    | No response necessary.                                                                           |

## Probation Services Task Force Draft Interim Report Comment Chart

| Full Name                                      | Organization                                       | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Theme / Topic   | Agree/Disagree/ No Response Necessary / Phase II Issue                                           |
|------------------------------------------------|----------------------------------------------------|----------------------|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|--------------------------------------------------------------------------------------------------|
| Family & Juvenile Subcommittee                 | Judicial Council of California                     | X                    |                        | Recommendations 4 through 7 are all about the ingredients needed to develop a case management system; they could all be reframed with that overarching goal in mind. (They could even be merged into one recommendation.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Technology      | Disagree. The task force believes the recommendation is necessary to improve probation services. |
| Robert G. McAlister<br>Chief Probation Officer | Mendocino County Probation Department              |                      | Blank                  | Recommendation 6: I agree. There are statewide systems for collecting specific data on both juveniles and adults, but no one county system is linked to another. The ability to access and share information would greatly enhance our function as peace officers, and give us the ability to monitor cases throughout the state. At the moment we have an information management system that links the local justice system components (Jalan) but does not interface with municipalities or other non-justice agencies. One of my goals for the Juvenile Assessment Center is the capability to access and share information with other agencies with a need to know, such as Mental Health, Social Services, and the schools. | Technology      | No response necessary.                                                                           |
| Ray W. Miller<br>Probation Officer II          | San Bernardino County Probation                    |                      | Do not agree           | Recommendation 6: This appears to be a central function. Otherwise, no one has any responsibility to do anything with this information. Who would do the evaluation? Who would take or be obligated to take corrective action? For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Technology      | No response necessary.                                                                           |
| Penelope Clarke<br>Administrator               | County of Sacramento Public Protection Agency      | X                    | Blank                  | Technology Standards: Recommendation 6 suggests a reconfiguration and augmentation to enhance statewide communication and improve operational systems, resource allocation, and capacity for evaluation. The county agrees with the need as long as there is no negative impact to the county's ability to share information. Each component of the justice system requires information that should be centrally available.                                                                                                                                                                                                                                                                                                      | Technology      | Phase II.                                                                                        |
| Mari Beraz<br>County Administrative Officer    | Monterey County Administrator's Office             | X                    | Blank                  | Monterey County supports the fundamental concepts of recommendations 1 through 7. The county fully supports further review and strategy development in these areas to more specifically define methods, procedures, and needs, and to identify support mechanisms for achieving successful implementation of final recommendations by individual probation departments statewide. It should be noted that final recommendations must be flexible to local circumstances, needs and abilities, as determined by individual counties.                                                                                                                                                                                              | Technology      | No response necessary.                                                                           |
| Bob Franklin<br>Executive Director             | State Coalition of Probation Organizations (SCOPO) |                      |                        | The issues of intake and exit assessments are a very good recommendation and practice. As a past supervisor of a drug court unit, these instruments were vital in evaluating need, change and program viability. Likewise, educational/cognitive needs and tools are an important consideration for any individual involvement and growth.                                                                                                                                                                                                                                                                                                                                                                                       | Case management | No response necessary.                                                                           |
| Bob Franklin<br>Executive Director             | State Coalition of Probation Organizations (SCOPO) |                      |                        | In order to incorporate a legitimate intake and outcome assessment program, an intensive training program through the board of corrections (STC) with honest local involvement and support is vital.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Case management | Phase II.                                                                                        |
| Gerald L. Gleeson<br>Public Defender           | San Joaquin County Public Defenders Office         |                      | Agree only if modified | Omit recommendation 7.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Case management | Disagree. The task force believes the recommendation is necessary to improve probation services. |
| Family & Juvenile Subcommittee                 | Judicial Council of California                     | X                    |                        | Recommendation 7: Agree. Particularly if Recommendation 6 is achieved, the use of assessment and classification for case management becomes feasible. Some counties already do this, but the information is not shared.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Case management | No response necessary.                                                                           |
| Family & Juvenile Subcommittee                 | Judicial Council of California                     | X                    |                        | Recommendations 4 through 7 are all about the ingredients needed to develop a case management system; they could all be reframed with that overarching goal in mind. (They could even be merged into one recommendation.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Case management | Disagree. The task force believes the recommendation is necessary to improve probation services. |

## *Probation Services Task Force Draft Interim Report* **Comment Chart**

| <b>Full Name</b>                                | <b>Organization</b>                            | <b>On Behalf of a Group</b> | <b>Check Box</b>       | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Theme / Topic</b> | <b>Agree/Disagree/ No Response Necessary / Phase II Issue</b>                               |
|-------------------------------------------------|------------------------------------------------|-----------------------------|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|---------------------------------------------------------------------------------------------|
| Robert G. McAlister<br>Chief Probation Officer  | Mendocino County Probation Department          |                             | Blank                  | Recommendation 7: We have used the NIC (Wisconsin) model of assessment and classification for the past twenty years. We are looking into a new assessment tool called the LSI, which has been studied by San Diego County and found to be an effective tool. As the report indicates, a standardized tool should be applied statewide.                                                                                                                                                                                                   | Case management      | No response necessary.                                                                      |
| Ray W. Miller<br>Probation Officer II           | San Bernardino County Probation                |                             | Do not agree           | Recommendation 7: 59 different ways or one way? I am aware of a department that has assessment tools, but they are not used for effective case management. Where is accountability? For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                                   | Case management      | No response necessary.                                                                      |
| Mari Beraz<br>County Administrative Officer     | Monterey County Administrator's Office         | X                           | Blank                  | Monterey County supports the fundamental concepts of recommendations 1 through 7. The county fully supports further review and strategy development in these areas to more specifically define methods, procedures, and needs, and to identify support mechanisms for achieving successful implementation of final recommendations by individual probation departments statewide. It should be noted that final recommendations must be flexible to local circumstances, needs and abilities, as determined by individual counties.      | Case management      | No response necessary.                                                                      |
| Gerald L. Gleason<br>Public Defender            | San Joaquin County Public Defenders Office     |                             | Agree only if modified | Revise recommendation 8 to read: Probation departments should be reconfigured to supply services to offender and extended families through a variety of sources and agencies. The collaborations should include alcohol and drug rehabilitation, mental health, job training, counseling, housing, etc.                                                                                                                                                                                                                                  | Services             | Disagree. Too specific; rehabilitation and accountability must both be part of a continuum. |
| Andy Pickett<br>Administrative Analyst          | Sonoma County Administrator's Office           |                             | Blank                  | Wouldn't recommendation 8 put probation in a position of doing what the bench should be doing?                                                                                                                                                                                                                                                                                                                                                                                                                                           | Services             | Disagree. Probation has responsibility for probationers under its jurisdiction.             |
| Family & Juvenile Subcommittee                  | Judicial Council of California                 | X                           |                        | Recommendation 8: Agree. This presupposes recommendation 7.                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Services             | No response necessary.                                                                      |
| Stephen Birdlebough                             | Friends Committee on Legislation of California |                             | Blank                  | The report fails to emphasize the importance of multilingual competence, cultural sensitivity, or community involvement in setting goals. All public agencies have trouble remaining current with shifts in ethnic and cultural currents in the population. It is of particular importance that probation services elevate this issue to a high priority.                                                                                                                                                                                | Services             | No response necessary.                                                                      |
| Robert G. McAlister<br>Chief Probation Officer  | Mendocino County Probation Department          |                             | Blank                  | Recommendation 8: We employ a graduated continuum of sanctions in the adult courts and supervision unit. From Prop 36 to Adult Drug Court to formal probation is the current example for drug offenders. However, without the concurrence of the court, which makes the final decision in any case, graduated sanctions are often ignored to address the magnitude of the offense, rather than the offender's needs. It is the role of the probation officer to notify the courts of the available sanctions and to encourage their use. | Services             | No response necessary.                                                                      |
| Ray W. Miller<br>Probation Officer II           | San Bernardino County Probation                |                             | Do not agree           | Recommendation 8: What would the extremes of the continuum be? Bank supervision at one end and incarceration at the other? Are we talking about the amount of supervision? Or are we talking about something else? These need to be defined. For complete comments, see tab 41.                                                                                                                                                                                                                                                          | Services             | No response necessary.                                                                      |
| Stephen Heggen<br>Supervising Probation Officer | El Dorado County Probation                     |                             | Do not agree           | Probation services focuses on juvenile services because they are mandated by statute. The Welfare and Institutions Code is much more specific about juvenile probation and services than is the Penal Code for comparable adult services.                                                                                                                                                                                                                                                                                                | Services             | Agree. Will revise text.                                                                    |

## *Probation Services Task Force Draft Interim Report* Comment Chart

| Full Name                                      | Organization                                       | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Theme / Topic                     | Agree/Disagree/ No Response Necessary / Phase II Issue                                                     |
|------------------------------------------------|----------------------------------------------------|----------------------|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|------------------------------------------------------------------------------------------------------------|
| Phil Erdman<br>President                       | State Coalition of Probation Organizations (SCOPO) |                      | Agree only if modified | I am much in defense of probation's role. In some of the findings, the report emphasizes the need for probation departments/officers to be more knowledgeable, be more active, become more involved, and take on more responsibilities. Then, in other findings, the report stresses that probation departments/officers have overextended caseloads, lack personnel to carry out court-ordered mandates, and are stretched to the limit because of the lack of stable and adequate funding. These "findings" have resulted in the report producing conflicting recommendations. It can't be both ways.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Services                          | Disagree. Report seeks to explain the current situation while recommending future changes for improvement. |
| Bruce West<br>Deputy Probation Officer         | San Luis Obispo County Probation Department        |                      | Blank                  | Concerns include: The urgent need to standardize funding and services across the state to prevent the all-too-common practice of "jurisdiction shopping" by convicted felons looking for a location where they can avoid supervision by moving to a county that is unable to accept or supervise out-of-county cases.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Services                          | Phase II.                                                                                                  |
| Robert G. McAlister<br>Chief Probation Officer | Mendocino County Probation Department              |                      | Blank                  | In terms of service delivery, the task force report is quite accurate. Probation services should be administered at the local level, and standards and measurable outcomes are imperative. Recruiting and retention, training, salary and benefits (including safety retirement), and officer safety are all issues that have been studied and addressed since I became chief. The effects of mounting caseloads and workloads, recognition in the community, and the role of the probation officer in law enforcement and public safety are currently being addressed throughout the state by the Chief Probation Officers of California Association (CPOC). I am pleased to see how our department is being recognized locally by schools, law enforcement officials, and other agencies as a leader in collaboration and public involvement. The new Juvenile Assessment Center is an excellent example of how the community is coming together to identify youth at risk of entering the juvenile justice system and interceding well before they are labeled as delinquents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Services                          | No response necessary.                                                                                     |
| Mari Beraz<br>County Administrative Officer    | Monterey County Administrator's Office             | X                    | Blank                  | The fundamental principles of recommendations 8 and 9 appear sound, and Monterey County probation attempts to provide services in this manner where circumstances allow. Further definition, scope, and clarification of authority and responsibility, however, are needed before the county can agree or disagree with formal adoption of these recommendations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Services                          | No response necessary.                                                                                     |
| Bob Franklin<br>Executive Director             | State Coalition of Probation Organizations (SCOPO) |                      |                        | On Pages 7, 9 and 41 reference is made to probation departments concentrating efforts on juvenile probation services. Much of this effort is toward prevention and early intervention. These words are rarely used in reference to adult services. In both levels much of the effort is dictated by funding sources. As counties contribute less to probation departments we are forced to "chase the dollars" to continue services. This is contrary to efforts in determining need, adult efforts and the design of and delivery of services that may best reduce future criminality in the adult population and thus provide more realistic long-term protection to the community. If we are ever able to move toward a preventive, early-intervention expectation for both adults and juveniles, a means may be necessary to discourage the courts from placing offenders with numerous violations of probation, parole, long or excessive periods of incarceration and a well-established criminal lifestyle on additional grants of probation. These cases do demand attention to "protect the community" but also prevent proactive supervision of those probationers more able to make positive change. Are we not conducting our departments on a "feel-good basis": i.e., working with the children over the reality of working with individuals with early criminality at any age when they are most receptive to efforts of rehabilitation and positive change? If only 11 to 13% of all adult probationers had any contact with juvenile authority and if most adult probationers, up to 80% in some jurisdictions based on national statistics, are in the age range of 24–30 when first referred to probation, are we not continuing to endanger the community and fostering further criminality if we provide only minimal intervention or bank these individuals? Why must an adult wait until their criminality grows in severity and lifestyle before we provide at least some effort toward prevention and early intervention? | Prevention and early intervention | Phase II.                                                                                                  |
| Family & Juvenile Subcommittee                 | Judicial Council of California                     | X                    |                        | Recommendation 9: Agree. This is a valuable recommendation that few would take exception to. It reflects an orientation that is shared by probation officers. Juvenile probation has developed service models for prevention and early intervention; adult probation could probably attend to this issue better. Particularly with the adult population, this would cost a lot of money.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Prevention and early intervention | No response necessary.                                                                                     |

## Probation Services Task Force Draft Interim Report Comment Chart

| Full Name                                      | Organization                                       | On Behalf of a Group | Check Box    | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Theme / Topic                     | Agree/Disagree/ No Response Necessary / Phase II Issue                       |
|------------------------------------------------|----------------------------------------------------|----------------------|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|------------------------------------------------------------------------------|
| Family & Juvenile Subcommittee                 | Judicial Council of California                     | X                    |              | There are interesting issues regarding centralization and governance, beyond the fact that Recommendation 2 must be addressed before Recommendation 9 can be considered. An issue that would arise as this recommendation is implemented is: Would we have a system that allows localities to identify cases for prevention and early intervention that are based in local standards? (e.g., courts may differ in how they view misdemeanor drug possession and those differences may be grounded in legitimate views about the link—in those communities—between that offense, on the one hand, and harm and risk, on the other.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Prevention and early intervention | Phase II.                                                                    |
| Robert G. McAlister<br>Chief Probation Officer | Mendocino County Probation Department              |                      | Blank        | Recommendation 9: I wholeheartedly agree with this recommendation, not only in the juvenile arena, but also for adults. Our officers spend a great deal of time in prevention work by going out to the schools and presenting information about crime and drugs. We have officers doing public presentations and representing the department in public forums. The Juvenile Assessment Center is founded on the principle of early intervention, getting to those identified children before they enter the system. With adults it is not easy, in that we receive adult probationers from the courts after they have offended and entered the system. However, we have speakers who do presentations on domestic violence and drug interventions. We screen and monitor counseling programs developed to intercede in potentially dangerous behavior, and hold clients accountable for completing these programs. As silly as it may sound, I support those prevention and early intervention efforts that have the potential of putting probation out of business by creating an offender-less society. | Prevention and early intervention | No response necessary.                                                       |
| Ray W. Miller<br>Probation Officer II          | San Bernardino County Probation                    |                      | Do not agree | Recommendation 9: What is meant by “early intervention?” Is this pre-arrest, informal probation or age related? Prevention is a hard thing to measure. How would probation be held accountable, or who should be held accountable? This is an example of a probation task that does not fall under the court, but is considered essential. For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Prevention and early intervention | Agree. Report will be revised to include a definition of early intervention. |
| Mari Beraz<br>County Administrative Officer    | Monterey County Administrator’s Office             | X                    | Blank        | The fundamental principles of recommendations 8 and 9 appear sound, and Monterey County probation attempts to provide services in this manner where circumstances allow. Further definition, scope, and clarification of authority and responsibility, however, are needed before the county can agree or disagree with formal adoption of these recommendations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Prevention and early intervention | No response necessary.                                                       |
| Bob Franklin<br>Executive Director             | State Coalition of Probation Organizations (SCOPO) |                      |              | Page 72: Collaboration works, especially in programs such as drug courts, domestic violence and mental health programs. However, there has been a long history of resistance to formal assessments as being too time consuming, leading to inaccurate findings, and discerning needs of the individual without corrective programming being available. Some juvenile officers talk of the frustration of discerning needs and their recommendations being rebuked by resource review boards in relation to funding, space availability and the desire to balance referrals to various providers. This increases the resistance to conducting assessments and mistrust of administrators by local DPOs.                                                                                                                                                                                                                                                                                                                                                                                                    | Collaboration                     | No response necessary.                                                       |
| Family & Juvenile Subcommittee                 | Judicial Council of California                     | X                    |              | Recommendation 10: Agree. The more probation collaborates (in multidisciplinary teams; in securing services from other agencies and CBOs) the more the probation officer becomes a hybrid of law enforcement and social worker. The report’s treatment of this recommendation (and the several that follow) should include a discussion of the implications of heightened collaboration and the changing face of the probation officer. There are also hidden costs (salary) in this vision that ought to be acknowledged.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Collaboration                     | No response necessary.                                                       |
| Bart Bohn<br>County Administrative Officer     | Fresno County Administrator’s Office               |                      | Blank        | As the Fresno County Administrative Officer, I am pleased to have such a strong collaborative working relationship with Chief Probation Officer Larry Price. The Fresno County continuum of services model has a strong emphasis on prevention, early intervention, community corrections, and incarceration. The task force report clearly agrees with this balanced approach and it was pleasing to see we are working within the boundaries of many of the recommendations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Collaboration                     | No response necessary.                                                       |
| Robert G. McAlister<br>Chief Probation Officer | Mendocino County Probation Department              |                      | Blank        | Recommendation 10: the partnership is essential to establishing the level of services required by the court with the funding and support from the county. Without that connection, it is difficult to move forward and be innovative, while trying to backfill holes in the continuum of services.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Collaboration                     | No response necessary.                                                       |

## *Probation Services Task Force Draft Interim Report* **Comment Chart**

| Full Name                                       | Organization                                   | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Theme / Topic       | Agree/Disagree/ No Response Necessary / Phase II Issue                                                                                                                                                                                |
|-------------------------------------------------|------------------------------------------------|----------------------|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Robert G. McAlister<br>Chief Probation Officer  | Mendocino County Probation Department          |                      | Blank                  | It is important to each chief probation officer to feel the support of his board of supervisors, his CAO, and his judges. In the context of the issues expressed in the report, I believe that I have that support in Mendocino County. As a result of this study, there will be changes in the way the courts and counties collaborate to ensure public safety and community corrections. I sincerely feel that we have paved the way through our many collaborations and will be able to resolve these issues and implement the recommendations of the task force.                                                                                                                                                                                                                                                                                                                                                                     | Collaboration       | No response necessary.                                                                                                                                                                                                                |
| Robert G. McAlister<br>Chief Probation Officer  | Mendocino County Probation Department          |                      | Blank                  | I wish to respond to each of the task force recommendations individually, but first I must address the common theme of the courts and counties developing "partnerships to administer probation departments and work collaboratively to ensure appropriate levels of services, support, funding, and oversight." I believe that Mendocino County government is unique in its ability to break down communication barriers and to collaborate in the best interests of all parties involved. However, the historical problems created by the shift to state funding for trial courts, while leaving probation services with the county, have not been resolved and will continue to impede progress in resolving the governance issue. To achieve a connection between "authority over and responsibility for the conduct, support, funding, oversight, and administration ... including the appointment of the CPO" will be problematic. | Collaboration       | Phase II.                                                                                                                                                                                                                             |
| Ray W. Miller<br>Probation Officer II           | San Bernardino County Probation                |                      | Do not agree           | Recommendation 10: I have given my opinion to partnerships/collaborative arrangements—no RAA (Responsibility, Accountability, and Authority). For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Collaboration       | No response necessary.                                                                                                                                                                                                                |
| Mari Beraz<br>County Administrative Officer     | Monterey County                                | X                    | Blank                  | Monterey County supports recommendation 10 and implements this practice where circumstances allow.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Collaboration       | No response necessary.                                                                                                                                                                                                                |
| Stephen Birdleough                              | Friends Committee on Legislation of California |                      | Blank                  | Burn out and compassion fatigue are key issues that are not directly addressed in the study. Yet these factors are at the heart of any relational system such as probation. Extensive use of volunteers is one of the most effective ways to cope with such issues, but I could not find that the development of programs to exploit volunteer services is addressed. Please give some evidence of careful thought on these issues.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | DPO issues          | Disagree. Local management issue encompassed in rec. 10.                                                                                                                                                                              |
| Doris Foster<br>Assistant Management Consultant | Stanislaus County - Chief Executive Office     |                      | Agree only if modified | Suggest replacing Recommendation 15 with the following text: PROBATION DEPARTMENTS SHOULD COORDINATE WITH LOCAL MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES PROVIDERS TO COORDINATE THE PROVISION OF SERVICES TO PROBATIONERS.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                     | Disagree. Concepts are included in rec. 10; therefore, there is no need for a separate recommendation. Further, the task force believes that rec. 15 is critical in ensuring that adults receive educational and vocational training. |
| Stephen Birdleough                              | Friends Committee on Legislation of California |                      | Blank                  | There is a constant tension between the immediate needs of the victims and offenders in the system, and the time-consuming demands of due process. Particularly for juvenile victims and offenders, the importance of the next 24 hours completely obscures the importance of events of other next 90 days. A probation system must make sense of both immediate demands of clients, and the long-term due process demands of the judiciary. It would be helpful to establish a consensus that addresses more clearly the important hour-to-hour events that tend to fall below the judicial "radar," such as victim-offender relationships, mental health needs, and family counseling requirements.                                                                                                                                                                                                                                    | Services            | No response necessary.                                                                                                                                                                                                                |
| J. Warchol<br>Chief Probation Officer           | El Dorado County Probation Department          |                      | Blank                  | Caseload and workloads should have priority with the task force. Depending on resources of the various counties, the numbers differ. A review of state and federal caseload and workload standards may be a good place to start. In any case, this is a difficult issue to nail down.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Caseload / workload | No response necessary?/Phase II issue.                                                                                                                                                                                                |

## *Probation Services Task Force Draft Interim Report* Comment Chart

| Full Name                              | Organization                                                                 | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Theme / Topic       | Agree/Disagree/ No Response Necessary / Phase II Issue                                                     |
|----------------------------------------|------------------------------------------------------------------------------|----------------------|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|------------------------------------------------------------------------------------------------------------|
| Gerald L. Gleeson<br>Public Defender   | San Joaquin County Public Defenders Office                                   |                      | Agree only if modified | Omit recommendation 11.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Caseload / Workload | Disagree. The task force believes the recommendation is necessary to improve probation services.           |
| Alice Vilardi<br>Judge                 | Superior Court of California, County of Alameda                              |                      | Agree only if modified | The next phase of the study might examine workload and governance solutions used in the parole system in the state, as well as look at the federal probation system. While there are obvious and significant differences among the systems, both the state parole system and federal probation system have had to deal with several of the comparative workload and with some of the governance issues identified in the draft report. An examination of those solutions might be helpful in identifying solutions that would definitely not work in the California probation system and those that may merit further exploration. | Caseload / workload | Phase II.                                                                                                  |
| Phil Erdman<br>President               | State Coalition of Probation Organizations (SCOPO)                           |                      | Agree only if modified | I am much in defense of probation's role. In some of the findings, the report emphasizes the need for probation departments/officers to be more knowledgeable, be more active, become more involved, and take on more responsibilities. Then, in other findings, the report stresses that probation departments/officers have overextended caseloads, lack personnel to carry out court ordered mandates, and are stretched to the limit because of the lack of stable and adequate funding. These "findings" have resulted in the report producing conflicting recommendations. It can't be both ways.                            | Caseload / workload | Disagree. Report seeks to explain the current situation while recommending future changes for improvement. |
| Family & Juvenile Subcommittee         | Judicial Council of California                                               | X                    |                        | Recommendation 11: Agree. This has interesting administrative implication; it's not clear that judges would have the knowledge of personnel administration required to pass judgment on this recommendation. Again, there are financial implications (increased salaries) that should be acknowledged.                                                                                                                                                                                                                                                                                                                             | Caseload / workload | No response necessary.                                                                                     |
| Bruce West<br>Deputy Probation Officer | San Luis Obispo County Probation Department                                  |                      | Blank                  | Concerns include: The meanings of "caseload and workload standards." I was fortunate to be present at Dennis Mahoney's presentation to the task force and I would recommend that consideration be given to the salient point that he made regarding standards, which he referred to as "inputs," or DPO activities, as opposed to "outcomes" or offender behaviors, which is where we need to keep our focus.                                                                                                                                                                                                                      | Caseload / workload | Phase II.                                                                                                  |
| Richmond, Harlan, Vinson, Krietich     | Amador County Superior Court, Board of Supervisors, and Probation Department | X                    | Blank                  | Recommendation 11 discusses workload rather than caseload ratios. We agree, "Each case should be given a weighted value depending on the risks and needs associated with the probationers." This type of system is a direct connection to the balanced justice model, which includes community safety, offender accountability, competency development, victim restoration and collaboration.                                                                                                                                                                                                                                      | Caseload / workload | No response necessary.                                                                                     |
|                                        | San Luis Obispo County Probation                                             | X                    | Agree                  | Probation casework should be looked at with the same care that a detective investigating a new crime is asked to do. It is unfortunate that the numbers of felons far outnumber the amount of probation officers. Prioritizing cases is important. But so many "risk assessments" are inaccurate. We found the computerized risk assessment tool mentioned an interesting concept. However, we are sure that many county governments would feel it was cost prohibitive.                                                                                                                                                           | Caseload / workload | No response necessary.                                                                                     |
|                                        | San Luis Obispo County Probation                                             | X                    | Agree                  | Because of the growing numbers of adults and juveniles under supervision, staffing levels are wholly inadequate. Officers are overwhelmed on a daily basis, and must often make a choice on who to contact and who to put off "for another week." While we watch our agency struggle to obtain any positions over the years, we also watch our local law enforcement agencies grow in staffing, equipment and even new buildings. The same appears to occur in the department of social services. We know why this is.                                                                                                             | Caseload / workload | No response necessary.                                                                                     |

## Probation Services Task Force Draft Interim Report Comment Chart

| Full Name                                            | Organization                                        | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Theme / Topic       | Agree/Disagree/ No Response Necessary / Phase II Issue |
|------------------------------------------------------|-----------------------------------------------------|----------------------|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|--------------------------------------------------------|
| Robert G. McAlister<br>Chief<br>Probation<br>Officer | Mendocino<br>County<br>Probation<br>Department      |                      | Blank                  | Recommendation 11: A classification system that measures the needs and risks of each individual client shows that no one case is identical to another in terms of services needed. However, the amount of time spent on any one case is more indicative of the workload than the number of cases assigned to an individual officer. For example, welfare fraud offenders tend to not need direct supervision if they are paying restitution regularly, whereas a drug offender may require frequent testing and searching. Drug offender caseloads must therefore be smaller to accommodate the amount of time and officers necessary for supervision. Surprisingly, sex offenders tend to be very compliant with the terms of probation for reporting and attending counseling, but need constant surveillance to ensure reported whereabouts. Many of our sex offenders travel great distances without our knowledge. We have been conscious of workload vs. caseload issues for many years. Because of the large number of adult offenders and the number of supervising probation officers, we too have had to implement banked caseloads of low-profile clients to keep up with the workload demands of high-intensity cases. | Caseload / workload | No response necessary.                                 |
| Ray W. Miller<br>Probation<br>Officer II             | San Bernardino<br>County<br>Probation               |                      | Do not agree           | Recommendation 11: I couldn't agree more! However, parole has the caseload standards, grants stipulate caseloads, and the vast majority of DPOs want this. I have argued that workload standards are far more appropriate but it played to deaf ears. Caseload standards are being negotiated today. For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Caseload / workload | No response necessary.                                 |
| Penelope Clarke<br>Administrator                     | County of Sacramento<br>Public Protection<br>Agency | X                    | Blank                  | Workload Standards: Recommendation 11 suggests probation departments adopt workload standards rather than caseload ratios. The county agrees that workload standards are beneficial management tools but does not believe the standards should be mandated. Any recommended standards should be flexible enough to conform within county financing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Caseload / workload | No response necessary.                                 |
| Mari Beraz<br>County<br>Administrative<br>Officer    | Monterey<br>County<br>Administrator's<br>Office     | X                    | Blank                  | Monterey County supports recommendation 11 where applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Caseload / workload | No response necessary.                                 |
| Gerald L. Gleeson<br>Public<br>Defender              | San Joaquin<br>County Public<br>Defenders Office    |                      | Agree only if modified | Revise recommendation 12 to read: Probation officers should be trained to ensure that children's educational rights are provided, investigated and monitored where necessary.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Education           | Disagree.                                              |
| Alice Vilardi<br>Judge                               | Superior Court of California,<br>County of Alameda  |                      | Agree only if modified | Recommendation 12 should explicitly refer to probation officers assigned to juvenile probation: Perhaps "Probation officers assigned to juvenile probationers should be trained to ensure that children's educational rights are investigated, reported, and monitored."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Education           | Disagree? Do we want all probation officers trained?   |
| Phil Erdman<br>President                             | State Coalition of Probation Organizations (SCOPO)  |                      | Agree only if modified | In relation to school-based probation officers, it is not the "community's" role to consider. It is a decision between the probation department and the school district. The services outlined are a little extreme and could only happen "in a perfect world."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Education           | Disagree?                                              |
| Phil Erdman<br>President                             | State Coalition of Probation Organizations (SCOPO)  |                      | Agree only if modified | In my 32-year probation career, I have never believed probation officers have ever discounted the importance of education in a juvenile's life. I do not agree that probation officers need more "education and educational training to raise awareness" ... and to "recognize" if a juvenile has a disability. Far too long have the schools fallen short in this area and it has been my experience that the schools are not being responsible in this area and need to pick up this slack. It is the teachers that need to be trained in the areas of awareness that you have mentioned. Your discussion of this area should point out that schools should be aware of federal and state special education laws and types of disabilities and it should be their responsibility to address and respond to these issues. This should not be placed on the backs of the probation officer.                                                                                                                                                                                                                                                                                                                                        | Education           |                                                        |
| Robert G. McAlister<br>Chief<br>Probation<br>Officer | Mendocino<br>County<br>Probation<br>Department      |                      | Blank                  | Recommendation 12: I concur. This is an essential part of our reports to the court and our supervision plans. Training is available through the board of corrections and with our local schools.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Education           | No response necessary.                                 |

## *Probation Services Task Force Draft Interim Report* Comment Chart

| Full Name                                   | Organization                                                                 | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Theme / Topic | Agree/Disagree/ No Response Necessary / Phase II Issue |
|---------------------------------------------|------------------------------------------------------------------------------|----------------------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------|
| Ray W. Miller<br>Probation Officer II       | San Bernardino County Probation                                              |                      | Do not agree           | Recommendation 12: Do we really want to hold probation accountable? Is this not really education departments' responsibility? For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Education     |                                                        |
| Mari Beraz<br>County Administrative Officer | Monterey County Administrator's Office                                       | X                    | Blank                  | Monterey County probation currently implements these practices where appropriate. As put forward, however, these recommendations are broad and open to areas of dispute between other agencies. Additional scope and clarification to define areas of responsibility and authority are needed before Monterey County can agree or disagree with adoption of either recommendation 12 or 13.                                                                                                                                                                                                                                                                                                                                                       | Education     | No response necessary.                                 |
| Phil Erdman<br>President                    | State Coalition of Probation Organizations (SCOPO)                           |                      | Agree only if modified | The report does not seem to emphasize that "inadequate education" factors were present BEFORE the juvenile entered the juvenile justice system. Probation officers, in their investigation, already make note of these areas to the court. It is within the schools' responsibility to identify and address the poor performance, attendance, low test scores, reading levels, etc. before a juvenile enters the court system.                                                                                                                                                                                                                                                                                                                    | Education     | Agree.                                                 |
| Thomas Folena<br>Editor in Chief            | State Coalition of Probation Organizations (SCOPO)                           |                      | Agree only if modified | Recommendations 12 and 13. If these are to ensure that the probation officer knows the legal rights of school children, that's great, they need to know this information. What concerns me, after working for 26 years in the probation system, is that school administrators have forever fought the probation officer's intervention. School administrators look to us for removal of their problem and not for us to help keep the problem in school. I can't tell you how many meetings I have sat through and pleaded with the school officials to not expel a child. It has been my experience that when a child is identified as trouble you are fighting a losing battle.                                                                 | Education     |                                                        |
| Bob Franklin<br>Executive Director          | State Coalition of Probation Organizations (SCOPO)                           |                      |                        | If a department moves toward an intensive response to educational needs, formal training on relevance as well as clearly stated expectations for delivery and outcome must be unwavering. Such a program was tried in a Bay Area county in the mid-1990s. It failed due to unrestrained resistance and a distrust of the motive and merit of the program.                                                                                                                                                                                                                                                                                                                                                                                         | Education     |                                                        |
| Phil Erdman<br>President                    | State Coalition of Probation Organizations (SCOPO)                           |                      | Agree only if modified | It is well known that all of those who provide services to adult and youth need to be on the same page and work together, but there is much, too much stone throwing and lack of accountability. For instance, if those in education would really address the educational issues you have mentioned probation officers should tackle, there might be a reduction in delinquency based on the education factor alone. If those in education would seriously address their contribution to delinquency, then maybe the probation departments and officers could handle the rest of the load.                                                                                                                                                        | Education     | No response necessary.                                 |
| Family & Juvenile Subcommittee              | Judicial Council of California                                               | X                    |                        | Recommendations 12–15: Agree. The panel was pleased to see these recommendations on a very important subject. It is possible to merge them into one recommendation about education. In the next round of thought, the task force may want to involve the education department. Regarding the issue of training on education rights: The complexities of this ever-changing subject suggests that it may be more efficient to have subject-matter experts on staff (PO specialists) than train each line staff in the intricacies of the law and practice. Once again, it is noteworthy that asking the probation officer to become an education advocate is related to the hybrid law enforcement / social worker image of the probation officer. | Education     | Agree?                                                 |
| Richmond, Harlan, Vinson, Krlitich          | Amador County Superior Court, Board of Supervisors, and Probation Department | X                    | Blank                  | Recommendations 12–15 discuss the need for appropriate educational intervention in the lives of adult and juvenile offenders. Educational success and competency development are directly related. The concern we have with these recommendations is the absence of educational officials participating in the discussions. Currently, our officers are doing everything they can to ensure the educational rights of adults and minors are protected and the efforts of parents and school officials are supported. Education officials need to be part of the discussion in order to make this a successful collaboration.                                                                                                                      | Education     |                                                        |
| Gerald L. Gleeson<br>Public Defender        | San Joaquin County Public Defenders Office                                   |                      | Agree only if modified | Agree with recommendation 13 as submitted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Education     | No response necessary.                                 |

## *Probation Services Task Force Draft Interim Report* **Comment Chart**

| Full Name                                      | Organization                                       | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Theme / Topic | Agree/Disagree/ No Response Necessary / Phase II Issue |
|------------------------------------------------|----------------------------------------------------|----------------------|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------|
| Phil Erdman<br>President                       | State Coalition of Probation Organizations (SCOPO) |                      | Agree only if modified | It is well documented that there is a disproportionate number of students within the juvenile justice system who have had "inadequate education." What do you define as "inadequate education?" Is it in reference to the level the school district can provide services, poor teacher performance, or an inadequate school budget? Or is it in reference to the student's poor attendance, below-grade-level performance in the main academic subjects, and low scores on those mandated scholastic tests? If "inadequate education" is in reference to the latter, then all or most of these factors are common with juveniles and adults that are currently in the justice system.                    | Education     | Agree. Will revise.                                    |
| Phil Erdman<br>President                       | State Coalition of Probation Organizations (SCOPO) |                      | Agree only if modified | My experience has led me to believe that the schools contribute to a juvenile's delinquency as much as a dysfunctional home life. Although the Standards of Judicial Administration were amended to require the court to address this issue, I feel that task force should place more emphasis for schools to be more responsible and accountable in all phases of the educational process. The educational systems should recognize and adopt a mission statement that recognizes that identifying and providing the necessary and mandatory educational needs at an early age is "delinquency prevention." (Maybe there can be an "Educational Services Task Force" formed to look into these issues.) | Education     | Disagree. Beyond scope of the task force.              |
| Phil Erdman<br>President                       | State Coalition of Probation Organizations (SCOPO) |                      | Agree only if modified | Truancy has also been linked to delinquency. However I believe that establishing a "truancy prevention program" should start with the schools, with support from local law enforcement. Again, the probation department cannot be the "catch-all" department for many of the juvenile "ills" that are part of today's society.                                                                                                                                                                                                                                                                                                                                                                           | Education     | Disagree?                                              |
| Robert G. McAlister<br>Chief Probation Officer | Mendocino County Probation Department              |                      | Blank                  | Recommendation 13: This is currently being accomplished in many ways, through School Attendance Review Boards, the Interagency Case Management Team for the Systems of Care, the new Juvenile Assessment Center, and working directly with the schools. An individual education plan is prepared for each ward with which we work.                                                                                                                                                                                                                                                                                                                                                                       | Education     | No response necessary.                                 |
| Ray W. Miller<br>Probation Officer II          | San Bernardino County Probation                    |                      | Do not agree           | Recommendation 13: What would that help entail? What would be probation's responsibility here? For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Education     |                                                        |
| Mari Beraz<br>County Administrative Officer    | Monterey County                                    | X                    | Blank                  | Monterey County probation currently implements these practices where appropriate. As put forward, however, these recommendations are broad and open to areas of dispute between other agencies. Additional scope and clarification to define areas of responsibility and authority are needed before Monterey County can agree or disagree with adoption of either recommendation 12 or 13.                                                                                                                                                                                                                                                                                                              | Education     | No response necessary.                                 |
| Robert G. McAlister<br>Chief Probation Officer | Mendocino County Probation Department              |                      | Blank                  | Recommendation 14: We work very closely with the county office of education to provide appropriate educational services in our court schools, the juvenile hall, and the PACE (Probation Alternatives in Counseling and Education) Program in the Children's Care.                                                                                                                                                                                                                                                                                                                                                                                                                                       | Education     | No response necessary.                                 |
| Ray W. Miller<br>Probation Officer II          | San Bernardino County Probation                    |                      | Do not agree           | Recommendation 14: Probation officers now have become educators by determining "proper" services. For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Education     |                                                        |
| Mari Beraz<br>County Administrative Officer    | Monterey County Administrator's Office             | X                    | Blank                  | Monterey County supports recommendations 14 and 15 and currently implements these practices.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Education     | No response necessary.                                 |
| Andy Pickett<br>Administrative Analyst         | Sonoma County Administrator's Office               |                      | Blank                  | Recommendation 14 and 15 These appear to push probation departments into more of a social work arena rather than public safety.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Education     | Disagree.                                              |

## Probation Services Task Force Draft Interim Report Comment Chart

| Full Name                                               | Organization                                     | On Behalf of a Group | Check Box                    | Comment                                                                                                                                                                                                                                                                                                                                                                                                                     | Theme / Topic    | Agree/Disagree/ No Response Necessary / Phase II Issue                                                                                                                                                                                |
|---------------------------------------------------------|--------------------------------------------------|----------------------|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Doris Foster<br>Assistant<br>Management<br>Consultant   | Stanislaus<br>County - Chief<br>Executive Office |                      | Agree<br>only if<br>modified | Suggest replacing Recommendation 15 with the following text: PROBATION DEPARTMENTS SHOULD COORDINATE WITH LOCAL MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES PROVIDERS TO COORDINATE THE PROVISION OF SERVICES TO PROBATIONERS.                                                                                                                                                                                               | Education        | Disagree. Concepts are included in rec. 10; therefore, there is no need for a separate recommendation. Further, the task force believes that rec. 15 is critical in ensuring that adults receive educational and vocational training. |
| Robert G.<br>McAlister<br>Chief<br>Probation<br>Officer | Mendocino<br>County<br>Probation<br>Department   |                      | Blank                        | Recommendation 15: I admit that this is an area that gets little attention. The educational programs for adults usually come through and are assessed by the local college or adult school.                                                                                                                                                                                                                                 | Education        | No response necessary.                                                                                                                                                                                                                |
| Ray W. Miller<br>Probation<br>Officer II                | San Bernardino<br>County<br>Probation            |                      | Do not<br>agree              | Recommendation 15: I am becoming more convinced that probation should be under the education department.                                                                                                                                                                                                                                                                                                                    | Education        | Disagree.                                                                                                                                                                                                                             |
| Mari Beraz<br>County<br>Administrative<br>Officer       | Monterey<br>County<br>Administrator's<br>Office  | X                    | Blank                        | Monterey County supports recommendations 14 and 15 and currently implements these practices.                                                                                                                                                                                                                                                                                                                                | Education        | No response necessary.                                                                                                                                                                                                                |
| Gerald L.<br>Gleeson<br>Public<br>Defender              | San Joaquin<br>County Public<br>Defenders Office |                      | Agree<br>only if<br>modified | Omit recommendation 16.                                                                                                                                                                                                                                                                                                                                                                                                     | Detention reform | Disagree. The task force believes the recommendation is necessary to improve probation services.                                                                                                                                      |
| Family &<br>Juvenile<br>Subcommittee                    | Judicial Council<br>of California                | X                    |                              | Recommendation 16: Agree. The text behind the recommendation's use of the word "appropriate" is disproportionate minority confinement. Panel would prefer to see DMC referred to explicitly in the recommendation.                                                                                                                                                                                                          | Detention reform | Disagree. Although the recommendation refers to detention issues related to disproportionate minority confinement, the recommendation is not limited to DMC.                                                                          |
| James<br>Rowland<br>Chief<br>Probation<br>Officer       | Napa County<br>Probation<br>Department           | X                    | Agree                        | Though we understand that juvenile detention reform may be of benefit to many counties (especially the larger, urban ones), we believe our present local system adequately addresses appropriate detention, and is able to manage juvenile hall population well. Nevertheless, viable alternatives to detention would be welcome, as well as means to assess and eliminate disproportionate minority detention.             | Detention reform | Agree. Will revise to note that the suggested method is one approach and that some counties are working on the issue.                                                                                                                 |
| Robert G.<br>McAlister<br>Chief<br>Probation<br>Officer | Mendocino<br>County<br>Probation<br>Department   |                      | Blank                        | Recommendation 16: This is a statewide concern that is currently under scrutiny. I do not believe we have a major problem in this county, but our juvenile court has been imposing longer detention periods than we are accustomed to. This has been discussed amongst the judge, the juvenile division manager, and the juvenile hall superintendent, to find a way to alleviate the problem. The conversation is ongoing. | Detention reform | No response necessary.                                                                                                                                                                                                                |

## Probation Services Task Force Draft Interim Report Comment Chart

| Full Name                                      | Organization                                                                 | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Theme / Topic    | Agree/Disagree/ No Response Necessary / Phase II Issue |
|------------------------------------------------|------------------------------------------------------------------------------|----------------------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------------------------------------------------------|
| Ray W. Miller<br>Probation Officer II          | San Bernardino County Probation                                              |                      | Do not agree           | Recommendation 16: As I stated before, juvenile hall should go somewhere better (i.e., CYA) or be focused more on rehabilitation (education) rather than punishment. By centralizing (state level) it would allow for sharing of resources in adjoining counties. For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Detention reform | No response necessary.                                 |
| Mari Beraz<br>County Administrative Officer    | Monterey County                                                              | X                    | Blank                  | Monterey County agrees with recommendation 16.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Detention reform | No response necessary.                                 |
| Gerald L. Gleeson<br>Public Defender           | San Joaquin County Public Defenders Office                                   |                      | Agree only if modified | Agree with recommendation 17 as submitted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | BARJ             | No response necessary.                                 |
| Bekki Riggan<br>Principal Management Analyst   | Placer County Executive Office                                               |                      | Agree                  | In encouraging the development and implementation of results-based planning that establishes goals, standards and outcome measures, Recommendations 3–6 are among the most significant from a county management perspective. Allocating scarce resources among competing needs at the local level requires outcome -based information regarding programs and approaches proven to be the most effective with offender populations. In addition, this type of data will help strengthen the collaborative partnerships among the local stakeholders such as the courts, law enforcement, prosecution and defense attorneys, and service providers who collectively see to the local administration of justice. Placer County is currently practicing a number of the approaches discussed in Recommendation 17, which calls for a balanced approach to probation blending offender accountability, victim restoration, competency development, and community collaboration.                                                                                          | BARJ             | No response necessary.                                 |
| Family & Juvenile Subcommittee                 | Judicial Council of California                                               | X                    |                        | Recommendation 17: Agree. There are concerted efforts in some courts to help this view take hold.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | BARJ             | No response necessary.                                 |
| Richmond, Harlan, Vinson, Krietich             | Amador County Superior Court, Board of Supervisors, and Probation Department | X                    | Blank                  | Recommendation 17 discusses the balanced justice model of offender accountability, victim restoration, competency development and community collaboration. Amador County supports this recommendation 100%. We believe the probation system needs to be balanced in these areas in order to make it truly successful. In fact, the balanced justice model is exactly what drives our probation department and our community collaborations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | BARJ             | No response necessary.                                 |
| Richmond, Harlan, Vinson, Krietich             | Amador County Superior Court, Board of Supervisors, and Probation Department | X                    | Blank                  | In response to recommendation 18, Amador County does not necessarily feel a name change will better reflect probation's function and status. Instead, we believe a paradigm shift to the balanced justice model will help create a better vision, mission and a healthier community. If this is done, probation's function and status will increase in a positive manner.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | BARJ             | Phase II.                                              |
| Robert G. McAlister<br>Chief Probation Officer | Mendocino County Probation Department                                        |                      | Blank                  | Recommendation 17: Be proud of your probation department for being a proponent of restorative justice long before it became a buzzword. Before I became chief, I was one of the few probation officers statewide who recognized the importance of a balanced approach to restorative justice (BARJ), and when I became chief, I adopted that philosophy as the cornerstone for my administration. BARJ espouses the philosophy that an offense does not occur in a vacuum and cannot be treated in a vacuum. An offender must not only be held accountable to the courts, but also to the victim per se, and to the community as a whole. Without repairing the harm done, the offender never puts the offense in the perspective of accountability. Without the community assisting the offender in making that reparation and helping with reintegration into that community, the offender is left with a feeling of alienation and a lack of self-worth. "It Takes a Village" applies to the criminal justice system through the restorative justice philosophy. | BARJ             | No response necessary.                                 |

## *Probation Services Task Force Draft Interim Report* Comment Chart

| Full Name                                       | Organization                                                                 | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Theme / Topic                | Agree/Disagree/ No Response Necessary / Phase II Issue                                           |
|-------------------------------------------------|------------------------------------------------------------------------------|----------------------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|--------------------------------------------------------------------------------------------------|
| Robert G. McAlister<br>Chief Probation Officer  | Mendocino County Probation Department                                        |                      | Blank                  | Recommendation 18: A community-centered focus is also an integral part of restorative justice. As much as probation has been like the swinging pendulum, moving between punishment and rehabilitation, and making many stops along the way, the primary focus has always been correcting misguided behavior and repairing the harm done. I believe Community Corrections best reflects our current role. Having spent many hours with Denny Maloney of the Department of Community Justice of Deschutes County, Oregon, I believe that "Justice" and "Corrections" are interchangeable in talking about our missions and goals. | BARJ                         | Phase II.                                                                                        |
| Ray W. Miller<br>Probation Officer II           | San Bernardino County Probation                                              |                      | Do not Agree           | Recommendation 17: Balancing or juggling? It is necessary to be specific here, so accountability can be established. As an example, Do we really want probation to be held accountable for victim restitution? Is not the district attorney the one who represents the victim? For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                               | BARJ                         | No response necessary.                                                                           |
| Mari Beraz<br>County Administrative Officer     | Monterey County Administrator's Office                                       | X                    | Blank                  | Monterey County agrees with recommendation 17, and where circumstances allow, currently implements this approach.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | BARJ                         | No response necessary.                                                                           |
| Gerald L. Gleeson<br>Public Defender            | San Joaquin County Public Defenders Office                                   |                      | Agree only if modified | Omit recommendation 18.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Changing role, changing name | Disagree. The task force believes the recommendation is necessary to improve probation services. |
| Stephen Heggen<br>Supervising Probation Officer | El Dorado County Probation                                                   |                      | Do not Agree           | Probation is clear to those on probation. A change in definition and status is appropriate; a name change is unwarranted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Changing role, changing name | Phase II.                                                                                        |
| Family & Juvenile Subcommittee                  | Judicial Council of California                                               | X                    |                        | Recommendation 18: No Position. We have three different views on this matter, which are linked by the common sentiment that the name ought to reflect what is really happening in probation, not an ideal that is not (yet) realized. One: The probation model should be further along in the process of changing to the hybrid system before a name change is warranted. Two: It is disingenuous to give a feel-good name to such a serious process. Three: The new name would reflect the aspirations that the Task Force has for probation, and a name change makes sense in light of these other recommendations.           | Changing role, changing name | Phase II.                                                                                        |
| Thomas Folena<br>Editor in Chief                | State Coalition of Probation Organizations (SCOPO)                           |                      | Agree only if modified | Recommendation 18. This I believe is a big mistake. Probation departments have a hard enough time getting recognition for what they do. To change their name would only muddy the waters more and add to the confusion. What is really needed is the education of the public as to what exactly we do. Most people think we only deal with juveniles and that all we do is counsel them. There needs to be a statewide education campaign to enlighten the general public as to our function in society.                                                                                                                        | Changing role, changing name | Phase II.                                                                                        |
| James Rowland<br>Chief Probation Officer        | Napa County Probation Department                                             | X                    | Agree                  | We are interested in the idea of changing the name "probation" if the new name accurately reflects a new character brought about by changes and developments in the field. We feel care must be taken to ensure that the new name grow out of and reflect our actual role and work more accurately, and not be "window dressing" to hide a lack of real change.                                                                                                                                                                                                                                                                 | Changing role, changing name | Phase II.                                                                                        |
| Richmond, Harlan, Vinson, Kriletich             | Amador County Superior Court, Board of Supervisors, and Probation Department | X                    | Blank                  | In response to recommendation 18, Amador County does not necessarily feel a name change will better reflect probation's function and status. Instead, we believe a paradigm shift to the balanced justice model will help create a better vision, mission and a healthier community. If this is done, probation's function and status will increase in a positive manner.                                                                                                                                                                                                                                                       | Changing role, changing name | Phase II.                                                                                        |

## Probation Services Task Force Draft Interim Report Comment Chart

| Full Name                                      | Organization                                       | On Behalf of a Group | Check Box    | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Theme / Topic                | Agree/Disagree/ No Response Necessary / Phase II Issue |
|------------------------------------------------|----------------------------------------------------|----------------------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|--------------------------------------------------------|
| Robert G. McAlister<br>Chief Probation Officer | Mendocino County Probation Department              |                      | Blank        | Recommendation 18: A community-centered focus is also an integral part of restorative justice. As much as probation has been like the swinging pendulum, moving between punishment and rehabilitation, and making many stops along the way, the primary focus has always been correcting misguided behavior and repairing the harm done. I believe Community Corrections best reflects our current role. Having spent many hours with Denny Maloney of the Department of Community Justice of Deschutes County, Oregon, I believe that "Justice" and "Corrections" are interchangeable in talking about our missions and goals.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Changing role, changing name | Phase II.                                              |
| Ray W. Miller<br>Probation Officer II          | San Bernardino County Probation                    |                      | Do not agree | Recommendation 18: I think this could, and should, affect the work of probation as well as educating the public. Perhaps one name for juvenile and another for adult. This would come after the mission statement. For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Changing role, changing name | Phase II.                                              |
| Mari Beraz<br>County Administrative Officer    | Monterey County Administrator's Office             | X                    | Blank        | Monterey County will await outcomes of further review and analysis by the task force on this issue before offering comment on recommendation 18.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Changing role, changing name | No response necessary.                                 |
| Bob Franklin<br>Executive Director             | State Coalition of Probation Organizations (SCOPO) |                      |              | ARMING; Page 52, the report states this is a CPO decision best held at the local level based on the best information about safety issues within the county. A real concern is that as probationers become ever more mobile and urban issues spread to all areas of the state, more criminals will believe that ALL probation officers are armed. This raises the bar on consideration to arm POs statewide and to mandate protective gear such as vests, radios, cell phones, etc. It also leads to a need for improved statewide communication and response. This must include a more collaborative involvement with all law enforcement and probation service providers including a wider recognition of the role probation officers play within the community.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | DPO issues                   | Phase II.                                              |
|                                                | San Luis Obispo County Probation                   | X                    | Agree        | The deputy probation officer's safety needs are often downplayed, or become restrictive, based on changing philosophies. Firearms, while welcomed by some agencies, are treated with disdain by others. It is very important for people, both within the system and outside observers, to understand that probation is the only agency, besides parole, that deals with 100% convicted or adjudicated persons. Many are repeat offenders, have out-of-control substance abuse, are violent, come from generational criminal homes and so forth. While it is nice to suppose that everyone on probation desires to change, we must be practical in the fact that often many times the criminal behavior or enterprise continues. More than once have we walked into a residence, on a routine probation contact, and located a group of convicted felons engaging in a variety of illegal activities. It is not uncommon to retrieve weapons from the person or their residence. On the other hand, we must say that there are persons on probation who desire the change, work hard, and should be complemented for turning their lives around. People "cure" themselves. Probation officers should not be held responsible for the probationer's successes or failures. We are there to show them the guidelines, explain the court orders, provide referrals for appropriate counseling for the offenders specific needs, and ensure compliance. | DPO issues                   | Phase II.                                              |
| Bob Franklin<br>Executive Director             | State Coalition of Probation Organizations (SCOPO) |                      |              | Page 53; safety, retirement, and benefits are vital for recruitment and retention. These issues are possibly more important as a local issue than salary. DPOs often choose work sites/counties on lifestyle choices, not merely salary; however, given similar salaries, the counties, state or federal departments with safety retirement, arming and better retirement benefits always win.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | DPO issues                   | Phase II.                                              |
| Bob Franklin<br>Executive Director             | State Coalition of Probation Organizations (SCOPO) |                      |              | I have discussed this issue with several administrators and they all state they know what makes an effective DPO and that the positive regard for others is a primary element. However, too often we hire individuals who bring a perpetual negative response to persons who commit crime. These individuals often have the attitude that criminals "never change." With this attitude one wonders why they became DPOs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | DPO issues                   | No response necessary.                                 |
| Bob Franklin<br>Executive Director             | State Coalition of Probation Organizations (SCOPO) |                      |              | There are several references to the demeanor of the probation officer having real impact on the response exhibited by the probationer. The background and personality of the person selected to become a DPO is a vital concern. It has been stated that the most important element in a positive/productive life was the unconditioned love and support provided by one meaningful relationship. Is it too much to ask that the DPO have the ability and personal involvement to be that person?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | DPO issues                   | No response necessary.                                 |

## *Probation Services Task Force Draft Interim Report Comment Chart*

| Full Name                                       | Organization                                       | On Behalf of a Group | Check Box    | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Theme / Topic | Agree/Disagree/ No Response Necessary / Phase II Issue |
|-------------------------------------------------|----------------------------------------------------|----------------------|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------|
| Bob Franklin<br>Executive Director              | State Coalition of Probation Organizations (SCOPO) |                      |              | As more counties eliminate the baccalaureate degree as a requirement for the position of DPO, the level of negative regard, disbelief in positive change and a more law enforcement mentality will become more entrenched.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | DPO issues    | Phase II.                                              |
| Bob Franklin<br>Executive Director              | State Coalition of Probation Organizations (SCOPO) |                      |              | Is it possible that the move away from a liberal arts background toward a criminal justice degree has perpetuated this selection process and the move toward a more law enforcement attitude rather than one of helping the individual make positive choices and efforts to change?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | DPO issues    | No response necessary.                                 |
|                                                 | San Luis Obispo County Probation                   | X                    | Agree        | It is important to point out that in our county, state parole officers make about \$20,000 more per year than our probation officers. The average patrol deputy sheriff makes at least \$6.00 an hour more than probation; even the correction officers at the jail make more than we do. And we are required to have a college education and address the issues surrounding the 100% criminal population we are asked to supervise. Our juvenile custodial officers often need two jobs, and some have to live in subsidized housing because their salaries are extremely low. Our benefit package suffers the same. It's no wonder why probation has such a hard time recruiting and retaining quality officers. When you get at the facts, it is no wonder we lose good officers to other agencies including local law enforcement. In the last 5 years, we have lost several well-trained and productive probation officers to local law enforcement. Why? Salaries, benefits, and politics. | DPO issues    | Phase II.                                              |
|                                                 | San Luis Obispo County Probation                   | X                    | Agree        | The probationers that were interviewed brought up some interesting points. Treating people with respect is a training issue. Ignoring complaints is a department issue. One must bear in mind when evaluating these statements that we as probation officers put up with a lot of verbal abuse. We have had our families threatened, and ourselves. We've been called every name in the book, and more than one of us has been injured on duty, either in a custody setting or in field work. People need to understand that being a probation officer has an element of risk involved. Because of our years of experience we've seen the changing face of the probationer. The statistics you cite support that.                                                                                                                                                                                                                                                                                | DPO issues    | No response necessary.                                 |
| Michael F. Brown<br>County Administrator        | County of Santa Barbara Administrator's Office     |                      | Do not agree | Although some recommendations are good, the report does not contain a plan for how they would be implemented or funded. Thus, the stipulated target audience (Judicial Council, Legislature, Governor, etc.) would not know what to do. Accordingly, the report is incomplete staff work as the practicality of the recommendations cannot be assessed. Its findings are likely to die in a select Legislative Study committee. Basic state-level fiscal policy is set by voter initiative—Prop 13, Measure 4, rob 67, Prop 218—which limits government expenditures. What about returning part of ERAF to this?                                                                                                                                                                                                                                                                                                                                                                                 | General       | Phase II.                                              |
| Sylvia J. Johnson<br>Chief Probation Officer    | Alameda County Probation Department                |                      | Agree        | I appreciate the comprehensive and thorough review included in the report.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | General       | No response necessary.                                 |
| John Cavalli<br>Chief Probation Officer         | Santa Clara County Probation Department            |                      | Agree        | I appreciate all of the hard work that was done by the Probation Services Task Force.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | General       | No response necessary.                                 |
| Stephen Heggen<br>Supervising Probation Officer | El Dorado County Probation                         |                      | Do not Agree | A tremendous amount of work has gone into preparing this report. My thanks to those taking a critical look at this important and vital part of the criminal justice system.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | General       | No response necessary.                                 |

## *Probation Services Task Force Draft Interim Report Comment Chart*

| Full Name                                        | Organization                                                | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Theme / Topic | Agree/Disagree/ No Response Necessary / Phase II Issue |
|--------------------------------------------------|-------------------------------------------------------------|----------------------|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------|
| Larry R. Price<br>Chief<br>Probation<br>Officer  | Fresno County<br>Probation<br>Department                    |                      | Agree                  | I have read the 'Probation Services Task Force Interim Report' and wish to express my opinion that this is an exceptionally well-done document. The report accomplishes many objectives for the delivery of probation services in California. It brings to the forefront the importance of the role of probation in the California criminal justice system and provides a clear and concise understanding for the reader of what probation "really does." This document will serve as a milestone in California for future policy and funding decisions for delivery of probation services to the people of this great state. My thanks to the California Judicial Council and all of the members who have given of their time to serve on this task force.     | General       | No response necessary.                                 |
| John M. Wardell<br>Chief<br>Probation<br>Officer | Nevada County<br>Probation<br>Department                    |                      | Agree only if modified | By in large the report is very well done.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | General       | No response necessary.                                 |
| Doug Rublaitus<br>Chief<br>Probation<br>Officer  | Alpine County<br>Probation                                  |                      | Agree                  | Excellent job!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | General       | No response necessary.                                 |
| C. Brent Wallace<br>County<br>Administrator      | County of Tuolumne<br>Administrator's<br>Office             |                      | Agree only if modified | I have read the 'Probation Services Task Force Interim Report' and commend each member for the work that has been accomplished.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | General       | No response necessary.                                 |
| Bob Franklin<br>Executive<br>Director            | State Coalition<br>of Probation<br>Organizations,<br>SCOPO  |                      |                        | I wish to congratulate the members of the council and all involved persons and contributors for the Herculean task that has been accomplished. I feel you have identified and clearly stated issues, concerns and recommendations that will be useful in improving and correcting many issues that confront probation today.                                                                                                                                                                                                                                                                                                                                                                                                                                    | General       | No response necessary.                                 |
| Trish Clarke<br>Chair                            | CSAC<br>Administration of<br>Justice Policy<br>Committee    | X                    |                        | On behalf of the county representatives on the Probation Services Task Force, I want to commend you for your extraordinary commitment and tireless work on behalf of all task force members. We all remain resolute in our determination to find solutions that will enhance the probation system in California.                                                                                                                                                                                                                                                                                                                                                                                                                                                | General       | No response necessary.                                 |
| Trish Clarke<br>Chair                            | CSAC<br>Administration of<br>Justice Policy<br>Committee    | X                    |                        | We are encouraged by the extraordinary efforts of the task force over the last year and a half. The interim report, which details the scope of the task force's examination and outreach efforts, is a consensus work product that reflects the points on which task force members could reach agreement. Perhaps one of its greatest values is that it serves to educate the public, policymakers, and all interested stakeholders about the unique and critical role of the probation system and the many fiscal and operational challenges it faces. While we have much work ahead of us in phase two of the task force, the clear and articulate account of the past, present, and future of probation provides a solid foundation upon which we can build. | General       | No response necessary.                                 |
| Phil Erdman<br>President                         | State Coalition<br>of Probation<br>Organizations<br>(SCOPO) |                      | Agree only if modified | First of all, I want to congratulate those on the Probation Services Task Force on completing the extensive research shown by this report. It was a "breath of fresh air" that was needed at this very critical time in probation's history. At times, I have asked the question "Let's stop for a moment and find out just what are we really doing?" especially when I have witnessed many probation departments flip-flop in their direction and mission many times over the last three decades. I have enjoyed reading this draft interim report and look forward to the second study phase of the task force.                                                                                                                                              | General       | No response necessary.                                 |
| Family &<br>Juvenile<br>Subcommittee             | Judicial Council<br>of California                           | X                    | Blank                  | We agree that this is an exceptionally well-crafted report that required substantial primary research. The "general profile" of probation was a unique contribution; this information has never before been compiled for the state. The report's appendices contain a large amount of supportive information. One reader didn't learn anything new from this report, while another added that a big contribution of the report is that it sets the stage for taking on the work that will need to be done.                                                                                                                                                                                                                                                      | General       | No response necessary.                                 |

## *Probation Services Task Force Draft Interim Report Comment Chart*

| Full Name                                       | Organization                                                                 | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Theme / Topic | Agree/Disagree/No Response Necessary / Phase II Issue |
|-------------------------------------------------|------------------------------------------------------------------------------|----------------------|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------------------|
| Dave Rosenberg<br>Chairman                      | Yolo County Board of Supervisors                                             | X                    | Agree                  | We commend the task force on the thoroughness of their approach and success in identifying the issues with which we deal on a daily basis. An accurate description of the current state of probation has been developed, hopefully leading toward an effective model that can be adopted.                                                                                                                                                                                                                                                                                   | General       | No response necessary.                                |
| Bart Bohn<br>County Administrative Officer      | Fresno County Administrator's Office                                         |                      | Blank                  | Staff has carefully reviewed the Probation Services Task Force Interim Report made public in January 2002. The task force deserves to be complimented for the in-depth evaluation and study of the role probation has in county and state government. The document does a good job of explaining the differences throughout the state and nation regarding probation services and responsibilities. I support the uniformed approach to the operation of probation services throughout the state suggested in the Interim Report and look forward to the subsequent report. | General       | No response necessary.                                |
| Cliff Merrill<br>Acting Chief Probation Officer | Solano County Probation                                                      |                      | Agree                  | Excellent work!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | General       | No response necessary.                                |
| Thomas Folena<br>Editor in Chief                | State Coalition of Probation Organizations (SCOPO)                           |                      | Agree only if modified | In response to your Interim Report, I was very impressed with the work that has been done so far. I believe your report and recommendations, for the most part, address the most important areas in probation that need change.                                                                                                                                                                                                                                                                                                                                             | General       | No response necessary.                                |
| James Rowland<br>Chief Probation Officer        | Napa County Probation Department                                             | X                    | Agree                  | We have reviewed with interest the recommendations in the Probation Services Task Force Interim Report and would like to commend the task force on its thorough, well-thought-out, and well-written work. We are pleased to say we are not only in substantial agreement, we are already moving in many of the directions indicated.                                                                                                                                                                                                                                        | General       | No response necessary.                                |
| James Rowland<br>Chief Probation Officer        | Napa County Probation Department                                             | X                    | Agree                  | We support the efforts of the task force and are pleased with the results so far. Thank you for the hard work and thoughtfulness given to this work, and for the opportunity to add our comments.                                                                                                                                                                                                                                                                                                                                                                           | General       | No response necessary.                                |
| J. Steven Worthley<br>Chairman                  | Tulare County Board of Supervisors                                           | X                    | Blank                  | Thank you for the opportunity to comment on the Probation Services Task Force Interim Report. The amount of care and thought that went in to the report is evident.                                                                                                                                                                                                                                                                                                                                                                                                         | General       | No response necessary.                                |
| Richmond, Harlan, Vinson, Krietich              | Amador County Superior Court, Board of Supervisors, and Probation Department | X                    | Blank                  | Amador County appreciates the time and effort the task force members, staff, liaisons and consultants spent on this project. We also appreciate the comments of the probationers who were included in the project.                                                                                                                                                                                                                                                                                                                                                          | General       | No response necessary.                                |
| Stephen Birdlebough                             | Friends Committee on Legislation of California                               |                      | Blank                  | As a lawyer who appreciates the role of probation services, let me commend the Judicial Council Task Force's efforts reflected in the above report. Improving the services of 58 probation departments in a state as diverse as California is a huge undertaking, and the task force seems to have achieved some hard-won success in its first phases. However, I would like to challenge the Judicial Council to more move directly to the heart of the issues.                                                                                                            | General       | No response necessary.                                |
|                                                 | San Luis Obispo County Probation                                             | X                    | Agree                  | Please allow us a moment to thank the members of the Probation Services Task Force, and their support staff for compiling such a comprehensive report regarding the status of probation, the deputies and custodial officers working in the state of California. It is a pleasure to see that others are as concerned over the probation system as the officers who work within it are. We are responding, with comments, as experienced line officers with over 15 years experience each.                                                                                  | General       | No response necessary.                                |

## *Probation Services Task Force Draft Interim Report Comment Chart*

| Full Name                                      | Organization                                       | On Behalf of a Group | Check Box | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Theme / Topic | Agree/Disagree/ No Response Necessary / Phase II Issue |
|------------------------------------------------|----------------------------------------------------|----------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------|
|                                                | San Luis Obispo County Probation                   | X                    | Agree     | Public safety is our number one goal. We live in our communities and wish to continue our part in the criminal justice system. We thank you again for the effort put forth in this report, and hope that your recommendations, and those of the deputy probation officers around the state, will be heeded.                                                                                                                                                                                                                                                                                                                                   | General       | No response necessary.                                 |
| Robert G. McAlister<br>Chief Probation Officer | Mendocino County Probation Department              |                      | Blank     | I have reviewed the Interim Report of the Probation Services Task Force and find it very thorough and intriguing. The task force has done an excellent presentation of the issues in governance and service delivery currently facing probation departments. I could do very little, if anything, to improve on or detract from this report. In reading it, it must be recognized that it is only the first part of an extensive study of the relationship between the judicial and executive branches of local government, and their responsibilities to provide services to the community through the probation officer and his department. | General       | No response necessary.                                 |
| Penelope Clarke<br>Administrator               | County of Sacramento Public Protection Agency      | X                    | Blank     | Thank you for the opportunity to provide comments to the draft Interim Report of the Probation Services Task Force. The report is comprehensive and reflects a thorough understanding of the many issues surrounding the provision of probation services.                                                                                                                                                                                                                                                                                                                                                                                     | General       | No response necessary.                                 |
| Mari Beraz<br>County Administrative Officer    | Monterey County Administrator's Office             | X                    | Blank     | The Board of Supervisors expresses Monterey County's support for the second phase of the task force efforts. The Monterey County Board of Supervisors extends its appreciation for the comprehensive analysis and recommendation process undertaken by the task force in its initial phase, and further thanks the task force members for a thorough analysis, presented in a well-written and organized interim report.                                                                                                                                                                                                                      | General       | No response necessary.                                 |
| Bob Franklin<br>Executive Director             | State Coalition of Probation Organizations (SCOPO) |                      |           | It is obvious from the many comments from judges and probationers, that probation and most probation officers are held in high esteem. Is it possible that we have become our worst enemies by ignoring our own strengths and allowing budget issues to design departments and delivery of services contrary to our beliefs and the expressed needs of the community?                                                                                                                                                                                                                                                                         | General       | No response necessary.                                 |
| Robert G. McAlister<br>Chief Probation Officer | Mendocino County Probation Department              |                      | Blank     | I am very fortunate to be working with a supportive board of supervisors, county administrator and staff, and Judicial Council. There have been financial and budgeting issues that have required such support and, in general, we all have been working cooperatively and collaboratively to ensure timely and effective service delivery. But, as demonstrated in this task force report, that is not always the case of others, and may not be for us in the coming years of diminishing resources and budgetary crises.                                                                                                                   | General       | No response necessary.                                 |
| Bob Franklin<br>Executive Director             | State Coalition of Probation Organizations (SCOPO) |                      |           | I find it discouraging that many of the issues addressed in the Governor's Blue Ribbon Commission study on the Criminal Justice System and the presentation by CPPCA, Corrections 2000, remain unchanged.                                                                                                                                                                                                                                                                                                                                                                                                                                     | General       | No response necessary. Task force will review.         |
| Bekki Riggan<br>Principal Management Analyst   | County Executive Office                            |                      | Agree     | Placer County strongly encourages the continuation of this task force study with the hopes that it leads to identification of more effective funding and management models for California probation departments.                                                                                                                                                                                                                                                                                                                                                                                                                              | General       | No response necessary.                                 |
| Dave Rosenberg<br>Chairman                     | Yolo County Board of Supervisors                   | X                    | Agree     | We understand the need for a second study phase given the enormity of the task and appreciate the desire to publish a truly usable study. It is fortunate that the Judicial Council has realized the need to examine probation services and its central position in the local and state criminal justice structure. This is a step that could very well lead to improved efficacy of that system.                                                                                                                                                                                                                                             | General       | No response necessary.                                 |
| J. Steven Worthley<br>Chairman                 | Tulare County Board of Supervisors                 | X                    | Blank     | Overall, we agree with the task force conclusion that more work is required and that the points outlined in the Interim Report shall serve as guidance for that additional work.                                                                                                                                                                                                                                                                                                                                                                                                                                                              | General       | No response necessary.                                 |

## *Probation Services Task Force Draft Interim Report Comment Chart*

| Full Name                                      | Organization                                                                 | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Theme / Topic | Agree/Disagree/ No Response Necessary / Phase II Issue   |
|------------------------------------------------|------------------------------------------------------------------------------|----------------------|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------------------------------------------|
| Robert G. McAlister<br>Chief Probation Officer | Mendocino County Probation Department                                        |                      | Blank                  | I have followed the progress of this report since the formation of the task force and have given the task force my own input. I do not always agree on all issues with my fellow chief probation officers, some who have problems unique to their larger jurisdictions and who tend to sway the smaller counties into following their lead. However, the process used to gather information for this report included input from the smaller northern counties and stakeholders, and constitutes what I believe to be an accurate picture of the issues.                                                                                                                                                                          | General       | No response necessary.                                   |
| C. Brent Wallace<br>County Administrator       | County of Tuolumne Administrator's Office                                    |                      | Agree only if modified | The Interim Report recommendations include, in several recommendations, the word "should." This may be a result of the background of the various individuals involved with the task force and a hesitancy to include stronger language that could be imposed upon a probation department. Almost all of these recommendations could be revised and applied to any function of local government, which does not invalidate the recommendation, but it seems reasonable that some of these recommendations are deserving of stronger language that would be supported by a majority of the committee members.                                                                                                                      | General       | Phase II.                                                |
| Thomas Folena<br>Editor in Chief               | State Coalition of Probation Organizations (SCOPO)                           |                      | Agree only if modified | Concerning your 18 recommendations, I highly agree with 15 of your recommendations, Obviously implementation of these changes will necessitate strong lobbying in Sacramento, to ensure enactment of new laws that will mandate specific changes. There are only 3 recommendations that I disagree with, probably because I am unclear as to what the probation officer's actual responsibility will be.                                                                                                                                                                                                                                                                                                                         | General       | No response necessary.                                   |
| Richmond, Harlan, Vinson, Krietlich            | Amador County Superior Court, Board of Supervisors, and Probation Department | X                    | Blank                  | The 18 recommendations appear to be well thought out and appropriate. There are a few points which need further clarification and study before statewide policies are made.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | General       | No response necessary.                                   |
| Richmond, Harlan, Vinson, Krietlich            | Amador County Superior Court, Board of Supervisors, and Probation Department | X                    | Blank                  | Amador County is supportive of the efforts of the Probation Services Task Force. Except for recommendation 18, Amador County agrees in principle to the other 17 recommendations. We also agree to the areas of funding, appointment and evaluation of the chief probation officer, and responsibility of detention facilities require further in-depth investigation and recommendations.                                                                                                                                                                                                                                                                                                                                       | General       | No response necessary.                                   |
| Ray W. Miller<br>Probation Officer II          | San Bernardino County Probation                                              |                      | Do not agree           | In general, I disagree with assumptions and recommendations as they pertain to the "Charge" of the Probation Services Task Force. For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | General       | No response necessary.                                   |
| Penelope Clarke<br>Administrator               | County of Sacramento Public Protection Agency                                | X                    | Blank                  | Most of the report recommendations make sense and are beneficial in the provision of services. Stable funding, mission statements, goals, measurable outcomes, a common statewide language, collaborative relationships between courts, counties and educational agencies are important requirements for administering probation services. The recommendations for assessment and classification systems, graduated continuum of services and sanctions, early interventions, identification of educational needs, reforms aimed at ensuring juveniles are appropriately detained and balanced accountability are important in ensuring that juvenile and adults are provided needed services while the community needs are met. | General       | No response necessary.                                   |
| Penelope Clarke<br>Administrator               | County of Sacramento Public Protection Agency                                | X                    | Blank                  | Sacramento County comments are limited to a discussion of the California Probation Model, development of workload standards and technology resources.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | General       | No response necessary.                                   |
| Alice Vilardi<br>Judge                         | Superior Court of California, County of Alameda                              |                      | Agree only if modified | A footnote to the first sentence of the General Profile section explaining the difference between probation and parole would be informative.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | General       | Agree. The appropriate footnote will be added to report. |

## Probation Services Task Force Draft Interim Report Comment Chart

| Full Name                                | Organization                                    | On Behalf of a Group | Check Box              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Theme / Topic | Agree/Disagree/ No Response Necessary / Phase II Issue                                                     |
|------------------------------------------|-------------------------------------------------|----------------------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------------------------------------------------------------------------------------------|
| Alice Vilardi Judge                      | Superior Court of California, County of Alameda |                      | Agree only if modified | p. 3: There may be an inconsistency between, or an error in one, of the following two sentences that appear on this page. "From 1990 to 1999, adult probation populations increased steeply, with the adult probation population growing by 41.3 percent" is the first sentence. The second, in the next section of the report, reads "California experienced a significant change in the probation population during the years 1991 to 1999, with the total adult population increasing approximately 7 percent." Should the second sentence say "adult probation population increasing approximately 7 percent"? And if so, a comment explaining the difference between the national trend and that in California would be informative.                                                                                                                                                                                                                                                                                                                                | General       | Agree. Will revise for clarity.                                                                            |
| Alice Vilardi Judge                      | Superior Court of California, County of Alameda |                      | Agree only if modified | p.3 There is a nonsequitur in the second and third sentences of the discussion headed California's Probation Population. While it may be true that California's probation population has become markedly more violent, that fact is not established by noting the number of adult probationers sentenced for a felony offense, as a large number of felonies do not involve acts of violence. A dramatic increase in the prosecution of nonviolent drug charges, and commitment to probation for supervision of drug treatment, for instance, could account for much of the increase in felons on probation. (And would explain why it is true, as is noted later in the draft, that adult drug courts are evolving into a core service of adult supervision [p. 48].)                                                                                                                                                                                                                                                                                                   | General       | Agree. Will revise for clarity.                                                                            |
| Wendy Watanabe Assistant Division Chief  | Los Angeles County Chief Administrator's Office |                      | Agree                  | We welcome and look forward to the task force's second phase of continued study in the development of a comprehensive, long-term plan related to the funding and delivery of probation services and other aspects.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | General       | No response necessary.                                                                                     |
| Ray W. Miller Probation Officer II       | San Bernardino County Probation                 |                      | Do not agree           | The 5 Fundamental Principles violate the intent of the "Charge." In using business concepts, I have argued that the PSTF has not approached its "Charge." The recommendations made by the PSTF consist mostly of services the probation department should provide, and how it should be managed. The "Charge" did not ask for this. The "Charge" asked for what was being offered, not what should be. Only the first two recommendations address the "Charge," but they have been limited in the exploration of possibilities as a result of Principles 2 and 3.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Principles    | Disagree.                                                                                                  |
|                                          | San Luis Obispo County Probation                | X                    | Agree                  | An issue we did not see mentioned was courtesy supervision. This whole section of the system is a mess. Interstate compact is not much better. In regards to courtesy supervision, we know that the restrictions placed is solely a result of under staffing in outside county agencies. We can only assume the lengthy delays in interstate compact is because of the same. It appears to be well known in the land of the convicted felon that if you move, you probably won't be supervised. That doesn't do much to support our goal of public safety.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Probation     | Agree. Will include courtesy supervision in "Probation Present."                                           |
| Kimberly Barrett Chief Probation Officer | San Luis Obispo Probation Dept.                 |                      | Agree                  | Probation officers have dual roles which are integrated daily into the job. We should not continue to try to label officers solely in one role or the other.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Probation     | No response necessary. Probation Services Task Force acknowledges role of probation in "Probation Future." |
| Bruce West Deputy Probation Officer      | San Luis Obispo County Probation Department     |                      | Blank                  | While identifying the "unique and central position" of probation in the justice system, the draft report at one point refers to the existing "dual role" of probation. From my perspective and experience (30 years) this perception, although generally accepted, cripples our ability to meet the potential inherent in that "unique and central position". It also maintains a state of chronic divisiveness and prohibits us from moving forward professionally. The reality is that a central vision, purpose, and goal are basic requirements for organizational survival and success.                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Probation     | No response necessary. Probation Services Task Force acknowledges role of probation in "Probation Future." |
|                                          | San Luis Obispo County Probation                | X                    | Agree                  | One of the most important issues pointed out is the dual roles of probation officers. These roles can be integrated, and many officers effectively do so. However, labeling of officers in one role or another is detrimental to the overall health and well being of the local jurisdiction and the system as a whole. One judge's comment about how probation seems to be hiring more people with criminal justice degrees instead of liberal arts degrees supports this concern. It would seem to us that the sheer number of adult felons, under probation supervision, would support that professionals with degrees in criminal justice may well be better suited to the role of a deputy probation officer. Many criminal justice majors complete internships, while in college, with criminal justice agencies. Therefore, these individuals have at least a working knowledge of the criminal mind, have dealt with volatile issues first hand, or have basic knowledge of the Penal Code, Welfare and Institutions code, Health and Safety code, and so forth. | Probation     | No response necessary. Probation Services Task Force acknowledges role of probation in "Probation Future." |

## *Probation Services Task Force Draft Interim Report* Comment Chart

| Full Name                                            | Organization                                   | On Behalf of a Group | Check Box                    | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Theme / Topic                       | Agree/Disagree/ No Response Necessary / Phase II Issue                                                                                                                                                                                                                                                                                                                                                                      |
|------------------------------------------------------|------------------------------------------------|----------------------|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| John M. Wardell<br>Chief<br>Probation<br>Officer     | Nevada County<br>Probation<br>Department       |                      | Agree<br>only if<br>modified | A larger sampling of counties is needed to represent a total understanding of large-, medium- and small-county needs and issues.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Probation                           | Disagree. The task force includes representatives from rural, suburban, and urban counties in northern, central, and southern California. The six counties selected to participate in the snapshot study were selected as representative diverse counties; further, the survey was sent to relevant stakeholders in all counties, and the roundtables reached out to participants from urban, suburban, and rural counties. |
| Robert G. McAlister<br>Chief<br>Probation<br>Officer | Mendocino<br>County<br>Probation<br>Department |                      | Blank                        | <p>It is often difficult to look at what is working and what is not in Mendocino County, when being compared to counties where funding for programs is proportionate to size, and where small programs become benchmarks for programs desired by our local judiciary, without consideration for funding sources. For instance, a successful truancy reduction program in Fresno County may rely on having several deputy probation officers on campus at one school the same size as one of our own, but our staff allocation does not allow for placing more than one officer on several campuses during any given time period. It sometimes comes down to picking and choosing which programs to implement that will provide the best public safety and client service, rather than having many programs that will fail due to overextension of staff and resources. The problem arises for many of us chiefs when a judge decides that that truancy program is effective and must be implemented immediately in this jurisdiction. When informed that this takes funding, the response is to ask the board of supervisors for the money, but get the program implemented now.</p> <p>This leads to the primary issue of governance and how it affects the ability of the probation officer to implement and sustain court-ordered services while maintaining a budget involving general funds, grants and government allocations, all under the control and direction of the county. Judiciary and executive mandates sometimes conflict and leave the probation officer feeling frustrated and lacking support from either branch.</p> | Probation                           | Agree. Will revise text to reflect local differences.                                                                                                                                                                                                                                                                                                                                                                       |
| Ray W. Miller<br>Probation<br>Officer II             | San Bernardino<br>County<br>Probation          |                      | Do not<br>agree              | If the PSTF is to be successful, it must get to the basics: (1) What are probation's essential functions, as described by law, including dependency? (2) What should be done by probation that cannot be done by anyone else? Or what can probation do better than someone else, because of its mandatory functions? (3) What functions are being done by probation, that they should not be doing? (4) What does the future have in hold for these functions? (5) With this information, write a mission statement for probation (6) Now that probation has its mission, how (goals and objectives) do we make it happen (strategic plan)? (7) With the goals and objectives, what kind of management structure will be best to implement them?. In doing these steps, the "Charge" will be accomplished. For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Probation<br>Services Task<br>Force | No response necessary.                                                                                                                                                                                                                                                                                                                                                                                                      |
| Ray W. Miller<br>Probation<br>Officer II             | San Bernardino<br>County<br>Probation          |                      | Do not<br>agree              | Based upon what appears the general intent of the "charge," it seems the five fundamental principles of the PSTF have narrowed the charge in a way that suppresses free analysis. If the five fundamental principles are not broadened, it is suggested the task force will fail to consider options that will benefit its effort. For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Probation<br>Services Task<br>Force | Disagree.                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Ray W. Miller<br>Probation<br>Officer II             | San Bernardino<br>County<br>Probation          |                      | Do not<br>agree              | In the first phase of the task force effort, the PSTF has gathered information that analyzes the environment. The PSTF analysis of the data is, in my opinion, not true to the "charge." For complete comments, see tab 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Probation<br>Services Task<br>Force | Disagree.                                                                                                                                                                                                                                                                                                                                                                                                                   |

## *Probation Services Task Force Draft Interim Report Comment Chart*

| Full Name                                              | Organization                                   | On Behalf of a Group | Check Box | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Theme / Topic                 | Agree/Disagree/ No Response Necessary / Phase II Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------------------------------------------|------------------------------------------------|----------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Thomas M. Anderson<br>Public Defender                  | Nevada County Public Defender                  |                      |           | The Task Force membership does not include anyone from the criminal defense bar. The role of probation, while critical to the success of the criminal justice system, shares that role with prosecution, bench and defense. It is the defendant and defense attorney that are directly impacted by the efforts or lack of effort by a probation officer or probation department. It is the defendant and defense attorney that are critical partners to a P.O., if that P.O. is to be successful in a specific case. Additionally, the philosophy of what probation should do and how to approach their role is not addressed. That element is critical to the success of probation officers on a case-by-case basis. Uniform understanding of the hands-on role of a P.O. is something that is clearly lacking across the board. That issue is not a performance measure but an identity issue that permeates all that P.O.s do. | Probation Services Task Force | Disagree. The composition of the task force was set to allow representation by the core stakeholders while keeping the group at an appropriate number given the short time span necessary to complete the broad charge. The task force considered inviting other stakeholders, including defense attorneys, to participate in the task force. After lengthy discussion, the task force determined that the best method for completing the charge while receiving stakeholder input was to keep the established task force composition but to conduct extensive outreach, including (1) holding public meetings and hosting a public Web site, (2) surveying interested parties, (3) holding roundtable discussions. |
| Bart Bohn<br>County Administrative Officer             | Fresno County Administrator's Office           |                      | Blank     | I understand our Probation Services Manager, Philip Kader, has been a member of your task force since it began over fifteen months ago. I am pleased that a Fresno representative will remain on the task force to work on your continued effort to submit a final report.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Probation Services Task Force | No response necessary.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| J. Warchol<br>Chief Probation Officer                  | El Dorado County Probation                     |                      | Blank     | The use of placement, and placements themselves, should be reviewed. This is an area that requires major reform.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Services                      | Phase II.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                                        | San Luis Obispo County Probation               | X                    | Agree     | Probation has always been the hidden component of their system. Until recently, probation has not even had a strong presence in Sacramento (i.e., legislative support, lobbying, etc.) And often our needs were ignored because probation has never been a "squeaky wheel."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Status of probation           | Phase II.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Martin Staven<br>Presiding Judge of the Juvenile Court | Superior Court of California, County of Tulare |                      | Agree     | Blank.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                               | No response necessary.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

***Probation Services Task Force Draft Interim Report  
Comment Chart***

| Full Name                       | Organization                                | On Behalf of a Group | Check Box | Comment | Theme / Topic | Agree/Disagree/No Response Necessary / Phase II Issue |
|---------------------------------|---------------------------------------------|----------------------|-----------|---------|---------------|-------------------------------------------------------|
| Patrick Casey<br>Senior Analyst | County of Imperial, County Executive Office |                      | Agree     | Blank.  |               | No response necessary.                                |

***Probation Services Task Force Draft Final Report  
Comment Chart***

| <b>Name</b>                    | <b>Organization</b>                                | <b>On Behalf of a Group</b> | <b>Check Box</b> | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Response</b>                                                                                                                                                                                                                                                                                                  |
|--------------------------------|----------------------------------------------------|-----------------------------|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| David E. Janssen               | County of Los Angeles, Chief Administrative Office | X                           |                  | In general we concur with the 17 Probation Services Task Force recommendations included in the draft final report. Also, in accordance with principle 1, we feel that authority over and responsibility for the conduct, support, funding, oversight, and administration of probation services, including the appointment of the chief probation officer, must be connected and should remain with the counties. Although it may be determined that modification of certain areas in the delivery of probation services may improve the process, we believe that a collaborative effort of probation service delivery in Los Angeles County continues to exist with our court. | No response necessary.                                                                                                                                                                                                                                                                                           |
| Susan S. Muranishi             | County of Alameda                                  | X                           |                  | The county of Alameda concurs with the findings and recommendations presented in this report, and greatly appreciates the leadership of the task force on these matters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | No response necessary.                                                                                                                                                                                                                                                                                           |
| Steve Cooley<br>Peter Bozanich | Los Angeles County District Attorney's Office      |                             |                  | Members of this office have reviewed the draft report. I agree with the finding that "the status quo in the probation system is not acceptable." The draft report is well intentioned and thoughtful. Thank you for your efforts and best wishes in implementing the proposed reforms.                                                                                                                                                                                                                                                                                                                                                                                         | No response necessary.                                                                                                                                                                                                                                                                                           |
| Joseph S. Warchol, II          | El Dorado County Probation Department              |                             | Do not agree     | I do not agree with principle 1. The concept is flawed in assuming that funding of probation services and appointment of the CPO must be connected. Much like the sheriff, for example, their election and funding are not connected, yet they appear to handle their responsibilities without any conflict. I believe that connecting the funding of probation and the appointing authority would actually inhibit the CPO from advocating for additional funds for probation services when needed. In counties where chief probation officers are appointed by the courts, it is the relationships between courts and the CPO that helps to balance programs and resources.  | Disagree. The five fundamental principles were developed by the task force to serve as guiding principles for its work. The task force believes fundamental principle 1 is necessary for improved probation services.                                                                                            |
| Joseph S. Warchol, II          | El Dorado County Probation Department              |                             | Do not agree     | However, no matter what view is taken regarding the report, it would appear that state's new direction taken toward realignment is in direct conflict with the recommendations and principles of the task force.                                                                                                                                                                                                                                                                                                                                                                                                                                                               | While budget discussions for fiscal year 2003–04 have included consideration of realignment from the state to counties of (1) juvenile correction functions and (2) certain adult parole functions, these proposals have not been adopted and do not appear in the Governor's spending plan revised in May 2003. |

***Probation Services Task Force Draft Final Report  
Comment Chart***

| <b>Name</b>           | <b>Organization</b>                   | <b>On Behalf of a Group</b> | <b>Check Box</b> | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                 | <b>Response</b>                                                                                                                                                                                                                                      |
|-----------------------|---------------------------------------|-----------------------------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Joseph S. Warchol, II | El Dorado County Probation Department |                             | Do not agree     | I have serious concern related to the following:<br>Rec. #2: I believe the courts should continue to provide the appointment and supervision of the CPO.<br><br>I am also very concerned that the state's plan of realignment conflicts with your report.                                                                                                                                      | No response necessary.<br><br>The state's current realignment plan does not contain correctional components, and none of its current elements appear to conflict with the proposals being advanced by the task force.                                |
| Joseph S. Warchol, II | El Dorado County Probation Department |                             | Do not agree     | I have serious concern related to the following:<br>Rec. #12: Workload standards have not worked thus far. Presently the field of probation absorbs additional work as it grows. Our standards suggest sufficient staff and flexibility to meet our mandates. Caseload numbers work for state parole and federal probation services, which is the only real standard that ensures consistency. | Disagree. The task force believes the recommendation is necessary to improve probation services.                                                                                                                                                     |
| Joseph S. Warchol, II | El Dorado County Probation Department |                             | Do not agree     | I have serious concern related to the following:<br>Rec. #16: There is no reason to change the name of probation, as a change would serve no purpose. Our lack of status is only aggravated by the fact that probation is an invisible partner to the many agencies expecting and receiving our services.                                                                                      | Agree. The task force recommends a change to the name of probation only if probation moves toward a community-centered focus.                                                                                                                        |
| Joseph S. Warchol, II | El Dorado County Probation Department |                             | Do not agree     | I have serious concern related to the following:<br>Rec. #17: I would prefer to keep the Probation Services Task Force as a group to address a long-term plan. However, until the issue of realignment is resolved, there will be no purpose for such a body to exist.                                                                                                                         | The task force was created by CSAC and the Judicial Council as a limited-term task force to address a specific charge. The task force ends June 2003. While the task force recommends that much of its work continue, it cannot extend its own term. |

## *Probation Services Task Force Draft Final Report* **Comment Chart**

| <b>Name</b>                                                             | <b>Organization</b>                                  | <b>On Behalf of a Group</b> | <b>Check Box</b>  | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Response</b>                                                                                                                                                                                                       |
|-------------------------------------------------------------------------|------------------------------------------------------|-----------------------------|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Raymond J. Davilla, Jr.<br><br>Eugene M. Hyman<br><br>Edward J. Davilla | Superior Court of California, County of Santa Clara  |                             | Agree if modified | We are in disagreement with principle 1. Our concern is the selection and appointment process of the chief probation officer. In Santa Clara County, the superior court selects the chief probation officer with input from the juvenile justice commission. The probation department is vital to the accountability and rehabilitation of our wards and other juveniles who use various diversion and non-ward status programs. Currently the probation department is responsive to our requests and needs. We are concerned that this may be diluted or lost if the chief is selected in a manner that eliminates the court from the selection process. We are not opposed to expanding the selection process to include the opinions of the board of supervisors; however, the court should continue to make the ultimate selection and the chief probation officer should report to the court. Similarly we are concerned about recommendation 2 for the reasons just stated. We share immediate past-presiding-judge Richard C. Turrone's comments, which have previously been communicated to you. He has addressed our concerns in greater detail. It is important to note that we are in agreement with the majority of opinions listed in the final report. Our comments represent our personal views. We are not writing as representatives of the court. | Disagree. The five fundamental principles were developed by the task force to serve as guiding principles for its work. The task force believes fundamental principle 1 is necessary for improved probation services. |
| Grover Trask                                                            | Office of the District Attorney, County of Riverside |                             |                   | The Riverside County District Attorney's Office makes the following comments and concerns:<br><br>The adult probation services should be administered exclusively by the courts and all juvenile matters should be administered in a separate department. (See, for example, Pages 5, 6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Disagree. The task force developed five fundamental principles to serve as guiding principles for its work. It is the belief of the task force that adult and juvenile probation should be connected.                 |
| Grover Trask                                                            | Office of the District Attorney, County of Riverside |                             |                   | The Riverside County District Attorney's Office makes the following comments and concerns:<br><br>We are in agreement that there are not enough probation officers, in Riverside County at least, to provide the services needed. More resources should go to adult probation because as you will note statewide only 23% of probationers are juveniles and yet something like 70% of the financial resources are spent on the juveniles.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | No response necessary.                                                                                                                                                                                                |

***Probation Services Task Force Draft Final Report  
Comment Chart***

| <b>Name</b>  | <b>Organization</b>                                  | <b>On Behalf of a Group</b> | <b>Check Box</b> | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>Response</b>        |
|--------------|------------------------------------------------------|-----------------------------|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| Grover Trask | Office of the District Attorney, County of Riverside |                             |                  | <p>The Riverside County District Attorney's Office makes the following comments and concerns:</p> <p>The selection process of the chief probation officers needs reforming. Although the task force on page 39 says the survey indicated the CPO appointment process worked well, in other comments throughout the report it indicates otherwise and our own experience from Riverside County underscores the fact. On page 72 the task force talks about an interim model discussing pros and cons of the appointment process regarding CPOs. It is my opinion that the chief probation officer should be selected by the judiciary as long as the funding is by the state. The CPO disagrees that there be a unanimous agreement required for appointment of the chief probation officer.</p> | No response necessary. |
| Grover Trask | Office of the District Attorney, County of Riverside |                             |                  | <p>The Riverside County District Attorney's Office makes the following comments and concerns:</p> <p>Funding—See pages 68–69: We agree that the status quo is not acceptable and there needs to be a new structure. On page 70 it is noted that it is possible to consider using trial court funding as a model and to transfer the source of funding to the state. This appears to be a reasonable model.</p>                                                                                                                                                                                                                                                                                                                                                                                  | No response necessary. |
| Grover Trask | Office of the District Attorney, County of Riverside |                             |                  | <p>The Riverside County District Attorney's Office makes the following comments and concerns:</p> <p>Caseloads—"Banking": The age-old split as to whether probation is more effective if its primary role is that of helping and counseling or supervising and enforcing law enforcement and monitoring. I personally believe that the counseling/helping model has not been effective. The funds should go toward a more structured law enforcement approach called "community corrections."</p>                                                                                                                                                                                                                                                                                               | No response necessary. |
| Grover Trask | Office of the District Attorney, County of Riverside |                             |                  | <p>The Riverside County District Attorney's Office makes the following comments and concerns:</p> <p>The solutions generally call for more money and new standard procedures in which to judge probation caseloads and accomplishments. This is a shorthand for establishing procedures to reduce the workload of the probation officers.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                   | No response necessary. |

***Probation Services Task Force Draft Final Report  
Comment Chart***

| <b>Name</b>  | <b>Organization</b>                                  | <b>On Behalf of a Group</b> | <b>Check Box</b> | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Response</b>                                                                                                                                                                                           |
|--------------|------------------------------------------------------|-----------------------------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Grover Trask | Office of the District Attorney, County of Riverside |                             |                  | <p>The Riverside County District Attorney's Office makes the following comments and concerns:</p> <p>Rec. 4 calls for clearly drawn mission statements, which are annually reviewed. Please note that, once again, there are no new approaches to the problem except to suggest that more money be allocated.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | No response necessary.                                                                                                                                                                                    |
| Grover Trask | Office of the District Attorney, County of Riverside |                             |                  | <p>The Riverside County District Attorney's Office makes the following comments and concerns:</p> <p>Rec. 5 calls for measurable outcomes in developing goals and objectives. It is a good idea, but useless unless they are given more funding.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | No response necessary.                                                                                                                                                                                    |
| Grover Trask | Office of the District Attorney, County of Riverside |                             |                  | <p>The Riverside County District Attorney's Office makes the following comments and concerns:</p> <p>The report lists numerous recommendations starting on page 8 which are mentioned throughout. Many of these are typical report language ideas that would be obvious to most people even if the task force had never met. They do not provide much guidance when helping to reform the probation department.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | No response necessary.                                                                                                                                                                                    |
| Grover Trask | Office of the District Attorney, County of Riverside |                             |                  | <p>The Riverside County District Attorney's Office makes the following comments and concerns:</p> <p>Because of competitive contracts and demands between the board of supervisors (the funding source for probation) I believe what is called for is a division of responsibilities of probation's duties. The legislative judicial council should consider establishment of two independent departments. One department would take care of the court-related issues, and the other department would deal with juvenile incarceration and juvenile justice. The funding for both should be bifurcated. The state should fund all court-related matters and the county should be responsible for all local juvenile incarcerations. The court should have complete authority over matters related to the probation department not dependent on the local board of supervisors funding and supervising.</p> | Disagree. The task force considered various alternatives for the long-term governance of probation and concluded that adult and juvenile probation should be connected. Refer to fundamental principle 5. |

***Probation Services Task Force Draft Final Report  
Comment Chart***

| Name          | Organization                                         | On Behalf of a Group | Check Box | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------|------------------------------------------------------|----------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Grover Trask  | Office of the District Attorney, County of Riverside |                      |           | <p>The Riverside County District Attorney's Office makes the following comments and concerns:</p> <p>Finally, I would also like to note that the task force was made up primarily of judges, probation officers, and county supervisors with no district attorneys or other law enforcement personnel involved.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>Disagree. The composition of the task force was set to allow representation by the core stakeholders while keeping the group at an appropriate number given the short time span necessary to complete the broad charge. The task force considered inviting other stakeholders, including district attorneys, to participate in its meeting. After lengthy discussion, the task force determined that the best method for completing the charge while receiving stakeholder input was to keep the established task force composition but to conduct extensive outreach, including (1) holding public meetings and hosting a public Web site, (2) surveying interested parties, (3) holding roundtable discussions. Through these efforts, the task force received stakeholder input when maintaining a manageable size.</p> |
| Ray W. Miller | San Bernardino County                                |                      |           | <p>I found your consolidation of law that affects Probation to be very helpful. What it tells me is that Probation has essentially two mandates. Both these seem to identify Probation's function to be the eyes and ears of the Court.</p> <p>1) Probation investigates the cases, and provides information and recommendations to the Court.</p> <p>2) Probation supervises the probationer, and reports to the Court.</p> <p>All other "SERVICES" are discretionary. That is, they are not Mandated. If we are looking for "collaboration/partnerships" between Probation at the State Level, and the County at the Community Level, we need to identify the division of responsibility. That seems to be that the County is responsible for providing the "SERVICES" and Probation recommends the use of these services to the Court. The Collaboration takes place through the identification of the services needed within the community. This allows the State/Court to do their job, and the County to do theirs.</p> <p>Probation should provide no specific services to the Community, other than supervising the probationers. Being the eyes and ears of the Court focuses the effort of Probation. The Communities are responsible for the specific needs of their people, whether they are in the Justice System, or not. Whether it is providing Care, Prevention or Rehabilitation services, they all look pretty much alike.</p> | <p>No response necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

# **APPENDIX G**

## **Probation Services Task Force Draft Interim Models and Comment Charts**

# Judicial Council of California

HON. RONALD M. GEORGE  
*Chief Justice of California*  
*Chair of the Judicial Council*

WILLIAM C. VICKREY  
*Administrative Director of the Courts*



**Probation Services Task Force**  
455 Golden Gate Avenue  
San Francisco, CA 94102-3660  
[www2.courtinfo.ca.gov/probation](http://www2.courtinfo.ca.gov/probation)

HON PATRICIA BAMATTRE  
MANOUKIAN  
*Chair*

*Hon. Irma J. Brown*  
*Hon. Denny Bungarz*  
*Hon. Trish Clarke*  
*Mr. Alan M. Crogan*  
*Mr. William H. Davidson*  
*Hon. Ronn Dominici*  
*Ms. Sheila Gonzalez*  
*Hon. Steven E. Jahr*  
*Mr. Michael D. Johnson*  
*Mr. Phil Kader*  
*Mr. Bill Mahoney*  
*Hon. Kevin M. McCarthy*  
*Mr. Ralph Miller*  
*Mr. Paul Nicolosi*  
*Hon. Frank J. Ochoa*  
*Mr. John P. Rhoads*  
*Mr. Michael M. Roddy*  
*Hon. John Tavaglione*

COMMITTEE STAFF  
*Ms. Audrey Evje*  
415-865-7706  
Fax 415-865-7217  
TDD 415-865-4272

COMMITTEE LIAISONS  
*California State Association of Counties*  
*Mr. Rubin Lopez*  
916-327-7500, ext. 513

*Ms. Elizabeth Howard*  
916-327-7500, ext 537  
Fax 916-492-2870

MICHAEL BERGEISEN  
*General Counsel*

DIANE NUNN  
*Director, Center for Families, Children & the Courts*

**TO:** Presiding Judges of the Superior Courts  
Presiding Judges of the Juvenile Courts  
Chairs of the Boards of Supervisors  
Executive Officers of the Superior Courts  
County Administrative Officers  
Chief Probation Officers

**FROM:** Probation Services Task Force  
Hon. Patricia Bamattre-Manoukian, Chair  
Ms. Audrey Evje, Attorney

**DATE:** July 16, 2002

**SUBJECT/  
PURPOSE OF  
MEMO:** Chief Probation Officer Appointment,  
Evaluation, Discipline, and Removal  
Model

**ACTION  
REQUESTED:** Review and Provide Comment on the  
Proposed Collaborative Model

**DEADLINE:** August 16, 2002

**CONTACT FOR  
FURTHER  
INFORMATION:** **NAME:** Audrey Evje, Attorney  
**TEL:** 415-865-7706  
**FAX:** 415-865-7217  
**EMAIL:** [audrey.evje@jud.ca.gov](mailto:audrey.evje@jud.ca.gov)

The Probation Services Task Force requests your comment on the proposed chief probation officer appointment, evaluation, discipline, and removal model described below.

## Background

In early 2000, the Judicial Council and the California State Association of Counties (CSAC) mutually concluded that a multidisciplinary task force was necessary to examine probation services generally and existing governance models specifically. Therefore, in August 2000, Chief Justice Ronald M. George appointed an 18-member body composed of court, county, and probation representatives. The creation of the task force was particularly timely following the 1997 Trial Court Funding Act

restructuring, which did not address the preexisting friction between some counties and courts regarding the probation governance structure.

Today, overall management and budgetary responsibility for probation remains with the counties, but in the vast majority of counties, the appointment authority for the chief probation officer resides with the court, now a state-funded entity.

While many examples of counties in which collaborative partnerships between the judicial and executive levels of government exist, some counties have struggled with budgetary, management, and liability issues.

Piecemeal efforts to reconcile these issues have been made through the legislative process by individual counties, by CSAC, or by segments of the probation community. Each of these proposals has been unsatisfactory to at least one of the affected entities.

Most recently, two individual counties sponsored legislation that would have transferred the appointment process in their counties from the courts to the board of supervisors. The bill was unsuccessful primarily because of a desire on the part of the Legislature to allow the Probation Services Task Force to collaboratively develop an appointment, evaluation, discipline, and removal model that would be applicable statewide in non charter counties. While the bill did not pass, legislators expressed strong interest in an expedited resolution of the issue.

In order to balance the competing interests regarding the probation governance structure, the task force developed the proposal presented below as an initial step to address, at least in part, the issues of the appointment and retention of the chief probation officer. While this proposal addresses the immediate, critical need for a chief probation officer appointment, evaluation, discipline, and removal model, future task force recommendations may necessitate subsequent modification of this proposal.

### Model

Guided by principles emphasizing collaboration between the courts and counties agreed to during the first phase of its examination,<sup>1</sup> the Probation Services Task Force has developed the following appointment, evaluation, discipline, and termination model. Under this model probation would continue to operate as a county department and the chief probation officer would remain a county officer. Therefore, issues such as salary and discipline processes would continue to follow local county processes.

---

<sup>1</sup> The draft *Probation Services Task Force Interim Report* is located online at <http://www2.courtinfo.ca.gov/probation/report.htm>.

### *Appointment*

The chief probation officer would be appointed by a committee composed of members representing the local court and county in equal numbers (e.g., 2 court and 2 county representatives or 3 court and 3 county representatives). The local court and county would each have responsibility for selecting its own representatives on the committee. Appointment decisions would require a simple majority of the entire committee.

### *Evaluation*

The court and county would jointly conduct an evaluation of chief probation officer annually.

### *Removal*

The chief probation officer would be removed by a committee composed of members representing the local court and county in equal numbers (e.g., 2 court and 2 county representatives or 3 court and 3 county representatives). The local court and county would each have responsibility for selecting its own representatives on the committee. Removal decisions would require a simple majority of the entire committee.

### *Liability*

The court and county would share liability for hiring, evaluation, discipline, and removal of the chief probation officer.

### Comment Process

Comments must be submitted in writing by August 16, 2002. Comments may be submitted via e-mail to [probation@jud.ca.gov](mailto:probation@jud.ca.gov) or mailed to:

Audrey Eyje  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart – Version 1**

| <b>Name</b>             | <b>Professional Title</b>                        | <b>Affiliation</b>                                           | <b>Comment</b>                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-------------------------|--------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>County Responses</b> |                                                  |                                                              |                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 1.                      | Hon. Chris H. Gansberg, Jr.                      | Supervisor                                                   | Alpine County Board of Supervisors                                            | The Alpine County Board of Supervisors provided the following comments. The proposed collaborative model is very similar to the existing governance model that has been utilized by Alpine County for many years. Providing equal representation of the county and the courts under the committee structure has been very effective in representing the interests of all stakeholders involved in the process and provides an open forum for discussion regarding the selection of candidates appointed to the position of chief probation officer. Traditionally, however, the final hiring decision is subject to approval by the presiding judge of the superior court, as well as an ongoing evaluation of performance. The Alpine County Board of Supervisors urges the task force to further consider including in its recommendation a proportionate shift in the fiscal responsibility for probation services to the state. This would further improve relations between the court and counties and provides a stable and effective revenue source for court-related services.                                                                                                                        |
| 2.                      | Mr. Patrick Blaklock<br><br>Mr. Michael Kruleich | County Administrative Officer<br><br>Chief Probation Officer | Amador County Administrative Agency<br><br>Amador County Probation Department | While the proposed collaboration strategy can greatly improve working relationship, there will remain an organizational structure conflict so long as managerial control of probation rests with the courts and budgetary control with the county. Even if a collaborative approach is utilized for the appointment, evaluation, discipline, and removal of chief probation officers, conflict and tension will remain. Specifically, chief probation officers will receive managerial direction from the courts, which may not be supported by the budgetary allocations approved by the boards of supervisors. While a collaborative approach may improve the current process, it is not a long-term solution. The task force should consider the problem from an organization efficiency perspective. This may help determine whether managerial and budgetary control of probation should continue to be bifurcated or whether an alternative organization structure might not only address the chief probation officer issue but also enhance the performance of the entire department. The advantages and disadvantages of placing probation wholly within the courts or counties should be considered. |
| 3.                      | Hon. Merita Callaway                             | Chair                                                        | Calaveras County Board of Supervisors                                         | The consensus of the board was that this model is a reasonable initial step in balancing the interests of the county and court. With fiscal responsibility for the probation department, the board values the opportunity to participate equally in the selection, evaluation, discipline and removal of the chief probation officer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 4.                      | Mr. George Roemer                                | Senior Deputy County Administrator                           | Contra Costa County Administrator's Office                                    | Contra Costa County is in support of the proposed model as an initial step to address the issues of the appointment and retention of the chief probation officer. We believe that the proposed model is workable, and would provide assistance to counties in the short-term regarding probation governance issues. Additionally, we understand that while this proposal addresses the immediate, critical need for a chief probation officer, future task force recommendations may necessitate subsequent modifications of the proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 5.                      | Mr. Bart Bohn                                    | County Administrative Officer                                | Fresno County Administrative Office                                           | We are supportive of the direction the Probation Services Task Force has taken in developing this model. Given the joint responsibility of funding and administering the probation department's operations, it is appropriate for the county and courts to also share in the appointment, evaluation, discipline, and removal of the chief probation officer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart – Version 1**

|    | Name                | Professional Title            | Affiliation                                 | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----|---------------------|-------------------------------|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6. | Mr. Rene L. Mendez  | County Administrator          | County of Inyo Administrator's Office       | <p>While I certainly applaud the collaborative process used to work through this issue, it is not good public policy to carry it through to the day-to-day management and oversight of the CPO. While the proposed model does recognize some of the inherent problems with the current system, it does not alleviate any of those problems. Instead, it makes them more difficult to resolve.</p> <p>The issues or concerns pertaining to the governance structure are more historical and perception than reality. Why does the perception exist that the courts need to maintain control of the CPO to properly service the court? Every other agency or county department that services the court is not under their control and they appear to adequately provide the services needed by the court. These agencies or county departments include the District Attorney, County Counsel, Adult and Children Protective Services, Public Defender, etc.</p> <p>The most effective governance structures have the common thread that with the “authority comes the responsibility” and are not based on consensus. A sound personnel and organization model dictates clear lines of communication, authority and responsibility, which the model does not accomplish. Furthermore, it is unclear who would be the members of the committee. Finally, remember that boards of supervisors are typically isolated from personnel problems and issues in the early stages in order to keep them as objective as possible when they are asked to make decisions pertaining to litigation, investigations, lawsuits, etc. It is also important to keep supervisors separate and removed from personnel issues in order to eliminate conflict-of-interests and the appearance of bias.</p> <p>Appointment and evaluation by committee has the real potential of leading to personnel issues, votes of no confidence for the CPO and ultimately an ineffective CPO. How does the interim model propose to deal with issues when one side, but not the other, wants to discipline, provide an unsatisfactory evaluation, reprimand, remove, etc., the CPO? What process will be used to break the tie? What will the CPO do in the event they encounter this situation?</p> <p>Stating that the liability will be shared does not mean that it will actually occur. Why would either the County or the Court for that matter, agree to share any liability that they did not cause? How does the model propose to deal with among other things, litigation, legal representation and fees, settlement authority and monetary awards? How will the decisions be made and authority granted? How does the model propose to deal with county Brown Act requirements in this area? Furthermore, with the current financial woes being faced by the State, I find it hard to believe that they would want to incur more liability and costs and therefore, (a) appropriate the necessary funds; (b) grant the authority to the local courts to settle or incur costs not budget or (c) incur the costs to manage any liability issues from Sacramento.</p> <p>Clearly, it would make more sound policy and be the least costly to the State if the counties were given sole responsibility of the chief probation officers. However, short of taking this step, I would encourage the task force to provide more detail on the day-to-day implementation of the model, give serious consideration to sound personnel management practices and develop a model that clearly delineates authority, responsibility and accountability.</p> |
| 7. | Mr. Larry Spikes    | County Administrative Officer | Kings County Office of County Administrator | <p>Kings County's position is that since the chief probation officer is a county official, directing a county department, for which the board of supervisors has budgetary responsibility, then appointment, evaluation, discipline, and removal should rest with the board of supervisors. However, if for some reason a change to this model cannot be accomplished, then a shared model between the courts and the county, such as the one the task force is proposing is preferable to what exists today.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 8. | Ms. Lynne Margolies | Personnel Director            | County of Lassen                            | <p>The proposed model does not detail what would justify removal of a chief probation officer. Would the position be at-will? Would removal be possible for political reasons, i.e. after the election of a new judge, could the probation officer be removed if the committee so voted, or would the removal be only for cause? Would this be a local decision? We have found in Lassen County, that those chief probation officers that also run the juvenile hall division have some protection under state codes. Would that be changed? Finally, would the end model include how the liability is shared, or again, would that be up to each county. Frankly, if all of these decisions are left to the local entity, the conflicts will probably still arise.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart – Version 1**

| <b>Name</b>                  | <b>Professional Title</b>     | <b>Affiliation</b>                             | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|------------------------------|-------------------------------|------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9. Mr. Andy Whiteman         | County Administrative Officer | Lassen County Board of Supervisors             | The Board of Supervisors of Lassen County believes that the chief probation officer should either report directly to the board or to the courts. The proposed concept of a joint committee composed of county and court appointees creates a new cumbersome level of governance in our local jurisdiction. Using a joint committee to appoint and evaluate a chief probation officer may complicate the oversight of the probation department operations. We are especially concerned about the liability of a joint committee that would be shared between the county and courts. In the Dieter v. Lassen County case, the removal of the chief probation officer by the presiding judge resulted in a \$3.8 million judgment against the judge and the county. If the chief probation officer reports to the courts, the supervisors believe that the funding for the probation department should be transferred to the courts. In Lassen County, the probation department supervised a juvenile detention center partially funded by the county. We believe that the responsibility and liability for the juvenile center should be transferred with the probation department to the courts.                     |
| 10.                          |                               | Los Angeles County Chief Administrative Office | In recognition that Los Angeles County is a charter county, the task force's proposed model is not applicable. Although the proposed model may be feasible in any county, (including Los Angeles County, if it were a non-charter county), it is necessary to recognize that a collaborative effort regarding probation service delivery in Los Angeles County continues to exist with our court. Since overall probation management and fiscal responsibility remain with the county, decisions on appointment, evaluation, discipline, and removal of probation officers remain with the county board of supervisors. While we recognize that modifications to certain areas in the delivery of probation services are necessary, we do not perceive a sense of friction between our probation and court operations regarding the governance structure.                                                                                                                                                                                                                                                                                                                                                           |
| 11. Hon. Cynthia L. Murray   | President                     | Board of Supervisors of Marin County           | Although Marin County recognizes the importance of a cooperative working relationship with the courts, as long as probation services remains a locally funded responsibility, we believe that the hiring and evaluation of the chief probation officer should reside with the county board of supervisors. Therefore, the county would oppose the proposed model that would result in the joint court-county authority for the appointment, etc. for the chief probation officer unless the funding responsibility for probation services is substantially changed. In the case of Marin County, we currently have a formal memorandum of understanding with the courts that specifically provides for a cooperative process for the hiring, evaluation and termination of the chief probation officer.                                                                                                                                                                                                                                                                                                                                                                                                             |
| 12. Hon. Robert C. Stewart   | Chairman                      | Mariposa County Board of Supervisors           | The board of supervisors has always had and continues to have a very cordial and collaborative working relationship with the superior court of Mariposa County. It is the position of the board of supervisors that the chief probation officers appointment, evaluation, discipline, and removal process in Mariposa County has worked well over the years and the Board of Supervisors does not favor making any changes in the status quo at this time. We do not believe that the model is a workable policy from a personnel perspective. It is difficult to believe that there is anyone serving on the task force who has practical personnel experience. It is our strong belief that a bifurcated personnel system will not work and will create more problems than the proposed "solution." It is simply not possible to do adequate evaluations and discipline of an employee by committee. The Board of Supervisors of Mariposa County respectfully requests that the proposed model not be recommended for approval. Additionally, the board of supervisors requests that if the model is recommended for approval, that Mariposa County be excluded from the operation and requirements of the model. |
| 13. Hon. Gloria Cortez Keene | Supervisor                    | Merced County Board of Supervisors             | A situation where both the county and the judicial system are in some understanding would work. Perhaps a quarterly performance evaluation from the county to you would at least assist you in keeping abreast of what is happening in the communities that we both serve. One good way to overcome friction in almost any circumstance is communication.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart – Version 1**

| <b>Name</b>                | <b>Professional Title</b>    | <b>Affiliation</b>                   | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------|------------------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 14. Hon. Dave Potter       | Chair                        | Monterey County Board of Supervisors | The Monterey County Board of Supervisors does not support the current organizational reporting model nor does it support the recommendation from the Probation Services Task Force, which places this hiring and firing responsibility with a committee. It is our belief that the proposed recommendation is not a pragmatic solution to this organizational problem and in fact can result in creating a more difficult reporting situation than what currently exists. The Monterey County Board of Supervisors believes that the reporting relationship of chief probation officer must be clear and direct. In our view, there are at least two more desirable options that would clarify and rectify this reporting responsibility problem. The first option, and in our view the more preferable one, would be to transfer the appointment, evaluation, discipline and removal responsibilities from the court to the board of supervisors. This option would be the easiest to implement, would maintain the chief probation officer as an equal with other county department heads, maintain the financial responsibility with the board of supervisors, and align the chief probation officers' employment with that of the rest of his or her department staff. The second less desirable option and one that our board could also support would be to transfer the financial liability for the chief probation officer to the courts. This option would entail the transfer of all probation staff and functions to the court as well as the funding that supports those programs. In our view, this option would be more difficult to implement; yet, it has been accomplished elsewhere, for example with court staff when the Trial Court Funding Act of 1997 was implemented. The Monterey County Board of Supervisors is eager to seek a solution to resolve this long-standing problem and is willing to serve as a pilot county to test either of these implementation alternatives. We are willing to seek legislative sponsorship of such a pilot if a legislative solution would assist. |
| 15. Ms. Helen Franchi      | Management Analyst           | Napa County Executive Office         | Napa County would support a model as described with the following exception. Because the chief probation officer would remain a county officer, it appears overly cumbersome to have the evaluation of the position be through a committee process. The county should maintain the responsibility of an annual evaluation that would be submitted to the courts as information only. If it becomes necessary to institute disciplinary action, the committee would be called upon to review the situation and proceed upon an agreed course of action. With that exception, we support the proposed collaborative model and would make such a recommendation to our Board of Supervisors if asked.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 16. Dr. Michael Schumacher | County Executive Officer     | Orange County Executive Office       | I feel the proposal outlined by the task force is a collaborative process that equally involves both the court and county in all facets of the appointment, evaluation, discipline and termination responsibilities relating to the CPO, and therefore support such a process. The only thing I would suggest is that the "liability" provision should reflect that there is 'equal' liability. Using the terminology of "sharing" could lead one to infer that it might not be equal and therefore create conflict between a court and county as to who should bear more of the financial responsibility for acts of discipline and/or termination.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 17. Ms. Barbara Dunmore    | Principal Management Analyst | Riverside County Executive Office    | The proposed "interim" collaborative model for Chief Probation Officer Appointment, Evaluation, Discipline, and Removal provides for a committee comprised of an equal number of court and county representatives to make decisions. It is the county's understanding that, if approved, this collaborative process is an interim/short-term measure to deal with probation officer issues while the task force continues to work on a new governance model for probation. The interim measure compels the court and county to work together regarding probation issues and the status of the chief probation officer. The county looks forward to the task force's final report in June 2003.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart – Version 1**

| Name                    | Professional Title            | Affiliation                                   | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-------------------------|-------------------------------|-----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 18. Ms. Penelope Clarke | Administrator                 | County of Sacramento Public Protection Agency | <p>Following is suggested verbiage for the four elements contained within your letter:</p> <p>Appointment: The chief probation officer would be appointed by a resolution of the majority of the board of supervisors and an order of the majority of the superior court judges. The selection committee shall be composed of superior court judges and members of the board of supervisors in equal numbers (e.g., two judges and two members of the board of supervisors). The local superior court and county board of supervisors would each have responsibility for selecting its own members on the selection committee.</p> <p>Evaluation/Compensation: The chief probation officer would be evaluated by a majority of the board of supervisors and a majority of the superior court judges. The evaluations committee shall be composed of superior court judges and members of the board of supervisors in equal numbers with input from the chief probation officer and based upon previously agreed upon written goals and objectives for the next evaluation period.</p> <p>Removal: The chief probation officer would be removed by a majority vote of the board of supervisors and a majority vote of the superior court judges. The chief probation officer shall not be removed without cause, and shall be afforded due process with adherence to the Peace Officer Bill of Rights.</p> <p>Liability: The court and county would equally share liability for hiring, evaluation, discipline, and removal of the chief probation officer. The above standards apply to those appointed as a chief probation officer after the implementation of enabling legislation.</p> |
| 19. Hon. Fred Aguiar    | Chairman                      | San Bernardino County Board of Supervisors    | <p>The San Bernardino County Board of Supervisors recommends the following modifications to the proposed collaborative model. 1. Preserve option for broader involvement by local officials. We are suggesting that the model include a permissive process so that each county would retain the option of expanding involvement by local elected officials in these important policy matters. 2. Clarify the meaning of shared "liability." Further detail as to the intended effect of this language would greatly assist local jurisdictions in correctly interpreting the task force's intentions, and the impact of this concept upon courts and counties.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 20. Mr. Gil Solario     | County Administrative Officer | San Benito County Administrative Office       | <p>San Benito County respectfully suggests that the answer is either/or and not another layer of bureaucracy wherein both the county and the local court are assigned degrees of authority. Either the county or the local court should have complete control of the chief probation officer, not a combination of the two. In recommending an additional layer of bureaucracy, the Probation Services Task Force inadvertently diminishes accountability. A "committee" scenario is much less functional than the condition wherein a single agency is completely responsible for the position of chief probation officer. As well, it is San Benito County's opinion that should the local court assume 100% control of the chief probation officer; all related administrative and financial responsibilities would also fall under the local court's jurisdiction.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 21. Mr. Manuel Lopez    | County Administrator          | San Joaquin County Administrator's Office     | <p>The proposed "collaborative model" for appointment, discipline, evaluation, and removal of the chief probation officer is an acceptable interim solution to several of the problems surrounding this issue. The collaborative model allows the board of supervisors, which is ultimately responsible for the provision of probation services, to have an equal voice with the judiciary in choosing the department head. It better aligns authority with responsibility.</p> <p>As we understand it, the collaborative model is intended as short-term legislation to serve as a governing structure until the Probation Services Task Force can craft a California model to serve as the long-term solution for governance of probation service. In addition, the collaborative model is not intended to be indicative of the format for the future California model. With the understanding, the County of San Joaquin supports the collaborative model as a short-term governance solution for probation services.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart – Version 1**

|     | Name                                         | Professional Title                                                  | Affiliation                             | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----|----------------------------------------------|---------------------------------------------------------------------|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 22. | Ms. Susan A. Mauriello                       | County Administrative Officer                                       | Santa Cruz County Administrative Office | This model would have the advantage of giving the counties a theoretically equal say in appointing, evaluating, and removing the chief probation officers. However, it does not address the primary concern of counties, which is that accountability to the courts and fiscal responsibility should be united through a single command structures. The optimal structure would be to have the probation departments and their budgets transferred to the state and placed under the supervision and direction of the local court. Fiscal authority for all functions, including staff, facilities, etc., would be consolidated with the courts, eliminating the current inevitable conflict. Another possible resolution would be to place the chief probation officers under the supervision of the county administrative officers. Perhaps appointments could require the concurrence of the courts. This would at least provide some oversight over a department head who is responsible for a significant portion of the county budget. The proposed model would not provide a united command structure and would not resolve the current tension incumbent in requiring chief probation officers to implement court directions within an insufficient budget. While having a court/county committee jointly responsible for hiring, evaluating, and removing the chief probation officer would provide the counties with additional authority, this system would not resolve the structural weaknesses of the current system.             |
| 23. | Hon. Patricia Whitley                        | Vice Chair                                                          | Sierra County Board of Supervisors      | Please be advised that the Sierra County Board of Supervisors supports the proposal to have the chief probation officer appointed by a committee consisting of members from the local court and the county board of supervisors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 24. | Mr. Mike Chrystal                            | County Administration                                               | Sonoma County Administrator's Office    | I do think that the recommendations are a positive step. Though not ideal, sharing responsibility for appointment, evaluation, and discipline of the Chief Probation Officer is an improvement over the current arrangement. I am fairly certain that the Board of Supervisors would agree, and am willing to present the matter to them at a later date, if requested to do so.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 25. | Mr. Andy Pickett                             | Administrative Analyst                                              | Sonoma County Administrator's Office    | The recommendation that the court and county would share liability for hiring, evaluation, discipline, and removal of the chief probation officer leaves it unclear whether this means that the court and county would share equally for any liability for any subsequent action or inaction of the chief probation officer. If the court accepts equal representation for these items, then it should accept equal liability for the chief probation officer's conduct and matters under his/her control. Additionally, it is suggested that the responsibility for juvenile institutions not be legislatively tied to the chief probation officer, leaving open the option for a county to place such institutions under the responsibility of another department. The probation function can be separated from the operation of juvenile halls, ranches and camps.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 26. | Mr. Larry T. Combs<br><br>Mr. Curtis R. Coad | County Administrative Officer<br><br>Assistant County Administrator | Sutter County Administrator's Office    | <p>We have the following suggestions and comments for you:</p> <p>1) In the model, issues such as salary and discipline processes would continue to follow local county processes. Typically, county boards of supervisors act upon employee disciplinary matters in closed-session meetings and then announce any actions taken in a public meeting governed by the Brown Act. With regard to disciplinary actions, it would seem that the committee might get involved as they will be conducting employee evaluations and making removal decisions. With this in mind, would the committee be an advisory committee to the Board of Supervisors regarding disciplinary actions? If it does function in that role, then the committee could be subject to Brown Act requirements.</p> <p>2) Regarding the provision to share liability for hiring, evaluation, discipline, and removal of the chief probation officer, we propose the task force consider expanding upon the definition of shared liability. We agree that the liability should be shared equally between the court and the county. We would suggest, however, that in instances of litigation wherein it is proven that a specific county or court official is clearly liable that the responsible agency (court or county) bears the full burden of any liability costs.</p> <p>3) We strongly support the provision that the counties have responsibility to select their own representatives on the committee and would hope that this language remains in the model.</p> |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart – Version 1**

| Name                     | Professional Title      | Affiliation                                       | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------------|-------------------------|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 27. Mr. Brent Wallace    | County Administrator    | Tuolumne County Administrative Office             | I offer the following comments on the subject letter.<br><br>Appointment - Many counties have very specific procedures outlined in the County Code regarding the recruitment process for a department head/executive position. Language should be included that would allow flexibility in this process. Such as, the recruitment process of the county will be followed if there is concurrence from the court—or a different recruitment process will be mutually agreed upon by the court and county. Any meeting of three or more members of the Board will be subject to the Ralph M Brown Act. Language should be included to allow for such a meeting to occur for the purposes of interviewing candidates. Evaluation - Evaluation should also include compensation. The county administrative officer must be included in each issue. Such issues as parity between departments, conducting surveys to establish salary, and to establish performance goals and objectives are already part of the duties delegated by boards' of supervisors to the county administrator for all other appointed department heads. Consistency needs to be maintained. Removal Language should be included to make the chief probation officer an "at will" employee the same as any other appointed department head. Language should also be included to allow for the use of local rules for the removal of a chief probation officer, by mutual agreement between the court and the county. Again, if three or more members of a board meet, provisions must be made for the Brown Act. |
| 28. Hon. Dave Rosenberg  | Chairman                | Yolo County Board of Supervisors                  | The Yolo County Board of Supervisors opposes the recommended model for the appointment, evaluation, discipline and termination of the chief probation officer unless an amendment is made to allow continuation of our present system in Yolo County. The task force recommendation would in our view create another institution where the state has administrative control over a county function and department, while contributing no funds. It is our belief that either 1) full state assumption of the probation function, including funding or 2) full county responsibility and authority over probation in close collaboration with the courts is preferable to the task forces joint-control recommendation. Since our experience with option 2 has been so positive, we would hope the Judicial Council would give this alternative serious consideration. We would like to see the ability to retain our current system in Yolo County and respectfully ask the task force to consider so amending its recommendation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 29. Hon. Al Amaro        | Chair                   | Yuba County Board of Supervisors, District One    | The Yuba County Board of Supervisors supports the existing methodology for appointing the chief probation officer and concurs with the comments of Yuba County Chief Probation Officer Steven L. Roper (see commentator #49)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Court Responses</b>   |                         |                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 30. Hon. Susan C. Harlan | Judge                   | Superior Court of California, County of Amador    | I agree with the proposed collaborative model.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 31. Hon. John Martin     | Presiding Judge         | Superior Court of California, County of Calaveras | I support the task force interim proposal for appointment, evaluation, discipline and removal of the chief probation officer. The task force has accepted a complicated assignment and should continue their valuable work. The interim proposal for appointment seems a reasonable compromise and may relieve tension that has existed between the courts and county administration on this issue.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 32. Hon. Eddie T. Keller | Judge                   | Superior Court of California, County of El Dorado | When our county opted to enact a charter system of government a few years ago, the voters expressly reaffirmed the power of the court in this area; therefore, the proposed model would undermine the will of our voters. Under the proposed model, if a county is unhappy with the chief probation officer and seeks his removal and the court disagrees, this will possibly lead to bad feelings and/or dealings with the court by the county. Also, the court could be stuck with a chief probation officer that defies directives and is difficult to work with. A proposal that makes better sense to me is to allow the selection and retention issue to be left to the local option of the particular court. Those courts that wish to retain the current system will be allowed to do so. Those courts that prefer the model approach or complete relinquishment of the authority can opt for that.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 33. Ms. Tina M. Burkhart | Court Executive Officer | Superior Court of California, County of Glenn     | If there is equal representation between the court and the county? What constitutes a quorum if not all representatives were present? What is the procedure if a tie in voting occurs?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart – Version 1**

| <b>Name</b>                  | <b>Professional Title</b> | <b>Affiliation</b>                                 | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|------------------------------|---------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 34. Hon. F. Dana Walton      | Presiding Judge           | Superior Court of California, County of Mariposa   | The proposed model does nothing to resolve the question of whether probation departments should continue under the authority of counties or be shifted to the oversight of the State of California. Were probation departments moved under the State’s authority, the concern over the current state of bifurcated control would be moot. Instead the proposed model ends up adding new complications. By creating committees composed of equal number of court employees and county employees, the potential of stalemates in committee voting only amplifies the problems the new model attempts to eliminate. Also, the functions the committees will assume are not those that can be done effectively when executed by more than one person, such as performance evaluations drafted by a committee that does not even supervise the chief probation officer.                                                                                                                                                                                                                                                                                                                           |
| 35. Hon. Robert O’Farrell    | Presiding Judge           | Superior Court of California, County of Monterey   | The consensus expressed by the judges of the Monterey Superior Court is as follows. Until the time that a permanent legislative solution is achieved, such as a state court takeover of probation department operations, a continuation of the presently existing structure is viewed as the most desirable. This structure does not appear to differ materially from other county departments, such as the sheriff and the county recorder, who are elected, but whose workers are employees of the county. The judges expressed reservations as to the practicality of the proposed interim committee approach to probation department oversight. It was felt that where good communication exists between the court and the county over probation department issues, such a committee would be unnecessary and likely even prove cumbersome. Where good communications do not exist, the committee approach would tend to mirror that status and not likely be productive. Until such a time as a more permanent solution can be established, the Monterey Superior Court commits to work in a cooperative spirit with the committee approach or any other interim model that is devised. |
| 36. Hon. M. Kathleen Butz    | Presiding Judge           | Superior Court of California, County of Nevada     | The idea of a committee between the county and court is fine in that it would result in input from both sides; however, a 2-2 split accomplishes nothing; potentially it perpetuates stalemate and makes it work because it ossifies the current status quo that is ambiguous. Someone should have the ultimate authority to make a decision if a split vote occurs. From our court's perspective, a better proposal would be to include all aspects of the chief probation officer's position, including salary, on the committee's plate. In the event a tie vote occurs regarding hiring, the court would have the final say. The county would have the final say in budget and internal administrative issues. Another approach would be to create a committee of non-voting members who make recommendations only regarding the subjects of appointment, evaluation, discipline and removal. Ultimate decision authority would be the county for salary and internal administrative issues of the probation department and the court for appointment, evaluation and removal of the chief probation officer.                                                                            |
| 37. Hon. Ira Kaufman         | Presiding Judge           | Superior Court of California, County of Plumas     | The trouble with the model is why should the courts or the county have any liability when they can’t hire or fire the chief probation officer? The only way to make the system work is to have several models instead of the one-size-fits-all system. Give each county the opportunity to decide what works for them. What might be great for Los Angeles would be terrible for Plumas county. The main problem with the model is that no entity has control or responsibility. If one entity wants to fire the chief and the other doesn’t, don’t we have a stalemate?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 38. Hon. Christian Thierbach | Presiding Judge           | Superior Court of California, County of Riverside  | I am concerned that the proposal by the task force will be unworkable in Riverside County. There has been a long history of tension between the court and the board of supervisors over the probation department. The board wants to control the hiring and firing of the chief probation officer because they control the purse strings. The court has always hired and fired the chief probation officer and sees no reason to relinquish that power. To create an even-numbered committee staffed equally by representatives of the court and county will not work in this jurisdiction. In my humble opinion the ideal solution is to make probation a part of the judicial branch of government to be financed through Trial Court Funding. Each court would be responsible for the management of its own probation department and obviously would be in a better position (than a statewide probation agency) to deal with the unique local issues that arise in each jurisdiction.                                                                                                                                                                                                    |
| 39. Hon. Michael T. Garcia   | Presiding Judge           | Superior Court of California, County of Sacramento | The probation department and the court of Sacramento County have a close working relationship. The probation department is in the unique position to carry out the orders of the court on a daily basis. Budget and staffing reductions make this task more and more difficult. It is imperative that the chief probation officer remain as independent as possible. County authority, no matter how slight, over the chief probation officer would have an unacceptably chilling effect on the chief probation officer's ability to freely advocate for the probation department's budgetary needs and requirements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart – Version 1**

|     | <b>Name</b>             | <b>Professional Title</b> | <b>Affiliation</b>                                     | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----|-------------------------|---------------------------|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 40. | Hon. J. Michael Welch   | Presiding Judge           | Superior Court of California, County of San Bernardino | The model does not do anything to put some closure to this issue. It is unworkable because it sets up a situation where no solution could be had. This will affect any other decision that would be needed re: policy and finances. Lastly, the model is an interim measure. It could be changed depending on the recommendation of the task force on all the remaining issues. Maybe the model should just say that courts and counties should collaborate. That collaboration would take into account the concerns important to the respective courts and county. They would draft an MOU, that fits them. The model proposed forces the courts and counties to the table but provides no solution to an impasse. The discipline and removal provisions have the same criticisms applied to them. I do feel that the county should play a part in the selection and evaluation process. The final decision should rest with the court as probation has and always will be an arm of the court.                                                                                                                                                                                                               |
| 41. | Hon. Barbara Beck       | Presiding Judge           | Superior Court of California, County of Santa Barbara  | I would indicate it appears to be better than anything that we came up with in a workshop concerning this issue at the Juvenile Court Judges Conference. I think the chief probation officer should continue to serve at the pleasure of the court; however, I find this proposal an acceptable alternative.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 42. | Hon. Rodney Melville    | Presiding Judge           | Superior Court of California, County of Santa Barbara  | This recommendation seems to be well balanced and reaches a good compromise. Dividing the appointment responsibilities between the court and county is good because the county needs some say since it is their budget responsibility. The court definitely needs some say because of the probation department's responsibility to the court. I hope we can get agreement on this result from all interested parties.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 43. | Hon. Richard C. Turrone | Presiding Judge           | Superior Court of California, County of Santa Clara    | The court has four areas of concern: 1. The model removes from necessary, exclusive court control a confidential function that the probation department performs as an arm of the court in support of our judicial duties, 2. The model creates a conflict of interest for the chief probation officer and may violate the separation of powers principle, 3. The model provides for an equal number of representatives from the court and the county on the selection committee, which will result in a likelihood of impasse. Provisions must be made for an interim or acting probation officer if the equally divided committee fails to reach a timely decision on the appointment or termination of a chief probation officer, and 4. The model places the responsibility of evaluating the performance of the chief probation officer with a committee, half of whom have a minimal understanding of the function of the chief probation officer. In conclusion, the court has no complaint in establishing a process that permits county government to play a part in the appointment and removal process, but the court should make the final decision. (For complete comments, see attached letter.) |
| 44. | Hon. Jim Ruggiero       | Presiding Judge           | Superior Court of California, County of Shasta         | I believe that the proposed collaborative model would be very problematic. First, it seems that if probation is to serve the court, it ought to be responsible to the court. However, even if that proposition is rejected, it seems to me that an even-numbered panel could very easily end up permanently deadlocked. Finally, what could be more frustrating than having to serve the diverse interests of two masters, the court and the county? I believe that responsibility for the probation office and the power of appointing the chief should be with the court.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 45. | Hon. Scott L. Kays      | Presiding Judge           | Superior Court of California, County of Solano         | The model creates a dilemma: who breaks the tie? An equal number of appointment committee members may invite discussion and collaboration but also promotes impasse, discord, stonewalling and delay in the selection of a chief probation officer. The recommendation fails to address the importance of the link between probation and the court. Re: discipline and removal: The proposal creates the same problem and is subject to the same criticism as the recommendation for appointment. The court should make the decision on appointment, discipline, and removal. Re: liability: This is unclear and unacceptable in its present form. If the recommendation is for an equal allocation of the out-of-pocket expenses involved in hiring, evaluation, discipline and removal, then a further definition of "expenses" needs to be provided in the recommendation. Furthermore, does "share Liability" include, for instance, costs of defense and payout (either in settlement or to satisfy a judgment) in a wrongful termination or constructive discharge action? Re: evaluation: A joint, annual evaluation has merit. (For complete comments, see attached letter.)                           |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart – Version 1**

| Name                                                                         | Professional Title                    | Affiliation                                        | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------|---------------------------------------|----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 46. Hon. Rene Auguste Chouteau                                               | Judge                                 | Superior Court of California, County of Sonoma     | It has been my experience that in order to hold an employee accountable for his or her performance, a clear line of authority for hiring, evaluating, and disciplining the employee must be established. By creating dual responsibility for these functions, to be shared by the courts and the county, your model fails to accomplish this goal. I fear that the democratic collaboration process which is proposed will result in the hiring of chief probation officers who are accountable to neither entity. I suggest that if probation continues to operate as a county department, the county should be responsible for hiring, evaluating, and terminating the chief probation officer. One inconsistency in the proposal is that on page two discipline of the chief probation officer is left to the county, while on page three the removal of the chief probation officer is delegated to a committee composed of an equal number of court and county representatives. The concept of progressive discipline includes termination as a most severe form of discipline and I suggest the same body which imposes the discipline should have available to it all forms of discipline including the possibility of termination. Another concern that I have with the proposed model is that supervision by a committee is doomed to failure. Supervision of any employee is a full-time job and should not be left to a committee, which would quite likely be political in nature and meet sporadically at best. I suggest that a more efficient model would be to leave all employment decisions to the county as the employer and that these duties be assigned to the county’s chief administrative officer. A procedure allowing the courts to comment upon the courts needs or recommendations during the hiring, evaluation or termination process would be appropriate. |
| 47. Hon. Marie S. Silveira                                                   | Presiding Judge of the Juvenile Court | Superior Court of California, County of Stanislaus | This court does not concur with the proposed model. We strongly support the current practice in Stanislaus County which vests the authority for appointment, evaluation, discipline, and removal of the chief probation officer with the presiding judge of the court. To allow a county board of supervisors and/or the county chief executive officer to select, evaluate, and remove the chief would mean the demise of the legal relationship that now exists between the chief and the court.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 48. Hon. James Curry                                                         | Presiding Judge                       | Superior Court of California, County of Yuba       | This proposal creates more problems than it could ever possibly answer. The model would force counties and courts where there have not been problems to engage in a process that is not needed or necessary and is ripe for creating problems where none ever existed. The Yuba County Courts hope and request that we be allowed to continue with the process we have utilized for many years: those practices work well for us and we do not see any benefit in the change suggested. I adopt the statements and suggestions made by Mr. Stephen L. Roper (comments below.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 49. Mr. Stephen L. Roper                                                     | Chief Probation Officer               | Yuba County                                        | My point of departure with the task force's proposal stems from the belief that it is my responsibility and that of the court and county to foster and nurture this collaborative relationship that exists in Yuba County and it cannot be legislated. Regarding appointment: If as proposed, the chief would remain a county official, with issues such as salary and discipline continuing to follow county processes, then the proposal simply legislates what any county can create from a collaborative relationship. This process is not collaborative by relationship, but rather inclusive by mandate. Further, the committee structure does not create clear interrelationships between the parties and creates the possibility for greater divisiveness than currently exists. Re: evaluation: I agree with the concept of joint evaluation. Re: removal: I disagree with this element of the proposal as there is no clarity greater than currently exists. The two current parties, the court and county, simply become groups of individuals with votes. Re: liability: Liability is a natural outcome of responsibility and how that responsibility is carried out.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 50. Executive Subcommittee of the Court Executives Advisory Committee (CEAC) |                                       |                                                    | The CEAC Executive Subcommittee has carefully considered the proposal and the recommendation from its subcommittee and is opposed to the model as circulated. The Executive Subcommittee recognizes that the draft model is a worthy effort in acknowledging the importance of court/county collaboration in the delivery of critical services. The Executive Subcommittee thinks that the interim model may be a preferred method rather than legislation that might be introduced, conveying appointment and removal power exclusively to either the courts or the counties. However, the Executive Subcommittee does not see the proposed interim model as a sufficient solution to the determination regarding where the authority over the probation department functions should reside. In the interim, the task force should encourage each court and county to meet and discuss this issue in an effort to arrive at a local agreement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart – Version 1**

| Name                       | Professional Title                                                           | Affiliation                                   | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------|------------------------------------------------------------------------------|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 51.                        | Trial Court Presiding Judges Advisory Committee (TCPJAC) Executive Committee |                                               | <p>The TCPJAC Executive Committee has carefully considered the proposal and the recommendation from its subcommittee and is opposed to the model as circulated. The Executive Committee recognizes that the draft model is a worthy effort in acknowledging the importance of court/county collaboration in the delivery of critical services. However, the Executive Committee recommends that an alternative model would be more effective in this endeavor.</p> <p>The Executive Committee recommends that the Probation Services Task Force consider introducing legislation that requires counties and courts to initiate a dialogue to develop a collaborative probation officer appointment and removal model that meets the unique needs of their individual county. The Executive Committee also recommends that statute would indicate that if counties and courts fail to develop this model, a default model (to be developed) would be imposed. The Executive Committee also recommends that the Probation Services Task Force might consider a recommendation that funding responsibility of probation services be transferred to the State.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Probation Responses</b> |                                                                              |                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 52.                        | Ms. Norma Suzuki<br>Executive Director                                       | Chief Probation Officers of California (CPOC) | <p>The chiefs in attendance at the Chief Probation Officers of California (CPOC) meeting in Shell Beach met and discussed the proposed model in depth and submitted the comments below on the proposed model from CPOC. Also attached to the comments on the proposed model is a statement developed by the CPOC as to the qualifications of a chief probation officer. It is felt that the appointment process should be accomplished with inclusion of stated qualifications.</p> <p>Appointment: The chief probation officer would be appointed by a resolution of the majority of the board of supervisors and an order of the majority of the superior court judges. The selection committee shall be composed of superior court judges and members of the board of supervisors in equal numbers (e.g., 2 judges and 2 county board of supervisors or 3 judges and 3 county board of supervisors). The local superior court and county board of supervisors would each have responsibility for selecting its own members on the selection committee.</p> <p>Evaluation / Compensation: The chief probation officer would be evaluated by a majority of the board of supervisors and a majority of the superior court judges: The evaluation committee shall be composed of superior court judges and members of the board of supervisors in equal numbers with input from the chief probation officer and based upon previously agreed upon written goals and objectives for the next evaluation period.</p> <p>Removal: The chief probation officer would be removed by a majority vote of the board of supervisors and a majority vote of the superior court judges. The chief probation officer shall not be removed without cause, and shall be afforded due process with adherence to the Peace Officer's Bill of Rights.</p> <p>Liability: The court and county would share liability for hiring, evaluation, discipline, and removal of the chief probation officer. The above standards apply to those appointed as a chief probation officer after the implementation of enabling legislation.</p> |
| 53.                        | Ms. Sylvia J. Johnson<br>Chief Probation Officer                             | Alameda County Probation Department           | <p>I fully concur with the recommendations made by the Chief Probation Officers of California (CPOC) in response to the proposed collaborative model. Your letter references "two individual counties that sponsored legislation that would have transferred the appointment process from the courts to the board of supervisors." That legislation did not pass because of the desire on the part of the state legislature to allow the Judicial Council and the California State Association of Counties (CSAC) to develop a model that would be applicable statewide. I am now informed that Alameda County Supervisor Gail Steele is initiating a process involving a November ballot initiative for the chief probation officer of Alameda County to report solely to the board of supervisors. None of these piece-meal legislative efforts address the issue of the fundamental lack of agency infrastructure and staffing resources to respond to all the competing interests, i.e. judges; members of the board of supervisors; policing agencies; community; overwhelming adult and juvenile client needs; unfounded statutory mandates; and overall interest in public safety. Even if Lee Iacocca were appointed chief probation officer, you would not have resolution of the issue. The policy discussion is irrelevant unless there are sufficient staffing resources to carry out expectations of all of these competing entities.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart – Version 1**

| Name                         | Professional Title      | Affiliation                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------------------------|-------------------------|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 54. Mr. Doug Rublaitus       | Chief Probation Officer | Alpine County Probation Department    | On August 6, 2002, the Alpine County Board of Supervisors, the Honorable Harold Bradford, Presiding Judge of the Alpine County Superior Court, and myself met to discuss the proposed collaborative model. We were all in agreement that the proposed model could be adopted to address this continuing issue. All in attendance agreed that it is probably not a permanent solution to the problem, but it would provide an adequate stopgap until a more permanent solution can be agreed upon. The board of supervisors then unanimously adopted this proposed collaborative model and unanimously voted to support it.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 55. Mr. James Moffett        | Chief Probation Officer | Calaveras County Probation Department | I join the Calaveras County Superior Court and the Board of Supervisors in supporting the proposal for appointment/removal of the chief probation officers. I believe that the proposal will bring equity and balance to what has (too often) been contentious and controversial practices in many counties.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 56. Mr. Joseph S. Warchol II | Chief Probation Officer | El Dorado County Probation Department | As a Chief Probation Officer of El Dorado County, I am content to remain appointed, evaluated, disciplined, and if necessary, removed by the courts. As an arm of the court, my role, duties, and responsibility to the court is very clear. My role, duties, and responsibility to El Dorado County is also very clear. The model to appoint, evaluate, discipline, and/or remove the chief probation officer is not a "bad" idea, but rather flawed. The concept of "shared liability" does not apply to the courts, because there is no liability. The real issue is the lack of shared resources for probation services, to enable courts and counties to promote public safety. Until this issue of resources is resolved, the existing process in the appointment, evaluation, discipline, and removal of the CPO should remain as is.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 57. Mr. Bill Burke           | Chief Probation Officer | Humboldt County Probation Department  | <p>Generally speaking the model looks as good as anything else suggested. I suspect there will always be some inherent difficulties/contradictions. Hopefully this will move toward creating a better working arrangement. While CPOC is submitting an organizational response, I have some additional comments/thoughts/recommendations</p> <p>Appointment: I like the idea of even numbers. Tiebreakers can harden positions and avoid creating a need to cooperate/shared responsibility, which would could put a new appointee in an untenable position. WIC 270 would need to be changed to remove the Juvenile Justice Commission from the process. I would expect JJDPs will not be happy about this. I suggest upon appointment that there be both a court order and a board resolution.</p> <p>Evaluation: Shared responsibility would be good. The format will probably be difficult to make consistent from county to county. Written evaluation with agreed upon goals and objectives would make sense. I think you'll see comments in the CPOC input that evaluation should come directly from the court and board rather than designees and making compensation part of this section.</p> <p>Removal: Language should be consistent with the appointment process. The current proposal does not appear to anticipate Peace Officers Bill of Rights/due process/"removal for cause" issues (1203.6 PC). These need to be included in the model.</p> <p>Suggest adding Qualifications in the model: minimums of BA, PO Core Course completion, 832 PC training; background check; history of/knowledge of law enforcement principles, etc.</p> <p>Last, at CPOC it was represented that the intent of legislation would be to grandfather incumbents. Is this the intent and will language reflect that?</p> |
| 58. Mr. Larry Rhoades        | Chief Probation Officer | Kern County Probation Department      | I have no problem with the proposal. My comments are directed toward the CPOC correspondence you have or will receive concerning the "Qualifications for a Chief Probation Officer." I do not wish to address each qualification separately. I am opposed to putting ANY qualifications in the proposed legislation. I feel strongly that this would only confuse the issue. If the intent of this legislation is to support dual local jurisdiction in the appointment of the chief probation officer I think it is counterproductive to then mandate conditions and qualifications on that deliberative process regardless of how enlightened and innocuous they appear. I am aware that this view is not supported by CPOC but it is my position.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 59. Mr. Steve Buchholz       | Chief Probation Officer | Lake County Probation Department      | It seems clear from the comments I heard at the CPOC meeting that legislation will be introduced. I would suggest that a grandfather clause for existing chiefs be included in the legislation so there is no question by the judiciary or the counties. My only other comment would be that you include a "remove for cause only" statement within the legislation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart – Version 1**

| <b>Name</b>             | <b>Professional Title</b>      | <b>Affiliation</b>                     | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------|--------------------------------|----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 60. Mr. Bryce Johnson   | Deputy Chief Probation Officer | Mariposa County Probation Department   | The model is reasonable and workable for every county. It should be adopted so as to ensure consistency in the appointment, evaluation, discipline, and removal of a chief probation officer and most important, to help prevent the breakdown of the integrity of a probation department                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 61. Ms. Gail A. Neal    | Chief Probation Officer        | Mariposa County Probation Department   | <p>I understand the difficulty in determining in which world the chief probation officers belong. It is often equally as difficult for us chiefs, as we must attempt to please both sides, i.e., board members and judges.</p> <p>While I am sure that some county board of supervisors do not want to give up control, placing the probation department, as a whole, under the jurisdiction of the court would seem most appropriate. After all, we are known as an arm of the court. All areas, including funding, would be under the courts and it would be clear as to whom we would answer. However, given the direction the task force is going, and issues of which I may not be aware, I know my opinion is merely that.</p> <p>That said, based on the Proposed Collaborative Model mailed on July 16, 2002, I have only a couple concerns. I feel the appointing committee should be specific, i.e., board members and judges, not their representatives. It would be a conflict in many cases to have the CAO, CEO or other appointed department head making the decision as to who to hire. The new chief should have to answer only to those who appointed him or her. Additionally, any removal, by committee or otherwise, should be "with cause" and should be noted as such. Again, they should not be "representatives," but rather board members or judges.</p> <p>Thank you for the opportunity to submit my comments.</p> |
| 62. Mr. Bill Davidson   | Chief Probation Officer        | Merced County Probation Department     | I am not in total agreement with the model as written. I have two major concerns. My first concern is those positions who make up the selection committee need to be the same positions that make other decisions in reference to the evaluation and retention of the chief probation officer. If two judges and two board members make up the selection committee (it could be more), the same two positions from each entity (I don't mean who holds those positions) need make any other recommendations regarding annual evaluation and removal decisions. I do not like the idea that those who hire you then delegate evaluations and retention decisions to other staff. Those who hire the person, I believe, should make any other critical decision about your career. I believe this is just good personnel practice. I believe the document submitted by the Chief Probation Officers of California (CPOC) is in fact on point and I agree with their elaboration on the model as it relates to appointment, evaluation and removal. My second concern is that any model that is legislated should allow incumbent chiefs to make a decision to remain under the system they were hired under and subject to the laws that were in effect at the time until they leave office, or to select to come under the new legislation, once enacted, if they choose.                                                                       |
| 63. Ms. Stephanie Lewis | Chief Probation Officer        | Orange County Probation Department     | I would like to comment that Orange County has applied a process to the appointment of the chief that closely parallels the task force's proposal. In my opinion, this county is a clear example of the successful feasibility of the plan. A collaborative process between the judges and the board of supervisors can work effectively as demonstrated here for many years. Thankfully, it has not been our experience to have to consider the disciplining or removal of a chief. In the event such action might be necessary, I would personally add my support to CPOC's position that encourages language be included in the plan that would acknowledge a chief's rights to due process as outlined in the Peace Officer Bill of Rights.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 64. Mr. Verne L. Speirs | Chief Probation Officer        | Sacramento County Probation Department | I have had the opportunity to review your proposed model and the subsequent information submitted by CPOC, which expands upon the original material your office prepared. I believe the clarifying points and additions by the CPOC significantly strengthen the proposed model. They should be incorporated in any final recommendation. Under the heading of Evaluation and Compensation contained in the material submitted by CPOC, I would suggest that the compensation for the chief probation officer be reviewed and set annually. This review should coincide with the chief's job performance evaluations, which is proposed to be done jointly by the courts and the board of supervisors. Finally, I strongly endorse the CPOC recommendation that the chief probation officer be afforded due process under the Peace Officer Bill of Rights. Also, I agree that there be a "grandfather" provision for chiefs currently in office and that the new model apply prospectively only after enactment of any enabling legislation.                                                                                                                                                                                                                                                                                                                                                                                                  |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart – Version 1**

|     | Name                    | Professional Title      | Affiliation                               | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----|-------------------------|-------------------------|-------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 65. | Mr. J. Christopher Hope | Chief Probation Officer | San Joaquin County Probation Department   | The proposed model does not appear to offer a solution, but rather a continuation of the status quo. Our primary concerns with the model are as follows: (1) It continues the current dual-master relationship that potentially places the chief probation officer in an untenable position between the court and the board of supervisors. As long as the court and the board have a healthy working relationship, this model is benign. But that is not always the case. A chief probation officer should be required to report to, and be held accountable by, only one entity. (2) The model as proposed has the potential for a tie vote in the event that the court and the board do not share a common perspective on matters involving the chief probation officer. As is often the case, the court and the board of supervisors can be on opposite sides of issues involving philosophy, policies, resources, or operations of the probation department. As probation is an arm of the court, a clean, workable solution to this issue would be to treat probation in a similar fashion to the courts under trial court funding. Probation would be placed under the courts where it belongs, both operationally and fiscally, and counties would assume a maintenance-of-effort funding level which would be transferred annually to the state as is done with the courts. We would prefer to see a sound, long-term solution to this issue rather than a quick-fix approach that fails to go to the heart of the matter. |
| 66. | Ms. Susan Gionfriddo    | Chief Probation Officer | Santa Barbara County Probation Department | <p>Because the vast majority of probation services are rendered on behalf of the courts, I have always felt comfortable being court-appointed and would prefer that model to continue. However, I recognize that the Task Force has concluded that a compromise is in order. If, in fact, a collaborative model of appointment is inevitable, I do support the Chief Probation Officers of California proposal as submitted. I do not believe the task force's current proposal is workable and do not believe responsibility for appointment should be a function to be delegated to a committee comprised of anyone other than members of both the judiciary and the board of supervisors.</p> <p>Having said that, I do question the advisability of separating the recommendation for appointment from the ultimate recommendation for a funding model. Having served as chief for fourteen years, I've concluded that the most egregious problem facing probation is the lack of stable funding sources. A partially funded justice system creates a real paradox by undermining the court's integrity when, due to inadequate funding, probation cannot ensure accountability for the offenders under court ordered supervision.</p> <p>It is my opinion that the court is best positioned to effectively evaluate the services of the chief probation officer by reason of the direct oversight of probation's work, regardless of funding limitations.</p>                                                                  |
| 67. | Mr. John Cavalli        | Chief Probation Officer | Santa Clara County Probation Department   | This looks like a compromise that will please no one. Having two sets of bosses does not work and this model would be a nightmare.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 68. | Mr. John Rhoads         | Chief Probation Officer | Santa Cruz Probation Department           | My concerns about the process as described are this; Why did the task force not mandate that the Presiding Judge of the Juvenile Court or their designee be included in this process? Would it not be possible for some courts to place on this committee judges who have little or no experience in juvenile matters? Maybe I am being nitpicky but that is just the contrarian in me; After all, probably more than 50% of what a CPO does in most California counties has to do with juvenile matters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 69. | Ms. Cora Guy            | Chief Probation Officer | Sonoma County Probation Department        | Regarding recommendations for the appointment, evaluation, discipline, and termination of the chief probation officer, I think it's a great compromise. All three recommendations have my support. I am responding to say that I agree with the recommendations in terms of creating a balance between the court and the local authority where each has a vested interest and vested power. This works well for me as a chief in Sonoma County.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 70. | Mr. Pat Costello        | Chief Probation Officer | Siskiyou County Probation Department      | The proposal outlined in your letter dated 7/16/02 would seem to place the chief probation officer in a position subject to the whims of a designated group of between 4 and 6 people. Offend one of these people (send their son to CYA, etc.) and the chief could be on the hot seat. The "Removal" paragraph does not say anything about "just cause." Is this taken for granted or is "cause" being eliminated? You may want to refer to a recent Lassen County termination.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart – Version 1**

|     | <b>Name</b>      | <b>Professional Title</b> | <b>Affiliation</b>                   | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----|------------------|---------------------------|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 71. | Ms. Shirlee Juhl | Chief Probation Officer   | Tuolumne County Probation Department | <p>Under the subheading “Model,” the statement is made, “. . . probation would continue to operate as a county department and the chief probation officer would remain a county officer. Therefore, issues such as salary and discipline processes would continue to follow local county processes.” While the salary has been set and controlled by county processes, any disciplinary action has been controlled by the courts. It would seem more reasonable, if discipline is also to be addressed in this proposal, that it would be handled in a similar manner as the appointment and evaluation process. If left as described in the section titled “Model,” there would now be an issue for the courts that the county would handle disciplinary actions and the court would share any liability incurred. This would be as untenable for the courts as the current process seems to be for the counties. The Chief Probation Officers of California recently met and discussed the proposal at great length. A recommendation was drafted by CPOC that clarified some of the language in the proposal. Under the section titled “Appointment,” we believe it is mandatory that the Selection Committee be comprised of superior court judges and members of the board of supervisors. While staff work and recommendations are important to the process, it is essential that the selection committee be comprised of those in authority to make the ultimate appointment. We also believe an order of the majority of the superior court judges and a resolution of the majority of the board of supervisors would be needed to make the actual appointment. Under the section titled “Evaluation,” we believe a committee should be established which would be composed of superior court judges and members of the board of supervisors in equal numbers, with input from the chief probation officer. The evaluation would be based upon previously agreed upon written goals and objectives that would be established for each evaluation period. The evaluation would be approved by a majority of the superior court judges and a majority of the board of supervisors. Under the section titled “removal,” based on an action that would be generated by the evaluation or a disciplinary process, the chief probation officer would be removed by a majority vote of the superior court judges and a majority vote of the board of supervisors. The chief probation officer shall not be removed without cause, as is delineated in existing law, and shall be afforded due process with adherence to the Peace Officer Bill of Rights. Under the section titled “liability,” we believe it important to emphasize that the court and county would share equally in any liability arising from the hiring, appointment, evaluation, discipline and removal of the chief probation officer. When you made your presentation to CPOC, you said you believed it was understood that existing chief probation officers would be ‘grandfathered in.’ CPOC believes that to ensure that the intent is codified, the proposal must contain language such as “The above standards apply to those appointed as a chief probation officer after the implementation of enabling legislation.” It appears on the whole that the proposal addresses the most immediate concerns of governance in as fair and equitable a way as possible under the circumstances.</p> |

# Judicial Council of California

HON. RONALD M. GEORGE  
*Chief Justice of California  
Chair of the Judicial Council*

WILLIAM C. VICKREY  
*Administrative Director of the Courts*



**Probation Services Task Force**  
455 Golden Gate Avenue  
San Francisco, CA 94102-3660  
[www2.courtinfo.ca.gov/probation](http://www2.courtinfo.ca.gov/probation)

HON PATRICIA BAMATTRE  
MANOUKIAN  
*Chair*

*Hon. Irma J. Brown  
Hon. Denny Bungarz  
Hon. Trish Clarke  
Mr. Alan M. Crogan  
Mr. William H. Davidson  
Hon. Ronn Dominici  
Ms. Sheila Gonzalez  
Hon. Steven E. Jahr  
Mr. Michael D. Johnson  
Mr. Phil Kader  
Mr. Bill Mahoney  
Hon. Kevin M. McCarthy  
Mr. Ralph Miller  
Mr. Paul Nicolosi  
Hon. Frank J. Ochoa  
Mr. John P. Rhoads  
Mr. Michael M. Roddy  
Hon. John Tavaglione  
Mr. John Wardell*

COMMITTEE STAFF  
*Ms. Audrey Evje  
415-865-7706  
Fax 415-865-7217  
TDD 415-865-4272*

COMMITTEE LIAISONS  
*California State Association of Counties  
Mr. Rubin Lopez  
916-327-7500, ext. 513*

*Ms. Elizabeth Howard  
916-327-7500, ext 537  
Fax 916-492-2870*

MICHAEL BERGEISEN  
*General Counsel*

DIANE NUNN  
*Director, Center for Families, Children & the Courts*

**TO:** Presiding Judges of the Superior Courts  
Presiding Judges of the Juvenile Courts  
Chairs of the County Boards of  
Supervisors  
Executive Officers of the Superior Courts  
County Administrative Officers  
Chief Probation Officers

**FROM:** Probation Services Task Force  
Hon. Patricia Bamattre-Manoukian, Chair  
Ms. Audrey Evje, Attorney

**DATE:** October 7, 2002

**SUBJECT/  
PURPOSE OF  
MEMO:** Chief Probation Officer Appointment,  
Evaluation, Discipline, and Removal  
Model – *Version 2*

**ACTION  
REQUESTED:** Review and Provide Comment on a  
Revised Interim Model for Appointment,  
Evaluation, Discipline, and Removal of the  
Chief Probation Officer

**DEADLINE:** October 21, 2002

**CONTACT FOR  
FURTHER  
INFORMATION:** **NAME:** Audrey Evje, Attorney  
**TEL:** 415-865-7706  
**FAX:** 415-865-7217  
**EMAIL:** [audrey.evje@jud.ca.gov](mailto:audrey.evje@jud.ca.gov)

The Probation Services Task Force is seeking comment on a revised interim model for the appointment, evaluation, discipline, and removal of the chief probation officer, as set forth in the attached document.

The task force circulated an interim model for comment in July 2002. This model would have created a local committee with equal membership from the court and the county government to oversee the chief probation officer's appointment, evaluation, discipline, and removal.

The comments received indicated that many counties are already engaged in collaborative efforts at the local level. Given the need to preserve these local efforts and in view of other concerns raised during the comment process, it appears that the July 2002 model is unsatisfactory. Taking into account public input provided on the July 2002 version at its September 12–13 meeting, the task force substantially revised the model for the appointment, evaluation, discipline, and removal of the chief probation officer. The task force now seeks public comment on the revised interim model (attached), which is intended as a substitute for the July 2002 interim model.

The task force wishes to reiterate that the proposed interim model is intended as an initial step aimed at fostering collaboration between courts and counties. The task force anticipates that its final report will recommend more substantive reforms regarding all aspects of probation.

Comments must be submitted in writing by October 21, 2002. Comments may be submitted via e-mail to [probation@jud.ca.gov](mailto:probation@jud.ca.gov) or mailed to:

Audrey Evje  
Judicial Council of California  
455 Golden Gate Avenue, 6th Floor  
San Francisco, CA 94102-3688

Attachment

# Probation Services Task Force

## Proposed Interim Model – Version 2

[Updated October 4, 2002]

**PLEASE NOTE:** *This proposed interim model attempts to address issues identified in the first interim model circulated by the Probation Services Task Force in July 2002. Please note the new opportunity for public comment, which closes on October 21, 2002.*

### **ASSUMPTIONS**

---

It is expected that legislation would be introduced in the 2003 legislative year to codify the principles contained in this model.

This model is not intended to apply to charter counties or those counties in which a merit or civil service system defines the appointing authority.

Chief probation officers in office are not intended to be subject — for purposes of their current position — to reconfirmation by any new appointment procedures that may result from this proposal.

### **BACKGROUND**

---

Since its formation in August 2000, the 18-member Probation Services Task Force has been examining probation services in California and working to develop a new probation governance model. The task force, appointed by Chief Justice Ronald M. George, is composed of court, county, and probation system representatives. Its creation was particularly timely following the enactment of the 1997 Trial Court Funding Act that centralized responsibility for trial courts with the state. This restructuring did not address the preexisting frictions between some counties and courts regarding the probation governance structure. Overall management and budgetary responsibility for probation remains today with the counties. However, in the vast majority of counties, the appointment authority for the chief probation officer resides with the court, now a state-funded entity. After unsuccessful efforts by several stakeholder groups in the probation system to address these difficulties statutorily by introducing legislation on the selection and retention of the chief probation officer, the Judicial Council and California State Association of Counties (CSAC) mutually concluded that a multidisciplinary task force was necessary to undertake a comprehensive examination of probation services and governance issues in California.

## **PROPOSED INTERIM MODEL (VERSION 1, JULY 2002)**

---

In order to balance the competing interests regarding the probation governance structure, the task force developed a proposed interim model in July 2002 (Version 1) and circulated it for public comment. This model would have created a local committee with equal membership from the court and the county government to oversee the chief probation officer's appointment, evaluation, discipline, and removal. The proposal was viewed as an initial step to address, at least in part, the issues of the appointment and retention of the chief probation officer.

Interested parties were given 30 days to comment on the Version 1 interim model. The task force met on September 12 and 13 to examine public comment received and, based on public input, subsequently concluded that Version 1 appeared unsatisfactory for a number of reasons. The task force then developed an alternative interim model (Version 2), for which it now seeks public comment. In devising Version 2, the task force attempted to address the concerns identified regarding Version 1.

## **PROPOSED INTERIM MODEL (VERSION 2, SEPTEMBER 2002)**

---

***PLEASE NOTE:*** *Version 2 of the proposed interim model for the nomination or appointment, evaluation, discipline, and removal of the chief probation officer is intended as a substitute for Version 1 and should be considered a new and different proposal.*

Version 2 of the proposed interim model continues to be guided by the principles emphasizing collaboration between courts and counties that were agreed to during the first phase of the task force's work.<sup>1</sup> Under this model, for the appointment, evaluation, discipline, and removal of the chief probation officer, the probation department would continue to operate as a county department, and the chief probation officer would remain a county officer. Therefore, issues such as salary and benefits would continue to follow local county processes.

Version 2 contains two distinct tiers.

### **Tier I: Formalizing the Local Process**

*In recognition of the fact that many courts have developed and are successfully utilizing local collaborative efforts, and in an effort to preserve the ability of courts and counties to develop and formalize a local option, one that is*

---

<sup>1</sup> The draft *Probation Services Task Force Interim Report* is accessible at <http://www2.courtinfo.ca.gov/probation/report.htm>.

*mutually agreed to by the two parties, Tier I of the model would specify all of the following:*

1. Require the court and county to meet and develop a local agreement (memorandum of understanding, or MOU) that formalizes a process for screening, hiring, evaluating, and disciplining/removing (i.e., personnel actions regarding employment status) the chief probation officer.

*The task force strongly urges that local agreements contain a collaborative process. However, the process may take any form, as long as both the court and the county formally agree to its provisions.*

2. Stipulate in the agreement that the MOU remains in effect until such time as it is superseded by a new agreement or rescinded by either the court or county.
3. Require the court and the county to submit an MOU signed by both parties to the Administrative Office of the Courts, with a copy provided to the California State Association of Counties.
4. Mandate that if (1) the court and county within a jurisdiction are unable to enter into an MOU within 12 months of the operative date of the legislation or (2) either party rescinds an existing MOU, the two parties must follow the default model set forth in Tier II.

### **Tier II: Following the Default Model**

*If both parties cannot agree to a local process or if one party rescinds the MOU, the court and county would be required to follow the steps below:*

#### ***Appointment***

1. Candidates for the position of chief probation officer would be nominated by a committee consisting of members of the county government (members of the board of supervisors) and the court (judges) in equal numbers following a screening process involving the juvenile justice commission.
2. Members of the nominating committee must unanimously approve all candidates forwarded to the appointing entity.
3. The appointment of the chief probation officer would be made by the entity that currently retains appointment authority.

### ***Evaluation***

The court and county would jointly conduct an annual evaluation of the chief probation officer.

### ***Personnel Actions (Discipline and Removal)***

1. The entity currently responsible for personnel actions against the chief probation officer would retain that authority.
2. The entity that does not have appointing authority may recommend personnel actions regarding the chief probation officer to the appointing authority.
3. The entity with the appointing authority may not take negative personnel actions (regarding employment status) against the chief probation officer without the approval of the other party (the entity without appointing authority).

### **COMMENT PROCESS**

---

Comments must be submitted in writing by October 21, 2002. Comments may be submitted by e-mail to [probation@jud.ca.gov](mailto:probation@jud.ca.gov) or mailed to:

Audrey Eyje  
Judicial Council of California  
455 Golden Gate Avenue, 6th Floor  
San Francisco, CA 94102-3688

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart - Version 2**

| <b>Name</b>             | <b>Professional Title</b> | <b>Affiliation</b>            | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------------|---------------------------|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>County Responses</b> |                           |                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 1.                      | Ms. Shirley Bianchi       | Chairperson                   | San Luis Obispo Board of Supervisors                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                         |                           |                               | <p>While we are supportive of collaborative efforts between counties and courts in the selection and evaluation of chief probation officers, we object to the model proposed. In San Luis Obispo County, the Board of Supervisors is the appointing authority for the chief probation officer. We consult with superior court judges regarding the appointment and request feedback on the performance of the chief probation officer. However, the legal authority to appoint the chief probation officer correctly rests with the board. The board is the entity that provides the funding for and approves the probation department budget, and rightly has the final authority over the hiring and evaluation of the chief probation officer.</p> <p>The model proposed by the task force essentially provides the court equal footing in selecting and evaluating the head of a county department, without also accepting a concurrent equal share of the cost for department operations. While the model is intended to coerce cooperation between the entities, it is just as likely to promote stalemates that can lead to operational dysfunction. Furthermore, the proposed model does not remedy, and we believe makes worse, the situation where the chief probation officer is responsible to two different entities that often have different objectives. This proposal is a recipe for failure.</p> <p>The county opposes both versions of the task force models until such time that the court is willing to accept the responsibility for funding probation department operations.</p>  |
| 2.                      | Mr. Patrick Blacklock     | County Administrative Officer | Amador County                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                         | Mr. Michael N. Krietch    | Chief Probation Officer       | <p>Amador County continues to believe that a collaborative process for the recruitment and selection of the chief probation officer is not only appropriate, but necessary. As stated in earlier responses, the most recent appointment of the chief probation officer utilized a collaborative approach. While the proposed collaborative approach can improve stakeholder participation and ownership, it does not answer managerial and budgetary control conflicts.</p> <p>A collaborative approach to the recruitment and selection is a great start. However, evaluation of the chief probation officer by a committee of people does not seem appropriate. Committees overseeing one person may not provide a clear, concise, confidential and consistent form of evaluation. This does not promote organizational efficiency. The task force may want to suggest a structure which would place the chief probation officer and the department wholly within the courts or the counties. This is a point worth considering since only 2 states, California and Indiana, “receive primary funding exclusively from local government”; therefore, the burden of funding should be with the agency having authority.</p> <p>Amador County also feels the suggested requirement to create an MOU for each county except those charter or civil service merit counties is not sensible. This could create a system which in effect can have potentially fifty-nine processes that could change when a special interest suggests a stipulation to the MOU. This seems unreasonable and inefficient.</p> |
| 3.                      | Mr. Bart Bohn             | County Administrative Officer | Fresno County                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                         |                           |                               | <p>While the model moves toward a more collaborative model, it stops short of developing that process as was included in your original version 1 model (which was supported through our letter dated August 16, 2002).</p> <p>Given the joint responsibility of funding and administering the probation department’s operations, we continue to stress the appropriateness of both the county and the courts to also share in the appointment, evaluation, discipline, and removal of the chief probation officer. We therefore encourage you to move toward a collaborative model statewide, thereby simplifying the implementation process.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 4.                      | Ms. Ann Capela            | County Executive Officer      | Imperial County                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                         |                           |                               | <p>As Imperial County Executive Officer and as the President-Elect of National Association of County Administrators and to be consistent with the intent of the ordinance under which the CEO serves in Imperial County:</p> <p>The appointment committee which would consist of representation of the County and Judges:</p> <p>The appointee representing the county should be the County Administrator/Executive Officer.</p> <p>In most of the county structures, the department heads report to the CAO/CEO. The budget recommendation and supervision authority is in the ordinance that appoints the CEO. Thus, it is my recommendation that the member of the nomination and performance review be assigned to individual County Executive/Administrative Officer. This would facilitate the stability and allow this position to be filled based on qualification and skill as opposed to what may most likely be a “political” appointment.</p> <p>The CAO/CEO will be the most knowledgeable on performance issues. Most of the elected officials do not have the day-to-day knowledge on performance, so how can they effectively judge performance?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                     |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart - Version 2**

|    | Name                                         | Professional Title                                                  | Affiliation                                    | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----|----------------------------------------------|---------------------------------------------------------------------|------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5. | Ms. Penelope Clarke                          | Administrator                                                       | County of Sacramento, Public Protection Agency | <p>Both the Tier I model, requiring a memorandum of understanding to formalize a collaborative process for selecting, evaluating, and disciplining a chief probation officer, and the Tier II default model offer commendable methods for engaging both the county and the court in the decision-making processes of selection, discipline and evaluation of a chief probation officer. However, the methods ignore the awkwardness for the chief probation officer if/when two directors give contradictory directions. Such a situation often occurs during difficult financial times.</p> <p>Sacramento County continues to prefer the selection process currently used by the county for appointing agency administrators and department heads. The county executive performs the selection process, which is then subject to confirmation by the board of supervisors. Appointments made in this way provide the county with consistency in employment, and maintain unity of direction toward countywide goals. It also provides the department head (in this example, the chief probation officer) a level of support when finances and service delivery demands are in conflict.</p> <p>It is acknowledged that the Tier I and Tier II models are interim models aimed at fostering collaboration between courts and counties. Both provide greater involvement than current processes; however, it is hoped that the task force will continue to consider the option of making the county the sole appointing authority and seek other ways, which are less austere to the chief probation officer, to increase court/county collaboration.</p> |
| 6. | Mr. Larry T. Combs<br><br>Mr. Curtis R. Coad | County Administrative Officer<br><br>Assistant County Administrator | Sutter County                                  | <p>This office earlier commented upon, and supported, the Probation Services Task Force's interim model for the appointment, evaluation, discipline, and removal of the chief probation officer.</p> <p>Given this background, please be informed that we have reviewed the task force's revised interim model, and find it preferable to the original proposal. The revised interim model provides local courts and counties with additional flexibility, and recognizes arrangements which have already been voluntarily and cooperatively made. Consequently, we support it.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 7. | Ms. Helene Franchi                           | Management Analyst                                                  | Napa County Executive Office                   | <p>The collaborative effort between the court and the Napa County Executive Office is a success. We do not see any reason to revise the current system and would oppose adoption of this version.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 8. | Mr. Dennis Hansberger                        | Vice-Chairman                                                       | San Bernardino County Board of Supervisors     | <p>On August 6, 2002, the San Bernardino County Board of Supervisors submitted a letter indicating our interest in broadening participation by local elected officials. Specifically, we recommended "that the model offer each county and court the option of subjecting decisions regarding appointment and removal of the chief probation officer to a majority vote of the board of supervisors and the judges (with further discretion by the court regarding whether to require approval of the full bench or an executive committee)."</p> <p>Version 2, as proposed by the Probation Services Task Force, does not accomplish this purpose. In the event that an MOU is not developed locally, the proposed "Default Model" continues to vest appointment/removal authority solely with the court (as the current appointing body). By retaining the status quo, this approach would not unify authority and responsibility for management of probation functions.</p> <p>The San Bernardino County Board of Supervisors continues to support a process by which the court and county equally share authority and responsibility for appointment, evaluation, discipline, and removal of the chief probation officer. Absent a decision by the state to assume financial responsibility for probation functions, the default model in version 2 does not sufficiently address our board's concerns.</p>                                                                                                                                                                                                                                          |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart - Version 2**

|    | Name             | Professional Title   | Affiliation        | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----|------------------|----------------------|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9. | Mr. Manuel Lopez | County Administrator | San Joaquin County | <p>Probation is a key component of the county criminal justice system. Counties have tremendous management, labor relations, facilities, and financial responsibilities related to the operation of the probation department. For a number of years, the San Joaquin County Board of Supervisors has been concerned about bearing the responsibilities for Probation services without having adequate control and authority over its department head.</p> <p>Since 1998, following the passage of the Trial Court Funding Act of 1997, the county’s annual legislative platform has included a plank with the following language:</p> <p>Support legislation to include all Probation functions in the definition of court operations for State trial court funding purposes OR support legislation to make the Chief Probation Officer an appointee of the Board of Supervisors.</p> <p>This solution was intended to align authority with responsibility for Probation services.</p> <p>The proposed Interim Model is NOT acceptable as either a short-term or long-term solution to this issue. If the local court and its associated county have a strong working relationship and if the court is willing to cede a significant amount of control over the appointment process to the county, the Interim Model could be a workable option. However, a more likely scenario is that the local court would have no incentive whatsoever to come to agreement with the county regarding the appointment process. The court may not negotiate with the county in good faith because the default option under Tier II of the Interim Model allows the court to retain its appointment authority over the chief probation officer and be the final decision-maker on all personnel actions related to the chief probation officer. Although Tier II does allow the court and the county to jointly conduct an annual evaluation of the chief probation officer and requires the county to concur with the court if negative personnel actions are to be taken against the chief probation officer, this is not enough improvement over the current situation. The county would have an equal voice with the judiciary in nominating candidates, but the court would retain its status as final appointing authority. The county could only recommend, but not insist on, personnel actions affecting the chief probation officer.</p> <p>As indicated above, the board of supervisors has an adopted legislative platform that seeks to transfer responsibility for probation services to the state or to authorize the board of supervisors to appoint the chief probation officer. Inasmuch as the revised Interim Model does not conform to the board’s legislative platform, it is hereby rejected.</p> <p>We would also like to provide a few technical comments on provisions within the model:</p> <ol style="list-style-type: none"> <li>1. In Item #2 under Tier 1, the model says that the MOU developed between the court and the county shall include a statement that “the MOU remains in effect until such time as it is superseded by a new agreement or rescinded by either the court or the county.” Since the Probation Services Task Force plans to introduce a long-term governance model that would eventually be codified in statute, we believe this section should be re-worded to read, “until such time as it is superseded by a new agreement, rescinded by either the court or county, or is superseded by new legislation that enacts a different methodology for hiring, discipline, and removal of the chief probation officer.”</li> <li>2. In Item #1 under Tier 2: It is time to remove the juvenile justice commission from involvement in the selection of the chief probation officer. The Juvenile Justice Commission is made up of members of the community, including youth representatives, who may have little or no experience in interviewing and hiring personnel. They may not have an adequate understanding of the complexities of the position of chief probation officer, nor an adequate appreciation of the delicate balance between the needs of the judiciary versus the needs of the county. Why is a citizens’ group involved in choosing a department head?</li> </ol> <p>The original July 2002 Collaborative Model for the appointment of the Chief Probation Officer was a better solution than this Revised Interim Model. The Probation Services Task Force should return to the Collaborative Model as its short-term governing structure until the Task Force can complete its work on crafting a California Model to serve as the long-term solution for governance of probation services. Neither the Collaborative Model nor the Revised Interim Model should be indicative of the format of the future California Model.</p> <p>The County of San Joaquin could support the Revised Interim Model as the short-term governance solution for probation services only if the former Collaborative Model is inserted as the Tier II default model.</p> |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart - Version 2**

| Name                       | Professional Title                   | Affiliation         | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------------|--------------------------------------|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mr. John L. Maltbie        | County Manager<br>Clerk of the Board | County of San Mateo | <p>(Comments received on November 14, 2002.) Both the initial model and subsequent two-tier approach fall short of improved citizen accountability. Both approaches disregard what may be the more significant alternative to align the authority and function of probation appropriately to the state. With trial court realignment of judicial positions followed most recently with facilities, the logical next step is alignment of court functions. Probation services are a court function.</p> <p>In the past, the County of San Mateo has expressed support of legislative efforts to align the authority of counties and the courts, due in no small part to the \$604,000 in claims brought against the probation department, including sexual harassment charges against a former chief probation officer, which required payment by the Board of Supervisors, not the courts. Increased cynicism of government is, at least in part, attributed to real and perceived lack of accountability. It is inappropriate to assign financial responsibility to the County Board of Supervisors for behavior of unaccountable personnel.</p> <p>The revised two-tier model provides for a shared selection process that includes participation by the county and the courts. While collaboration is critical to many successful programs and services, it generally involves financial stakeholders. In the example of probation, there is a disconnect between the courts which rely on probation services and the county which is required to pay for the services. Such a shared selection process continues bifurcated accountability for a chief probation officer.</p> <p>The County of San Mateo respects the serious effort of the Probation Services Task Force to develop a model for the appointment, evaluation, discipline, and removal of the chief probation officer. The revised two-tier model presents an incremental improvement, but falls short of aligning financial and program responsibility to ensure accountability.</p>                                                                                                                                                                                                                                                             |
| 10. Ms. Susan A. Mauriello | County Administrative Officer        | Santa Cruz County   | <p>Santa Cruz County does not have a local process, so would be operating under the Tier II model as described in your memo. As I understand it, the purpose of your models is to balance the competing interests regarding the probation governance structure. Essentially, you are proposing that the chief probation officer's appointment, evaluation, and removal would be the joint responsibility of a committee composed of members representing the court and the county in equal numbers.</p> <p>This model would have the advantage of giving the counties a theoretically equal say in appointing, evaluating, and removing the chief probation officers. However, it does not address the primary concern of counties which is that accountability to the courts and fiscal responsibility should be united through a single command structure.</p> <p>As I have stated in my previous letters to you, the optimal structure would be to have the probation departments and their budgets transferred to the state and placed under the supervision and direction of the local court. Fiscal authority for all functions, including staff, facilities, etc., would be consolidated with the courts, eliminating the current inevitable conflict.</p> <p>Another possible resolution would be to place the chief probation officers under the supervision of the county administrative officers. It would be very appropriate for such appointments to require the concurrence of the courts, as described in your revised model. This would at least provide some administrative oversight over a department head who is responsible for a significant portion of the county budget.</p> <p>Unfortunately, the proposed model goes no further in addressing the concerns we had with the previous model. The revised model still does not provide a united command structure and would not resolve the current tension incumbent in requiring chief probation officers to implement court directions within an insufficient budget. While having a court/county committee jointly responsible for hiring, evaluating, and removing the chief probation officer would provide the counties with additional authority, this system would not resolve the structural weaknesses of the current system.</p> |
| 11. Ms. Lynne Margolies    | Personnel Director                   | County of Lassen    | I think your model took into account all of my comments and is excellent. Thanks for all the work.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart - Version 2**

|     | Name                   | Professional Title                       | Affiliation                              | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----|------------------------|------------------------------------------|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12. | Ms. Eileen Melson      | Stanislaus County Chief Executive Office | Stanislaus County Chief Executive Office | <p>While we are commenting on version 2, please understand that Stanislaus County continues to take the position that as long as the funding for all of probation services is the responsibility of the board of supervisors, then the appointment and retention of the chief probation officer should be the responsibility of the county, not the court. Nevertheless, here are our comments.</p> <p>Tier I: Development of an MOU probably would work in our county if we have no other option.</p> <p>Tier II:</p> <p>Appointment: We would not want the "... members of county government ..." limited to the board of supervisors. We suggest there should be some latitude in determining who the appropriate members of the nominating committee should be. In section #2, what happens if the nominating committee does not "unanimously approve all candidates forwarded to the appointing entity"? Why can't it be that if there is not unanimous agreement, the committee can refer the top candidates? You understand our view of #3. The county should appoint.</p> <p>Evaluation: This would be acceptable, so long as it is clear that the county has the authority to implement any type of merit pay increase, not the court.</p> <p>Personnel Actions (Discipline and Removal): Again, considering our overall belief that the county should be the appointing authority – we could live with this.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 13. | Mr. Ron Piorek         | Deputy County Administrative Officer     | Sonoma County                            | <p>1. The "Version 2" proposal seems to us to be a step backward from the original proposal.</p> <p>The Version 2 proposal appears difficult to support because the "rescission provision" seems to provide the opportunity for unilateral court decision-making whenever the court is not in concurrence with the county on the issue of terminating a CPO appointed pursuant to a Tier I agreement.</p> <p>For example: If a county and the court reached a Tier I Agreement whereby the county would have appointment and termination authority regarding the CPO position, the court could simply thwart an effort of the county to terminate this person by exercising the unilateral rescission provision. By exercising the rescission provision, the termination rights would require the concurrence of the court, rendering the Tier I agreement meaningless.</p> <p>2. Item 3 under "Appointment" in Tier II references the "entity that currently retains appointment authority." To what point in time does the word "currently" refer. Is it the date the legislation is enacted, or in the case of a rescission of a MOU, does it refer to the party having made the then-current appointment under a Tier I model. Advancing to a point in time in the future when Tier I models would be in place, it would seem to be practical to define "currently" as the most recent party which has had appointing authority responsibility, as that party may be different than the one which had appointing responsibility at the time the legislation passed.</p> <p>3. Item 1 under "Personnel Actions" of Tier II poses the same issue described above regarding the definition of the word "currently." What point in time is that word intended to reference when read 10 years from now?</p> <p>4. The recommendations fail to address liability issues arising to the county resulting from the court's appointment of the current incumbent CPO where that responsibility is currently exercised by the court, or would revert to the court under Tier II.</p> <p>5. The legislation should give counties the option of separating responsibility for the operation of juvenile institutions (juvenile halls, ranches and camps) from the probation officer and place these functions under a county employee. This is a major liability item and may be a sticking point, making resolution of the probation officer status difficult for some counties.</p> <p>6. The time provided to us to review this model between the date of receipt and the submission of comments (less than 3 days) did not allow for a thorough analysis nor any internal dialogue between the stakeholders which could have improved the value of our response.</p> |
| 14. | Ms. Anita Reis         | Management Analyst                       | Placer County Executive Office           | <p>Although this model does not apply to Placer County since it is a charter county, we respectfully request that the Task Force reconsider the inclusion of #3 under Personnel Actions (Discipline and Removal) as part of the Default Model. This section states that the "entity with the appointing authority may not take negative personnel actions against the chief probation officer without the approval of the other party." It appears to contradict #1 which states that the "entity currently responsible for personnel actions against the chief probation officer would retain that authority."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 15. | Mr. Mark J. Riesenfeld | County Administrative Officer            | Marin County                             | <p>Although Marin County recognizes the importance of a cooperative working relationship with the courts, the Marin County Board of Supervisors continue to maintain the position that the hiring and evaluation of the chief probation officer should reside with the board as long as probation services remains a locally funded responsibility. Therefore, the county would oppose this revised model.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart - Version 2**

| <b>Name</b>           | <b>Professional Title</b>          | <b>Affiliation</b>                             | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------------|------------------------------------|------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 16. Mr. George Roemer | Senior Deputy County Administrator | Contra Costa County                            | <p>Contra Costa County supports both the original and revised models. We believe that both strategies are workable, and either would provide assistance to counties regarding probation governance issues and the appointment and retention of the chief probation officer.</p> <p>We offer two comments on the revised interim model: (1) Both “Tiers” should include language to ensure a statewide, open and competitive appointment process for the chief probation officer and (2) Tier II includes a “screening process involving the juvenile justice commission.” It would be beneficial if the standard of involvement for the juvenile justice commission were more clearly articulated.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 17. Mr. Gil Solorio   | County Administrative Officer      | San Benito County                              | <p>San Benito County supports the Revised Interim Appointment / Removal Model submitted for comment. However, this support is given with the understanding that appropriate code changes will be implemented so as to allow for a Tier I scenario wherein the county assumes authority for appointment of the chief probation officer.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 18. Mr. Brent Wallace | County Administrator               | Tuolumne County                                | <p>I assume that both the proposed interim model (version 2) and the default model will be placed into legislative language and adopted into the code. If not, it is my belief that there would be little incentive for some counties and courts to adopt either the interim or default model. Since the appointment, evaluation, etc., of a chief probation officer is an issue, it makes sense to codify the proposal and allow counties/courts to pursue the best option as they deem appropriate.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Mr. Robert Westmeyer  | County Counsel                     | Napa County                                    | <p>(Comments received on November 14, 2002.) While the Model seems fair enough, I would hope in the legislation you are going to amend and revise the W&amp;I and Penal Code provisions relating to County Chief Probation Officers (adult and juvenile). Those sections are hopelessly out of date considering the court consolidations that have occurred in the past few years. They are inconsistent with each other. Finally, to say they are poorly worded can only be described as the ultimate understatement.</p> <p>As far as I can tell, ignoring Charter Counties and that infamous Charter City/County for the moment, most if not all appointments of Chief Probation Officers where there is a single CPO in my view are invalid since it is impossible to comply with both the W&amp;I and Penal Codes in the appointment process! Nor can you tell when the section(s) are referring to the CPO and when they are referring to Deputy POs.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 19. Mr. Andy Whiteman | County Administrative Officer      | Lassen County                                  | <p>The Lassen County Board of Supervisors strongly believes that the chief probation officer should work under the authority of the supervisors. The board of supervisors is concerned about the financial and legal exposure to the county from the actions of an appointed official/department head that does not report to the board.</p> <p>If the Probation Services Task Force recommends the proposed version 2 model, the Lassen County Board of Supervisors believes that the Memorandum of Understanding between the courts and the county should clearly define the legal and financial responsibilities of the appointing authority. If the courts choose to supervise the probation department, they must take the responsibility for the actions of the employees.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 20.                   |                                    | Los Angeles County Chief Administrative Office | <p>The Task Force’s revised interim model (Version #2) would not be applicable to Los Angeles County. However, as on prior occasions, we are taking this opportunity to provide our comments.</p> <p><b>FEASIBILITY OF PROPOSED MODEL</b></p> <p>As indicated in our previous response, although the proposed model may be feasible in any county (including Los Angeles County, if it were a non-charter county), it is necessary to recognize that a collaborative effort regarding probation service delivery in Los Angeles County continues to exist with our court. Since overall probation management and fiscal responsibility remain with the county, decisions on appointment, evaluation, discipline and removal of probation officers should remain with the County Board of Supervisors.</p> <p>In addition, although we recognize that modifications to certain areas in the delivery of probation services are necessary, at this time, we do not perceive a sense of friction between our probation and court operations regarding the governance structure.</p> <p>Given unique county characteristics, the proposed model (Version #2) appears to be a flexible and viable approach to assist those courts and counties in the short-term in formalizing and addressing probation governance issues, through the intended collaborative development of memoranda of understanding.</p> |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart - Version 2**

| <b>Name</b>            | <b>Professional Title</b> | <b>Affiliation</b> | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|------------------------|---------------------------|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Court Responses</b> |                           |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 21.                    | Hon. Rene Chouteau        | Judge              | Superior Court of California, County of Sonoma                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                        |                           |                    | Both the local process and the default model address the concerns which I raised in my prior letter.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 22.                    | Hon. Michael T. Garcia    | Presiding Judge    | Superior Court of California, County of Sacramento                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                        |                           |                    | The Sacramento Superior Court is opposed to version 2 of the chief probation officer model for the same reasons as stated in the court's letter of 16 August 2002.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 23.                    | Mr. Mike Glisson          |                    | Superior Court of California, County of Nevada                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                        |                           |                    | Per our discussion today, on behalf of the Presiding Judge of the Nevada County Superior Court, we agree with the proposed changes regarding the selection of Chief Probation Officers. We agree that the best policy is for local courts and counties to negotiate a MOU.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 24.                    | Hon. Nazario Gonzales     | Judge              | Superior Court of California, County of Santa Clara                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                        |                           |                    | Some observations and suggestions regarding the hiring and firing of a chief probation officer as outlined in the default procedure:<br>Tier II: Appointment<br>Para 2: Requiring unanimous approval for submitting nominations of a candidates for the position of a chief probation officer will result in a veto to either party, the appointing authority (the court) and the nonappointing authority. This will result in compromise candidates being nominated, and not necessarily the best candidate being nominated for the position. Also, by requiring unanimous approval, the power of the appointing authority is diminished, especially if only one nominee is forwarded to the appointing authority. I suggest that all nominees be approved by at least 3/4 of the nominating committee members.<br>Tier II: Evaluation<br>Para 3: Again the nonappointing authority has a veto over the dismissal or disciplining of the chief probation officer. Clearly, one voice should have the authority to dismiss or discipline the chief probation officer. Otherwise, a chief probation officer might manipulate and control his tenure to maintain his/her position despite a lack of confidence in the chief probation officer by the court, which might arise over labor and management disputes, enforcement policies, personnel conflicts (assignment of probation officers, for example), or whatever limits or restricts the court from fully controlling operations that directly affect the courts. The appointing authority, especially the courts, should have the ultimate say on this issue. Of course, this does not preclude the appointing authority from consulting with and seeking the nonappointing authority's input. |
| 25.                    | Hon. Susan C. Harlan      | Judge              | Superior Court of California, County of Alameda                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                        |                           |                    | As you know we truly have a collaborative process already in place in Amador County (at least concerning the selection of the chief probation officer). Our system continues to work well, at least for the moment. The real issue as I see it is that the chief probation officer gets his/her marching orders from the judges yet the county continues to be responsible for paying for it (which is a continuing source of irritation). I strongly feel that probation should be part of the courts, similar to Family Court Services. The courts deal with probation on a day-to-day basis. The Board of Supervisors sees them once a year at budget time. I understand that one of the stumbling blocks is who assumes the juvenile halls, etc. Perhaps the juvenile halls are more appropriately shared with the state and the counties.: local control in terms of running the facility, yet statewide coordination of needs, programs (drug, sex offender, out-of-control parents or kids), funding, evaluations, etc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart - Version 2**

|     | Name                       | Professional Title               | Affiliation                                       | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----|----------------------------|----------------------------------|---------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 26. | Hon. Gary D. Hoff          | Presiding Judge                  | Superior Court of California, County of Fresno    | <p>Although this may not be the case in other courts/counties, the Superior Court of Fresno County continues to support the status quo. The judges have the authority and responsibility to appoint an remove the CPO while the county maintains the purse strings for the Probation Department. We may have an occasional difference of opinion, but the court believes that is to our mutual benefit and advantage to work together rather than create a system that may become divisive. In my personal opinion, we are able to work together because each branch of government has separate and distinct duties. If these duties were merged there could be an impasse where one entity could not proceed without the other. For example, I believe the court could be significantly hampered in its efforts to work toward the rehabilitation of delinquent minors if the court were to become involved in the political issue of funding.</p> <p>If the primary goal of version 2 is collaboration and team development between the courts and counties, then the court should have some voice on future probation department funding--whether is a proposed increase or decrease.</p> <p>The Superior Court therefore prefers the status quo rather than the version 2 model.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 27. | Hon. Jean Pfeiffer Leonard | Judge Chair, Probation Committee | Superior Court of California, County of Riverside | <p>On behalf of the Riverside Superior Court, we sincerely request that you amend the model-version 2 to allow courts to continue pursuant to existing law. Existing statutes provide the best available governance structure for Riverside County.</p> <p>Our understanding of the model-version 2 is that all courts and counties would be required to function within one of two “tiers.” Both tiers include shared authority or mutual veto authority. Both tiers incorrectly presume that counties understand and respect the critical investigative and supervisory duties performed by probation departments. That has not been the case in Riverside County. Indeed, multiple statements have been made at the highest levels of county government that the county would, if permitted, severely reduce or completely terminate probation services.</p> <p>Under current circumstances, Riverside Superior Court is reduced to reliance on statutory authority. Although numerous examples and extensive data have demonstrated the value of probation services in Riverside County, funding commensurate with other justice system agencies or policy support has not been forthcoming. Each of the tiers would erode the court’s ability to require even the minimum level of probation services. As noted previously, our fervent wish is that county support for the probation department would make shared governance possible. However, until the county and court establish common grounds for communication and policy matters, the court’s statutory authority must remain intact.</p> <p>For these reasons stated above, we believe that courts must be allowed to decline both tiers until a foundation for joint governance is established. Further, statutory authority to order investigation and supervision services must remain in full force and effect.</p> |
| 28. | Hon. Cindee Mayfield       | Judge                            | Superior Court of California, County of Mendocino | <p>I agree with the procedures for appointment and evaluation of chief probation officers contained in “version 2” of the interim model. The approach balances the needs of local government with those of the court, and sets forth clear procedures to resolve conflict. I hope that your hard work will result in 2003 legislation clarifying this difficult area.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 29. | Hon. James Ruggiero        | Presiding Judge                  | Superior Court of California, County of Shasta    | <p>As I am sure you are aware, in a general law county the chief probation officer is actually the juvenile probation officer who acts as chief probation officer and is appointed by the “judge of the juvenile court,” from a pool forwarded to him or her from the juvenile justice commission. (See Welfare and Institutions Code section 270 and Penal Code section 1203.5.) The proposed default model would leave appointment authority, discipline and removal authority in the supervising judge of the juvenile court. Is this truly your intent?</p> <p>Also, getting a unanimous recommendation from the nominating committee as described in your default model might result in either inability to make recommendations or compromise recommendations of the least offensive candidates rather than the most qualified. I really do think the task force needs to resolve the tough question: In which single entity will the power of appointment, supervision, discipline and compensation lie? All else, it seems to me, will simply institutionalize the current morass.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart - Version 2**

|     | Name                                                                         | Professional Title      | Affiliation                                            | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----|------------------------------------------------------------------------------|-------------------------|--------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 30. | Ms. Kiri Torre                                                               | Chief Executive Officer | Superior Court of California, County of Santa Clara    | <p>I agree with the revisions that allow existing collaborative local agreements to continue as described in Tier I: Formalizing the Local Process.</p> <p>I agree with the revisions that provide a default process in the event of a local impasse as described in Tier II: Following the Default Model, with one exception. Under Personnel Actions (Discipline and Removal), I believe that the language should be modified as stated below to avoid possible impasse on the critically needed personnel actions:</p> <p>3. Suggested revision: The entity with the appointing authority may not take negative personnel actions (regarding employment status) against the Chief Probation Officer <del>without the approval of the other party (the entity without appointing authority)</del> <u>taking into consideration the position of the other party (the entity without appointing authority).</u></p> <p>The revised version with the suggested amendments provides a structure that will ensure that the chief probation officer is responsive to the needs of the court to better serve the public.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 31. | Hon. Richard Turrone                                                         | Presiding Judge         | Superior Court of California, County of Santa Clara    | <p>I agree with the revisions that allow existing collaborative local agreements to continue as described in Tier I: Formalizing the Local Process</p> <p>B. Tier II Appointment: I agree with the revisions that provide a default process in the event of a local impasse with the following exceptions:</p> <p>Appointment: Paragraph 2, which requires members of the nominating committee to unanimously approve all candidates forwarded to the appointing entity, can result in a veto by either party. This can result in compromise candidates being nominated, and not necessarily the best candidates. Also, by requiring unanimous approval, the power of the appointing authority is diminished. I would suggest that all nominees be approved by at least 2/3 or 3/4 of the nominating committee members.</p> <p>Personnel Actions (Discipline and Removal): I recommend that Paragraph 3 be amended to read as follows: “The entity with the appointing authority may not take negative personnel actions (regarding employment status) against the chief probation officer without taking into consideration the position of the other party (the entity without appointing authority).”</p> <p>This suggested amendment to the revised version provides a structure that will ensure that the chief probation officer is responsive to the needs of the court and thereby better serve the public. To give the nonappointing authority a veto over the dismissal or discipline of the chief probation officer could result in unacceptable and bizarre circumstances where the appointing authority lost complete confidence in the chief probation officer and yet would have their hands tied to remedy the problem.</p> |
| 32. | Hon. J. Michael Welch                                                        | Presiding Judge         | Superior Court of California, County of San Bernardino | <p>I endorse the Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model – Version 2. This version has in it the requirement that the court and county meet and confer on this very important issue and attempt to reach an agreement on the local level.</p> <p>It ensures that issues of concern to individual counties and courts could be addressed in a tailor-made Memorandum of Understanding (MOU). Furthermore, I like the idea that the court and county would have up to 12 months in which to accomplish an MOU. Also, the idea that the MOU can contain any language as long as the parties agree on it makes the MOU a more meaningful local document.</p> <p>The suggestion that the counties and courts collaborate in this process ensures that it would be an agreement that both would have a stake in.</p> <p>The default position is a meaningful one and one in which will force and agreement between the court and county on the Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 33. | Trial Court Presiding Judges Advisory Committee (TCPJAC) Executive Committee |                         |                                                        | <p>The TCPJAC Executive Committee carefully considered the proposal and supports the revised model as circulated on October 10, 2002. The Executive Committee commends the Probation Services Task Force for adopting a two-tier model, which preserves court/county collaboration in the delivery of this critical service and establishes a default model in the event that the court and county are unable to reach an agreement.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart - Version 2**

| <b>Name</b>                | <b>Professional Title</b> | <b>Affiliation</b>      | <b>Comment</b>                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------------------|---------------------------|-------------------------|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Probation Responses</b> |                           |                         |                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 34.                        | Mr. Bill Burke            | Chief Probation Officer | Humboldt County Probation Department      | <p>There is a great deal of concern about these “assumptions.” It might be worthwhile to go beyond “assuming” the last two (charter counties and incumbent chiefs) and actually include all three assumptions as “provisions.”</p> <p>Under Tier II:</p> <ol style="list-style-type: none"> <li>1. Allows for reintroduction of JJDCPs. I’m not clear on the rationale for this (although I don’t disagree with it). It appears under Tier I that JJDCP have intentionally been removed from the process, although it could be included in a local MOU.</li> <li>2. 3. If a party rescinds a MOU there would be no “entity that currently retains appointment authority.” Does this mean that it goes back to the appointing authority prior to the passage of the law, the appointing authority from previous MOU if there were any, or something else?</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 35.                        | Mr. John Cavalli          | Chief Probation Officer | Santa Clara County Probation Department   | <p>This model has the same fundamental problem as the original July 2002 model in that no one, including the chief probation officer, can serve two masters. If it’s not broke, don’t fix it, and the current judicial chief probation officer appointment, evaluation, discipline, removal model in Santa Clara County works just fine.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                            | Ms. Susan J. Gionfriddo   | Chief Probation Officer | Santa Barbara County Probation Department | <p>I do believe this version is much improved and believe this should accommodate almost everyone’s interests.</p> <p>I am hoping that the work of the Probation Task Force continues and am hopeful that the ultimate conclusion will be a state funding formula for probation services. If that is ultimately accomplished, I would assume the appointment process for the chief probation officer would be solidified with that funding model.</p> <p>I have noticed on the routing of the proposals that Juvenile Justice Commissions are not copied. Because the current statutes provide for their inclusion in the process, I respectfully suggest that they should be included as current stakeholders in the process.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 36.                        | Ms. Cora Guy              | Chief Probation Officer | Sonoma County Probation Department        | <p>I have reviewed the proposal and, as a compromise, it looks acceptable to me as a CPO in Sonoma County.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 37.                        | Mr. J. Christopher Hope   | Chief Probation Officer | San Joaquin County Probation Department   | <p>The proposed Tier I provision is an improvement over the July proposal, but it still does not address the fundamental question of the ongoing relationship among probation, the courts, and the county. Our primary concerns with the October 2002 model are as follows:</p> <p>Probation remains under the control of two independent entities: the courts and the county. This is a fundamental flaw in the proposed concept. A chief probation officer should be required to report to, and be held accountable by, only one entity.</p> <p>While Tier I would allow for a negotiated arrangement between the courts and the county, the presumption would be that the current dual-master relationship would continue to exist in some negotiated form. A chief probation officer should be required to report to, and be held accountable by, only one entity.</p> <p>Tier II continues to create the potential for a tie vote in the event that the court and the board do not share a common perspective on matters involving the chief probation officer. As is often the case, the court and the board of supervisors can be on opposite sides of issues involving philosophy, policies, resources, or operation of the probation department.</p> <p>As probation is an arm of the court, a clean workable solution to this issue would be to treat probation in a similar fashion to the courts under trial court funding. Probation would be placed under the courts where it belongs, both operationally and fiscally, and counties would assume a maintenance-of-effort funding level which would be transferred annually to the state as is done with the courts.</p> <p>We would prefer to see a sound, long-term solution to this issue rather than a quick-fix approach which fails to go to the heart of the matter.</p> |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart - Version 2**

|     | Name                | Professional Title      | Affiliation                            | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----|---------------------|-------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 38. | Mr. Bob McAlister   | Chief Probation Officer | Mendocino County Probation Department  | I believe that the proposal is workable, providing that the members of the “collaborative” have an understanding of the chief probation officer’s role as it relates to court functions and mandates (courts), and personnel and budget issues (county). It has been my experience that the courts and the county administration do not share the same understanding of how a probation department is operated. For as long as I can remember, the courts left the running of the department to the chief probation officer, who dealt with budgets, personnel assignments and discipline, and the everyday operation. In my county, the courts have recently taken an interest in personnel matters, such as transferring officers in assignments, with which they disagreed, but knew nothing of the reasons behind the transfers. What will be the approach for a “collaboration” to monitor the internal affairs of the department? Will the courts assume a more active role in operations of the department? Will the county be more fiscally aware of and cooperative with court mandated/ordered actions requiring funding from the local coffers, such as CYA commitments and diagnostic evaluations?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 39. | Ms. Gail A. Neal    | Chief Probation Officer | Mariposa County Probation Department   | I am pleased with the version 2 model. It allows those counties who wish to remain with their current system. It also affords the opportunity for an alternative means for those counties who are not currently satisfied with their appointment process. I appreciate that the Task Force genuinely considered our responses.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 40. | Mr. Verne L. Speirs | Chief Probation Officer | Sacramento County Probation Department | <p>My comment is directed to the Tier II Default Model, and more specifically to the evaluation process of the chief as outlined in that model.</p> <p>The Tier II model calls for a joint court and county annual evaluation of the chief probation officers. The evaluation process as suggested does not appear to be consistent with the other recommended approaches within Tier II dealing with various personnel actions that may be taken against the chief probation officer.</p> <p>As stated in the default model, the current entity responsible for personnel actions against the chief will retain that authority. My position is that the authority that is responsible for personnel actions against the chief should also be the sole entity that conducts the annual performance evaluation of the chief. It is not consistent to change the single-entity process and allow for some form of a “joint or combined” job performance evaluation.</p> <p>With the above concern raised, there may be further defects inherent in any “joint evaluation” model than may be agreed to by the county and the court. This would be whether the joint evaluation process is agreed to in an MOU or brought about by a default mechanism as outlined in Tier II.</p> <p>Specifically, it appears that having two branches of government evaluate the chief probation officer is potentially disparate treatment. To my knowledge, no other county department head is held to a higher standard: that of being evaluated by two independent branches of government. This arrangement is particularly troublesome when, in fact, the goals of the separate entities may be in direct conflict. For example, the Courts may require the Chief to provide expanded sentencing alternatives and the county board of supervisors may be demanding major funding and personnel cuts in probation services.</p> <p>No department administrator can answer to two independent masters. A “jointly conducted” evaluation of the chief by two separate branches of government is not a sound personnel practice, and thus fraught with problems.</p> |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart - Version 2**

|              | Name                | Professional Title | Affiliation                                                                 | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------|---------------------|--------------------|-----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 41.          | Ms. Norma Suzuki    | Executive Director | Chief Probation Officers of California (CPOC)                               | <p>(Comments submitted on January 27, 2003.) The following represents the concerns and comments of the Chiefs.</p> <p>Regarding Tier II (Default Model) Appointment Item #2: The chiefs believe that a majority of the members of the nominating committee must approve and forward all candidates to the appointing committee. A majority of members rather than unanimous approval would be a reasonable method to achieve equity and fairness. The majority model would ensure that one member of the nominating committee could not impair the forwarding of a candidate's name to the appointing committee for consideration.</p> <p>Regarding Tier II (Default Model) Evaluation: It is the position of the chiefs that the authority responsible for personnel actions against the chief probation officer should also be the sole entity that conducts the annual performance evaluation of the chief probation officer. It is not consistent to change the single entity process and allow for some form of a joint job performance evaluation.</p> <p>Regarding Tier II (Default Model) Personnel Actions (Discipline and Removal) Item #2: It is the recommendation of CPOC that by some form of mutual agreement, the entity without the appointing authority may provide written information to the appointing authority as to the chief probation officers' annual performance evaluation and any other personnel action. In addition, chief probation officers are peace officers under 830.5 PC and therefore covered by the Peace Officers Bill of Rights.</p> <p>Any proposed legislation should apply only to those appointed as a chief probation officer after the implementation of enabling legislation. The chiefs believe that any language reflecting this must be included in the legislation.</p> <p>The Chiefs recommend that all code sections relative to the appointment, evaluation, discipline and removal of chief probation officers be consolidated to one uniform code section.</p> <p>As a whole, the chiefs feel that there is a conflict for the organization to co-sponsor legislation. Many chiefs throughout the state work for the courts and others work for the board of supervisors. In some instances, these employers wish to keep the status quo. As employees, the chiefs believe that it would not be in their best interests to support legislation that may be contrary to their employers.</p> <p>Once legislative language has been drafted, the chiefs will make decisions regarding CPOC's support of the bill.</p> |
| <b>Other</b> |                     |                    |                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 42.          | Dr. Cecil E. Canton | Chair              | County of Sacramento Juvenile Justice and Delinquency Prevention Commission | <p>In our opinion, this model creates a bifurcation of both reporting and command responsibilities, which, in effect saddle the chief probation officer with having to serve and satisfy two masters, each with a necessarily different <i>raison d'être</i>. To whom, then, would the chief be ultimately responsible? Fundamentally, we believe that the work products produced by the chief and his staff are for the use of the court and, therefore, the chief must be primarily responsible to that body.</p> <p>We also note that nowhere in the proposed model does the public appear to be represented or consulted. In the event that you decide to proceed with this model, we strongly recommend that a member of the public be included and required. We believe that there are compelling reasons for this addition. Not only could such a person serve to break a tie in voting, but also they would ensure that the process has access to an independent outside perspective, with no particular vested interest in its outcome.</p> <p>Finally, we wish to call the Council's attention to Section 270 of the Welfare and Institutions Code (WIC). Juvenile Justice Commissions currently have major statutory responsibilities in this area. Commissioners are citizen volunteers, generally unpaid and appointed for multi-year terms, guaranteeing their independence. They bring a valuable citizen's perspective—as well as an important emphasis on prevention and the needs of juveniles coming before the court—to the deliberations.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

**Chief Probation Officer Appointment, Evaluation, Discipline, and Removal Model  
Comment Chart - Version 2**

|     | Name              | Professional Title | Affiliation | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----|-------------------|--------------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 43. | Mr. Ray W. Miller | Citizen            |             | <p>Version 2, for CPO selection, essentially makes no change. If responsibility, accountability, and authority remain at the local level for appointing the CPO, who is going to tell him/her what they are to do? In other words, what has changed other than the funding entity? The CPO will now have three bosses: the Court, the BOS, and the funding agency. Is this better?</p> <p>I have hesitated in the past to make this suggestion, but the PSTF seems to be looking for a compromise that maintains local control over the Probation function. I do not say CPO, because it is not the person, it is the function that is of importance. For those who may be familiar, I am speaking about Matrix management. I am not personally fond of this type of management, but I have seen it work. It is primarily used in industry when a company typically has several projects going on at one time. The primary functions/departments are centralized for administration and expertise. Each project is assigned personnel from each function/department to perform that particular expertise. Their day-to-day activities are managed by the project administration; however, the process and procedures to accomplish their particular function, and its expertise, comes from the centralized department.</p> <p>In our case, you can look at State Probation as a centralized department performing various functions, such as adult supervision, juvenile supervision, juvenile hall administration, and so on. The Counties would be the various projects. The centralized functions would provide the Counties with the necessary expertise. The CPO would manage these employees, and answer to the County and Local Court (Project Leaders). To simplify, I will translate the concept as it might apply to probation:</p> <p>A. There would be a Probation Department at the State level. The Department would be responsible for the following:</p> <ol style="list-style-type: none"> <li>1. Establishing Command Media (Policies, and Procedures) for basic operation of the probation effort.</li> <li>2. Training.</li> <li>3. Establishing measurable standards, and tracking progress.</li> <li>4. Administration over all probation employees. This includes promotions and discipline.</li> <li>5. Automated System development, training, and maintenance.</li> <li>6. State Funding Proposals and distribution of funds.</li> <li>7. Administration of Placements.</li> <li>8. Any other function that is deemed better managed centrally.</li> </ol> <p>B. Each County would have a CPO, who would answer to the BOS and Court on day-to-day activities. The CPO would ensure that no basic probation principles, policies or procedures are violated, and that direction received from the BOS/Court is within the scope of the probation budget. Disputes would be elevated if they are unable to be resolved at the local level.</p> <p>C. The CPO for each county would be responsible for submission of budget proposals to the State Level. Through collaboration (working with) with the local Court and the BOS, the CPO will set objectives/goals for the year, according to their individual Strategic Plan as it meets the State Strategic Plan, goals and objectives.</p> <p>In essence, this maintains the CPO as the local expert on Probation, and allows him/her to have a more consulting type relationship at the county level. The BOS and local Court have local control over the CPO, but the CPO is restricted by State Policies and Procedures. It becomes the State that fights the political battles. On the other hand, the BOS/Local Court may appeal to State level as well. The BOS/local Court could also request that a CPO be replaced. This would allow the existing CPO to be reassigned when it is determined, by the State, that disciplinary action is not required. It would also allow for demotions and/or reassignments of any personnel.</p> <p>Advantages of the Matrix system that come to mind are as follows:</p> <p>(1) The approach to such issues as arming and work standards would be handled one time, and not 59 different times. (2)The centralizing of grant writing would allow the distribution of funds to be better managed and outcomes to be managed and documented for future decisions on basic funding. This way, there can be follow-through on successful programs and elimination of ones that do not have favorable potential. (3) Efficiency of scale is obtained in those tasks that fit centralization, while reducing these burdens from being managed by local departments. At the same time, this frees the local department to concentrate on services, rather than administration. (4) Although one might suggest that the CPO now has 3 entities to satisfy, I would suggest there is only one. That would be the evaluation based on the performance in meeting the measurable standards. The job becomes less political. (5) Implementation would be easier since the first task would be to centralize. This effort would not necessitate major disruption and would be phased in over time. All County CPOs would be responsible for the decisions and detail plans. Consultants would be made available to assist in this effort. CPO's would assign staff expertise to accomplish the planning and implementation. It would be a challenge to the leadership skills of the CPOs (6) Placements in the state would be better utilized, and supervision of placed offenders could be handled by the county in which the placement is located. This would improve efficiency and effectiveness, by allowing experience, expertise, and comprehensive evaluation with individual placements. (7) All probation personnel would receive the same training, and be able to go anywhere in the state, as needed.</p> <p>This has been a roundabout way to provide one version of CPO selection. My attempt was to show the importance of establishing organizational structure to accomplish the defined tasks prior to determining how to select a CPO. I really do not see the necessity to provide this direction to the counties at this time. It is terribly premature. Whatever direction is provided should include a caveat that this may change as you go through the PSTF process.</p> |

# **APPENDIX H**

## **Probation Services Task Force Laws and Mandates Chart Sorted by Statute and Subject Area**

**August 2002**

# Probation Services Task Force Laws and Mandates Chart

Sorted by:

Statute

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section                      | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Collaboration                  | Reference               |
|-----------------------|-----------------------------------|----------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-------------------------|
| Services:<br>Process  | Cal. Rules of Court, rule 4.411   | Regulation                       | Other                               | Directs the court to refer the case to the probation officer for a presentence investigation and report irrespective of the defendant's eligibility for probation and prohibits acceptance of the waivers of the presentence report except in unusual circumstances in those cases where the defendant is eligible for probation. Specifies that the court is required to order a supplemental probation officer's report in preparation for sentencing proceedings that occur a significant period of time after the original report was prepared. States that the purpose of the presentencing report is to aid judges in determining the appropriate length of a prison sentence and to aid the Department of Corrections in determining the type of facility and program in which to place a defendant, and to aid in determining whether probation is appropriate. States that Pen. Code, § 1203c, requires a probation officer's report on every person sentenced to prison, and that ordering the report before sentencing in probation-ineligible cases will help ensure a well-prepared report. |                                | Pen. Code, § 1203c      |
| Services:<br>Casework | Cal. Rules of Court, rule 4.411.5 | Regulation                       | Mandate                             | Outlines the specific information that a probation officer is required to include in a presentence investigation report in a felony case with any other additional information.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                |                         |
| Services:<br>Process  | Code Civ. Proc., § 1219.5(a)      | Statute                          | Mandate                             | Mandates the probation officer, in any case in which a contempt consists of the refusal of a minor under the age of 16 years to take the oath or to testify, and before the court imposes the sanctions for the contempt, to prepare and file the report and recommendation as to the appropriateness of the imposition of a sanction. Requires the probation officer, in making the report and recommendations, to consider factors such as the maturity of the minor, the reasons for the minor's refusal to take the oath or to testify, the probability that available sanctions will affect the decision of the minor not to take the oath or not to testify, the potential impact on the minor of his or her testimony, the potential impact on the pending litigation of the minor's unavailability as a witness, and the appropriateness of the various available sanctions in the minor's case.                                                                                                                                                                                                 |                                |                         |
| Services:<br>Process  | Code Civ. Proc., § 1279.5(c)      | Statute                          | Other                               | Mandates the court to deny an application for a name change pursuant to Code Civ. Proc., § 1276, made by a person who is under the jurisdiction of the Department of Corrections, unless that person's parole agent or probation officer grants prior written approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                | Code Civ. Proc., § 1276 |
| Services:<br>Process  | Ed. Code, § 47755(c)              | Statute                          | Other                               | Requires a joint approval by the governing board of the county office of education or the governing board of the school district and the chief probation office of a comprehensive, multi-agency local plan to serve the needs of high-risk youth for the purpose of enhancing educational opportunities and reducing juvenile crime and delinquency.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | COE; School Board; CPO         |                         |
| Services:<br>Process  | Ed. Code, § 47762                 | Statute                          | Mandate                             | Mandates the county probation department and the county office of education or school district to identify outcome measures for offenders participating in the High-Risk First-Time Offenders program as established pursuant to Ed. Code, § 47755. Specifies some of the outcome measures to be included.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Prob. Dept.; COE; School Dist. | Ed. Code, § 47755       |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section           | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Collaboration                        | Reference                                                       |
|----------------------|------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-----------------------------------------------------------------|
| Services:<br>Process | Ed. Code, § 47770      | Statute                          | Mandate                             | Mandates the county probation department and the county office of education or school district to identify outcome measures for offenders participating in the Transitioning High-Risk First-Time Offenders program as established pursuant to Ed. Code, § 47765. Specifies some of the outcome measures to be included.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Prob. Dept.;<br>COE; School<br>Dist. | Ed. Code, §<br>47765                                            |
| Services:<br>Process | Ed. Code, § 48246      | Statute                          | Discretionary<br>Mandate            | Permits the probation officer of any county to enter, at any time, into any place of employment for the purpose of examining permits to work or to employ all minors employed in such place of employment, or for the purpose of investigating violations of the provisions of the Lab. Code or of the provisions of Ed. Code, ch. 2 (commencing with § 48200) and ch. 7 (commencing with § 49100) of div 4 of tit. 2. Requires the probation officer to report in writing to the labor commissioner within 48 hours the fact that he or she has good cause to believe that the laws relating to the education of minors are being violated in such place of employment and describing the nature of the violation. Requires the probation officer to report to the labor commissioner within 48 hours in writing if the probation officer was denied entrance to any place of employment. | Labor<br>Commission                  | Ed. Code, §§<br>48200, 49100                                    |
| Services:<br>Process | Ed. Code, § 48260.6(d) | Statute                          | Discretionary                       | Permits the district attorney or the probation officer in any county, which has not established a county school attendance review board, to request the parents or guardians and the truant child to attend a meeting in the district attorney's office or at the probation department, pursuant to Welf. & Inst. Code, § 601.3, to discuss the possible legal consequences of the child's truancy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                      | Welf. & Inst.<br>Code, § 601.3;<br>Ed. Code, §<br>48260.5       |
| Services:<br>Process | Ed. Code, § 48263      | Statute                          | Discretionary                       | Provides that the probation department may receive referrals of habitual student truants or those who are habitually insubordinate or disorderly for services. Mandates the probation officer to direct the pupil or the pupil's parents or guardians, or both, to make use of available community services that can resolve the problem of the truant or insubordinate student. Permits the probation officer to notify the district attorney when the probation officer determines that available community services cannot resolve the problem of the truant or insubordinate student, or if the student or the parents or guardians of the student, or both, have failed to respond to directives of the probation officer or to services provided.                                                                                                                                    | School Dist;<br>SARB                 | Ed. Code, §§<br>48263.5,<br>48260.6                             |
| Services:<br>Process | Ed. Code, § 48263.5    | Statute                          | Discretionary                       | Specifies information that the probation officer may report to the district attorney if the probation officer determines that available community services cannot resolve the truancy or insubordination problem of the student, or if the student or guardians of the student, or both, have failed to respond to directives of the probation officer or to services provided.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | SARB; Dist. Atty                     | Ed. Code, §§<br>48321, 48290;<br>Welf. & Inst.<br>Code, § 601.3 |
| Services:<br>Process | Ed. Code, § 48264      | Statute                          | Discretionary                       | Permits the probation officer, among other specified entities, to arrest or assume temporary custody, during school hours, of any minor subject to compulsory full-time education or to compulsory continuation education found away from his or her home and who is absent from school without valid excuse within the county, city, or city and county, or school district.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                      |                                                                 |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section      | Statute/Regulation/Rules | Mandate/Discretionary/Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Collaboration | Reference                                                                                 |
|-----------------------|-------------------|--------------------------|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------------------------------------------------------|
| Services:<br>Casework | Fam. Code, § 1817 | Statute                  | Mandate                     | Mandates the probation officer in every county to give assistance to the family conciliation court and to make investigations and reports that the court may request, to carry out the purposes of Pen. Code, pt. 1; also "Family Conciliation Court Law" of div. 5 (commencing with § 1800).                                                                                                                                                                                                                                                                                                                                                                                         |               | Fam. Code, pt. 1; also "Family Conciliation Court Law" of div. 5 (commencing with § 1800) |
| Services:<br>Process  | Fam. Code, § 3164 | Statute                  | Other                       | Includes members of the professional staff of the probation department in a category of people who may be mediators. Requires mediators to meet the minimum qualifications required of a counselor of conciliation as provided in Fam. Code, § 1815.                                                                                                                                                                                                                                                                                                                                                                                                                                  |               | Fam. Code, § 1815                                                                         |
| Services:<br>Process  | Fam. Code, § 7850 | Statute                  | Mandate                     | Mandates the clerk of the court to notify immediately the juvenile probation officer, among other involved parties, any time a petition is filed under Pen. Code, § 7841 ("Child Custody"). Upon receipt of notification, directs the juvenile probation officer to immediately investigate the circumstances of the child and the circumstances that are alleged to bring the child within any of the provisions of Pen. Code, ch. 2 (commencing with § 7820).                                                                                                                                                                                                                       |               | Fam. Code, § 7841 ("Child Custody"); Fam. Code, ch. 2 (commencing with § 7820)            |
| Services:<br>Process  | Fam. Code, § 7851 | Statute                  | Mandate                     | Mandates the juvenile probation officer, a qualified court investigator, or the county department, when a petition for an order or judgment declaring a child free from the custody and control of either or both parents has been filed, to render to the court a written report of the investigation with a recommendation to the court of the proper disposition to be made in the proceeding in the best interest of the child. Specifies information that is required to be included in the report.                                                                                                                                                                              |               |                                                                                           |
| Services:<br>Process  | Fam. Code, § 9001 | Statute                  | Mandate                     | Mandates the probation officer, among other entities, to make an investigation of each case of stepparent adoption, and prevents the court from making an order of adoption until after the report and recommendations have been filed and the court has had time to consider them. Specifies that no home study, defined as a physical investigation of the premises where the child is residing, may be required of the petitioner's home in a stepparent adoption unless ordered by the court. Specifies that the agency conducting the investigation or any interested person may request the court to order a home study, or the court may order a home study on its own motion. |               |                                                                                           |
| Services:<br>Process  | Fam. Code, § 9002 | Statute                  | Discretionary               | Provides that the probation officer, among others, may defer, waive, or reduce the fee in connection with the stepparent adoption, if its payment would cause economic hardship to the prospective adoptive parent detrimental to the welfare of the adopted child.                                                                                                                                                                                                                                                                                                                                                                                                                   |               | Fam. Code, § 9001                                                                         |
| Services:<br>Process  | Fam. Code, § 9003 | Statute                  | Other                       | Names the probation officer as one of the entities before whom the consent of either or both birth parents is required to be signed in a stepparent adoption. Provides that if such consent is signed before the probation officer, he or she is mandated to file the consent immediately with the clerk of the court where the adoption petition is filed.                                                                                                                                                                                                                                                                                                                           |               |                                                                                           |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area                | Code Section            | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Collaboration | Reference                           |
|-----------------------------|-------------------------|----------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------|
| Services:<br>Process        | Fam. Code, § 9005(c)    | Statute                          | Mandate                             | Mandates the probation officer, among other entities, to file a full report with the court before the hearing of the motion or petition for withdrawal of the consent of the birth parent to the adoption of the child through a stepparent. Mandates the probation officer to appear at such hearing to represent the interests of the child.                                                                                                                                                                                                                            |               |                                     |
| Governance                  | Gov. Code, § 1481.1     | Statute                          | Discretionary                       | Gives the board of supervisors of a county, for the purposes of Gov. Code, § 1481, the appointing power of the adult probation officer and his or her assistants and deputies. States that the adult probation officer and his or her assistants and deputies are deemed to be employees of the county in which they are appointed and provides for their inclusion as covered employees in any master bond used in such county.                                                                                                                                          | Bd. of Sups.  | Gov. Code, § 1481                   |
| Compensation:<br>Retirement | Gov. Code, § 31469.4    | Statute                          | Other                               | Includes probation officers employed in juvenile hall, who are primarily engaged in the control and custody of delinquent youths who must be detained under physical security in order not to be harmful to themselves or others, within the definition of a <i>safety member</i> . Specifies that the provision of Gov. Code, § 31469, cannot be applicable in any county until the board of supervisors makes the provisions applicable by resolution.                                                                                                                  | Bd. of Sups.  | Gov. Code, § 31469                  |
| Compensation:<br>Retirement | Gov. Code, § 31469.5(a) | Statute                          | Other                               | Requires the applicability of this section in the retirement system of a county of the 10th class, as defined by Gov. Code, §§ 28020, 28031, as amended by ch. 1204 of the Statutes of 1971, if the board of supervisors executes a memorandum of understanding with the employee representatives, and if the board of supervisors adopts, by majority vote, a resolution providing for safety status for probation officers, as provided in Gov. Code, § 31469.4.                                                                                                        | Bd. of Sups.  | Gov. Code, §§ 28020, 28031, 31469.4 |
| Compensation:<br>Retirement | Gov. Code, § 31469.5(b) | Statute                          | Mandate<br>Other                    | Provides that the purpose of this section is to provide optional safety status for probation officers employed on or before March 1, 1991. Requires that, notwithstanding Gov. Code, § 31558.6, the optional safety status provision be exercised within 120 days from the effective date of the implementation of Gov. Code, § 31469.4, together with the option to receive credit as a safety member for all or part of the time during which his or her duties would have made him or her eligible to become a safety member, if this section had then been in effect. |               | Gov. Code, §§ 31558.6, 31469.4      |
| Compensation:<br>Retirement | Gov. Code, § 31469.5(c) | Statute                          | Other                               | Requires that the retirement benefits of existing probation officers who elect to transfer from general membership in the county retirement system to safety membership be implemented pursuant to Gov. Code, § 31484.5. Outlines exceptions to the requirement that the retirement benefits of those probation officers that transfer to safety membership be implemented pursuant to Gov. Code, § 31484.5.                                                                                                                                                              |               | Gov. Code, § 31484.5                |
| Compensation:<br>Retirement | Gov. Code, § 31469.5(d) | Statute                          | Other                               | Requires the transfer of all probation officers from Tier III to Tier II if they elect to transfer from general membership in the county retirement system to safety membership, regardless of their status prior to selecting Tier III benefits.                                                                                                                                                                                                                                                                                                                         |               |                                     |
| Compensation:<br>Retirement | Gov. Code, § 31469.5(e) | Statute                          | Other                               | Requires all persons hired after the effective date of implementation of Gov. Code, § 31469.4, to have, upon retirement, his or her cost-of-living allowance and final compensation computed in accordance with this section.                                                                                                                                                                                                                                                                                                                                             |               | Gov. Code, § 31469.4                |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area                                   | Code Section                    | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Collaboration    | Reference                                               |
|------------------------------------------------|---------------------------------|----------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|---------------------------------------------------------|
| Appointment and Removal in Mendocino County    | Gov. Code, § 69906.5            | Statute                          | Mandate                             | Provides that notwithstanding Welf. & Inst. Code, § 270, the offices of assistant probation officer and deputy probation officer, or either of them, in Mendocino County, can exist only if established by an ordinance adopted by the board of supervisors. Specifies that the probation officer may appoint one or more deputy or assistant probation officers only if the positions have been authorized by the board of supervisors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Bd. of Sup.      | Welf. & Inst. Code, § 270                               |
| Appointment and Removal in Contra Costa County | Gov. Code, § 73357              | Statute                          |                                     | Provides that municipal court judicial districts in the county of Contra Costa may have no more than four court probation officers for all districts in total. Requires that the court probation officers be appointed by a majority of the judges of the court, or by the presiding judge in a two-judge court, to which the probation officer is appointed. Specifies that probation officers report directly to the judges of the district to which they are appointed. Gives court probation officers in the Contra Costa county authority to exercise all of the powers within the jurisdiction of the court and under the direction of the judges, and gives the probation officer power to perform all of the duties of a deputy probation officer.                                                                                                                                                  | County Judiciary |                                                         |
|                                                | Health & Saf. Code, § 1567.3(a) | Statute                          | Other                               | Prevents any licensed community care facility from receiving a ward of the juvenile court as described in Welf. & Inst. Code, § 602, until the probation officer of the county in which the community care facility is located has received written notice of the placement, pursuant to Welf. & Inst. Code, § 740, and other specified information about the ward.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                  | Welf. & Inst. Code, §§ 602, 740                         |
| Services: Process                              | Health & Saf. Code, § 1567.3(b) | Statute                          | Mandate                             | Requires the probation officer of a county making an out-of-county placement of a ward of the juvenile court as described in Welf. & Inst. Code, § 602, to notify the probation officer of the county in which the community care facility is located within 24 hours of receipt of the ward by the licensed community care facility. Specifies that the notification be made by the end of the subsequent business day if the ward is received on a weekend or a holiday.                                                                                                                                                                                                                                                                                                                                                                                                                                  |                  | Welf. & Inst. Code, § 602                               |
| Services: Process                              | Health & Saf. Code, § 11361.5   | Statute                          | Other                               | Subjects the probation department, among other agencies, to a requirement that records of any court, any public or private agency that provides services upon referral under Pen. Code, § 1000.2, or any state agency pertaining to the arrest or conviction of any person for a violation of Health & Saf. Code, § 11357, subd. (b), (c), (d), or (e), or of Health & Saf. Code, § 11360, subd. (b), not be kept beyond two years from the date of the conviction, or from the date of the arrest if there was no conviction, except with respect to a violation of Health & Saf. Code, § 11357, subd. (e), in which case the records should be retained until the offender becomes 18 years of age, at which time the records should be destroyed. Specifies that this records-keeping provision does not apply to records of any arrest not followed by a conviction occurring prior to January 1, 1976. |                  | Pen. Code, § 1000.2; Health & Saf. Code, § 11357(b)-(e) |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section                  | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Collaboration | Reference                                                                   |
|-----------------------|-------------------------------|----------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------------------------------------------------|
| Services:<br>Process  | Health & Saf. Code, § 11361.5 | Statute                          | Other                               | Provides that any person subject to an arrest or conviction for specified offences may apply to the Department of Justice, following specified procedures provided in Health & Saf. Code, § 11361.5, for destruction of records if two or more years have elapsed since the date of the conviction, or since the date of the arrest if not followed by a conviction. Exempts written transcriptions of oral testimony in court proceedings and published judicial appellate reports from this records-keeping provision. Prevents specified records from being destroyed pursuant to Health & Saf. Code, § 11361.5, subd. (a), if the defendant or a codefendant has filed a civil action against the peace officers or law enforcement jurisdiction that made the arrest or instituted the prosecution, and if the agency that is the custodian of those records has received a certified copy of the civil complaint, until the civil action has finally been resolved . |               | Health & Saf. Code, § 11361.5                                               |
| Services:<br>Casework | Pen. Code, § 273.1(b)         | Statute                          | Mandate                             | Mandates the probation officer to recalendar the case for hearing or refer the defendant to an appropriate alternative child abuser's treatment counseling program if any treatment program to which a child abuser is referred finds that the defendant is unsuitable and the treatment program contacts the probation department or the court.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |               |                                                                             |
| Services:<br>Process  | Pen. Code, § 859a(b)          | Statute                          | Mandate                             | Requires the magistrate, upon the receipt of guilty or nolo contendere in felony cases, to refer the case to the probation officer if eligible for probation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |                                                                             |
| Services:<br>Process  | Pen. Code, § 1000.1           | Statute                          | Mandate<br>Discretionary<br>Other   | Directs the prosecuting attorney to advise the defendant and his or her attorney in writing of the prosecuting attorney's determination that ch. 2.5 of the Pen. Code (commencing with § 1000) applies to the defendant, and specifies that such notification include a general explanation of the roles and authorities of the probation department and other agencies. Specifies that the notification include a statement that the court may grant deferred entry of judgment with respect to any crime specified in Pen. Code, § 1000, subd. (a), provided that the defendant pleads guilty to each such charge, waives time for the pronouncement of judgment, successfully completes the program as specified in Pen. Code, § 1000, subd. (c), and upon the positive recommendation of the program authority and the motion of the prosecuting attorney, the court, or the probation department, directs the court to dismiss charges against the defendant.         |               | Ch. 2.5 of Pen. Code (commencing with § 1000); Pen. Code, § 1000(a) and (c) |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section            | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Collaboration                   | Reference               |
|----------------------|-------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|-------------------------|
| Services:<br>Process | Pen. Code, § 1000.1     | Statute                          | Mandate<br>Discretionary<br>Other   | Specifies that the notification include a statement that the prosecuting attorney, the probation department, or the court on its own may make a motion to the court for entry of judgment, and requires the court to render a finding of guilt upon any failure of treatment or condition under the program, or any circumstance specified in Pen. Code, § 1000.3. Provides that the court may refer the case to the probation department if the defendant waives his or her right to a speedy trial or preliminary hearing, and obligates the probation department, when directed by the court, to make an investigation to determine whether the defendant is a person who would benefit from education, treatment, or rehabilitation, and which programs the defendant would benefit from and accept, and also mandates the probation department to report its finding and recommendations to the court. Prohibits the admission of any information or statement made by the defendant to the probation officer during the course of any investigation conducted by the probation department, or with respect to the specific offense charged, made after the granting of deferred entry of judgment, in any proceedings, including a sentencing hearing. |                                 | Pen. Code, § 1000.3     |
| Services:<br>Process | Pen. Code, § 1001.22    | Statute                          | Other                               | Directs the court to consult with the prosecutor, the defense counsel, the probation department, and the appropriate regional center to determine whether a defendant may be placed in a diversion-related treatment and rehabilitation program. Directs the court to order the prosecutor, the probation department, and the regional center to prepare reports on specified aspects of the defendant's case when the court suspects that the defendant may be mentally retarded, and when the defendant consents to the diversion process and waives his or her rights to a speedy trial. Specifies that the probation department submit a report on specified aspects of the defendant's case, within 30 judicial days of the court's order, to the court, to each of the agencies involved in the case, and the defendant.                                                                                                                                                                                                                                                                                                                                                                                                                               | Court; Dist. Atty.; Reg. Center |                         |
| Services:<br>Process | Pen. Code, § 1001.23(c) | Statute                          | Mandate                             | Mandates the probation department, within five judicial days after receiving the regional center's report on the defendant's progress in the diversion program, to submit its report on the defendant's progress in a dual-agency diversion program, with the regional center's report appended, to the court and to the prosecutor.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Reg. Center                     |                         |
| Services:<br>Process | Pen. Code, § 1001.28(a) | Statute                          | Mandate                             | Mandates the probation department to file, every six months, progress reports on the defendant's progress in the diversion program, and to append to its own report a copy of the regional center's assessment of the defendant's progress, in cases where a dual-agency diversion program has been ordered by the court.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Reg. Center                     |                         |
| Services:<br>Process | Pen. Code, § 1001.29(a) | Statute                          | Other                               | Names the probation department as one of the agencies that may, in cases where dual-agency diversion has been ordered, and if it appears that the divertee is not meeting the terms and conditions of his or her diversion program, initiate a hearing to reinstitute the diverted criminal proceedings.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                 |                         |
| Services:<br>Process | Pen. Code, § 1001.52    | Statute                          | Mandate                             | Requires that misdemeanor cases be referred to the probation department if the defendant consents and waives his right to a speedy trial. Requires that the probation department conduct investigation to determine whether the defendant qualifies for diversion under Pen. Code, § 1001.51, subd. (a). Specifies that the probation department report to the court on whether the defendant qualifies for diversion and which treatment or rehabilitative plan would benefit the defendant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                 | Pen. Code, § 1001.51(a) |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section            | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Collaboration | Reference                                                                    |
|-----------------------|-------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------------------------------------------------------------|
| Services:<br>Process  | Pen. Code, § 1001.72    | Statute                          | Mandate                             | Mandates that the case be referred to the probation department if the defendant consents and waives his or her right to a speedy trial. Requires the probation department to conduct an investigation to determine whether the defendant qualifies for diversion and whether he or she would benefit by education, treatment, or rehabilitation and which plan would benefit the defendant. Requires that the probation department report its findings and recommendations to the court, including, if the recommendation includes referral to a community program, the program's willingness to accept the defendant and the manner in which the services the program offers can assist the defendant. Precludes any information or statement made by the defendant to the probation officer during the course of any investigation, and prior to the reporting of the probation department's findings and recommendations to the court, from being admitted in any action or proceeding brought subsequent to the investigation. |               |                                                                              |
| Services:<br>Process  | Pen. Code, § 1191       | Statute                          | Mandate                             | Mandates the court to refer a felony case within 20 judicial days after a plea, finding, or verdict of guilty, or after a finding or verdict against the defendant on a plea of a former conviction or acquittal, or once in jeopardy, to the probation officer for the parole eligibility report pursuant Pen. Code, § 1203.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               | Pen. Code, § 1203                                                            |
| Services:<br>Casework | Pen. Code, § 1191.1     | Statute                          | Mandate                             | Mandates the probation officer to give adequate notice of all sentencing proceedings concerning the person who committed the crime to the victim, or the parents or guardians of the victim who is a minor, or the next of kin of the victim if the victim has died.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |                                                                              |
| Services:<br>Process  | Pen. Code, § 1191.15(b) | Statute                          | Other                               | Allows the probation officer, among other entities, to view and listen to victim statements that have been sealed until the time set for imposition of judgment and sentence not more than two court days prior to the date set for imposition of judgment and sentence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |               |                                                                              |
| Services:<br>Casework | Pen. Code, § 1191.2     | Statute                          | Mandate                             | Requires that the probation officer provide the victim for whom the probation officer has a current mailing address, and in addition to the notice of all sentencing proceedings concerning the person who committed the crime pursuant to Pen. Code, § 1911.1, with information in written form concerning the victim's right to civil recovery against the defendant; the requirement that the court order restitution for the victim; the victim's right to receive a copy of the restitution order from the court and to enforce the restitution order as a civil judgment; the victim's responsibility to furnish the probation department, district attorney, and court with information relevant to his or her losses; and the victims' opportunity to be compensated from the Restitution Fund if eligible under art. 1 of ch. 5 of pt. 4 of div. 3 of tit. 2 of Gov. Code.                                                                                                                                                |               | Pen. Code, § 1911.1; Gov. Code, art. 1 of ch. 5 of pt. 4 of div. 3 of tit. 2 |
| Services:<br>Casework | Pen. Code, § 1191.3     | Statute                          | Mandate                             | Mandates the probation officer to provide, at the time of sentencing in all felony convictions, a general estimate of the conduct and work-time credits to which the defendant may be entitled for previous time served and the conduct or work-time credits authorized under Pen. Code, § 2931, 2933, or 4019. Mandates the probation officer to inform the victim of such general estimate of the credits pursuant to Pen. Code, § 1191.1. Mandates the probation officer to file with the court this estimate, which subsequently becomes a part of the court record.                                                                                                                                                                                                                                                                                                                                                                                                                                                           |               | Pen. Code, §§ 2931, 2933, 4019, 1191.1                                       |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section           | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Collaboration | Reference                              |
|-----------------------|------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------------------------|
| Governance            | Pen. Code, § 1202.7    | Statute                          | Other                               | Makes legislative findings and declarations of the probation services as an essential element in the administration of criminal justice. Identifies safety of the public through the enforcement of court-ordered conditions as the primary goal of probation. Also identifies primary considerations in granting probation as the nature of the offense; the interests of justice, including punishment, reintegration of the offender into the community, and enforcement of conditions of probation; the loss to the victim; the needs of the defendant; and the safety of the public.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |               |                                        |
| Services:<br>Casework | Pen. Code, § 1202.8(a) | Statute                          | Other                               | Assigns persons placed on probation by a court under the supervision of the county probation officer and requires the probation officer to determine both the level and type of supervision consistent with the court-ordered conditions of probation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |               |                                        |
| Services:<br>Casework | Pen. Code, § 1202.8(b) | Statute                          | Mandate                             | Requires the probation officer to establish, within 30 days of a court making an order to provide restitution to a victim or to the Restitution Fund, an account into which any restitution payments that are not deposited into the Restitution Fund are to be deposited.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |                                        |
| Services:<br>Process  | Pen. Code, § 1203(a)   | Statute                          | Other                               | Defines <i>probation</i> as the suspension of the imposition or execution of a sentence and the order of conditional and revocable release in the community under the supervision of a probation officer. Defines <i>conditional sentence</i> as the suspension of the imposition or execution of a sentence and the order of revocable release in the community subject to conditions established by the court without the supervision of a probation officer. Makes a legislative declaration that both conditional sentence and probation are authorized whenever probation is authorized in any code as a sentencing option for infractions or misdemeanors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                                        |
| Services:<br>Process  | Pen. Code, § 1203(b)   | Statute                          | Mandate                             | Mandates the court to refer the case, before judgment is pronounced, to a probation officer for an investigation and a report regarding the circumstances surrounding the crime and the prior history and record of the person who is convicted of felony and who is eligible for probation, except as provided in Pen. Code, § 1203(j). Requires that the probation officer immediately investigate and make a written report to the court. Specifies that the probation officer's report include recommendations as to whether probation should be granted or denied and the conditions of probation if it is granted; any information gathered by a law enforcement agency relating to the taking of the defendant into custody as a minor for the purpose of determining whether adjudications of commissions of crimes as a juvenile warrant a finding that there are circumstances in aggravation pursuant to Pen. Code, § 1170; a recommendation regarding an amount that the defendant should be required to pay as a restitution fine pursuant to Pen. Code, § 1202.4, subd. (b); and a recommendation whether restitution to the victim or to the Restitution Fund should be a condition of probation. |               | Pen. Code, §§ 1203(j), 1170, 1202.4(b) |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section         | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Collaboration                    | Reference                    |
|-----------------------|----------------------|----------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|------------------------------|
| Services:<br>Process  | Pen. Code, § 1203(b) | Statute                          | Mandate                             | Requires that the probation report be made available to the court, the prosecution, and defense attorneys at least five days, or upon request of the defendant or prosecuting attorney, nine days, prior to the time set for the hearing of the report, unless waived by written stipulation of the prosecuting and defense attorneys that is filed with the court or an oral stipulation in open court that is made and entered into the minutes of the court. Provides that the report be filed with the court clerk at the time of the hearing to determine the application and suitability of probation in the particular case. States that the court may place the person on probation if it determines that there are circumstances in mitigation of the punishment prescribed by law or that the ends of justice would be served by granting probation to the defendant. |                                  |                              |
| Services:<br>Casework | Pen. Code, § 1203(c) | Statute                          | Mandate                             | Requires that the probation officer discuss the contents of the probation report with the defendant if a defendant is not represented by an attorney.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                  |                              |
| Services:<br>Process  | Pen. Code, § 1203(d) | Statute                          | Other                               | States that the court may refer a misdemeanor case that resulted in conviction to the probation officer for an investigation and a report. States that if the case is not referred to the probation officer, the court may consider any information during sentencing that could have been included in a probation report.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                  |                              |
| Services:<br>Process  | Pen. Code, § 1203(e) | Statute                          | Other                               | Specifies that probation cannot be granted to any person convicted of committing a serious and violent crime with a deadly weapon, third-strike felony, or specified sex offense; to any public official or police officer who accepted or gave a bribe, embezzled public money, or was guilty of extortion; any person who knowingly furnished or gave away phencyclidine; and any person convicted of other designated serious and violent felonies.                                                                                                                                                                                                                                                                                                                                                                                                                          |                                  |                              |
| Services:<br>Process  | Pen. Code, § 1203(g) | Statute                          | Mandate                             | Mandates the judge to refer the case to the probation officer for an investigation of the facts relevant to determination of the amount of a restitution fine pursuant to Pen. Code, § 1202.4, subd. (b), in all cases where such determination is applicable. Requires the probation officer to immediately investigate the circumstances surrounding the crime and the prior record and history of the person and to make a written report, including a recommendation of the amount of the restitution fine, to the court.                                                                                                                                                                                                                                                                                                                                                   |                                  | Pen. Code, § 1202.4(b)       |
| Services:<br>Process  | Pen. Code, § 1203(h) | Statute                          | Discretionary                       | Provides that the probation officer may obtain and include in the report a statement of the comments of the victim concerning the offense, unless directed by the court otherwise, if a defendant is convicted of a felony and a probation report is prepared pursuant to Pen. Code, § 1203, subd. (b) or (g).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                  | Pen. Code, § 1203(b) or (g)  |
| Services:<br>Process  | Pen. Code, § 1203(i) | Statute                          | Mandate                             | Prohibits release of any probationer to another state unless his or her case has been referred to the administrator of Interstate Probation and Parole Compacts, pursuant to the Uniform Act for Out-of-State Probationer or Parolee Supervision (art. 3 (commencing with § 11175) of ch. 2 of tit. 1 of pt. 4), and the probationer has reimbursed the county that has jurisdiction over the probationer's case the reasonable costs of processing the probationer's request for interstate compact supervision in accordance with Pen. Code, § 1203.1b.                                                                                                                                                                                                                                                                                                                       | Interstate Compact Administrator | Pen. Code, §§ 11175, 1203.1b |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section             | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Collaboration            | Reference                         |
|----------------------|--------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-----------------------------------|
| Services:<br>Process | Pen. Code, § 1203(j)     | Statute                          | Other                               | Specifies that the court may order the defendant to appear before the county financial evaluation officer for a financial evaluation of the defendant's ability to pay restitution, and that such court order can be enforced as a violation of the terms and conditions of probation upon willful failure to pay, or it can be enforced in the same manner as a judgment in a civil action if any balance remains unpaid at the end of the defendant's probationary period.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                          |                                   |
| Services:<br>Process | Pen. Code, § 1203(k)     | Statute                          | Other                               | Specifies that probation cannot be granted to any person who is convicted of a violent felony as defined in Pen. Code, § 667.5, subd. (c), or a serious felony as defined in Pen. Code, § 1192.7, subd. (c), and who was on probation for a felony offense at the time of the commission of the new felony offense.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                          | Pen. Code, §§ 667.5(c), 1192.7(c) |
| Services:<br>Process | Pen. Code, § 1203.016(a) | Statute                          | Other                               | Provides that the board of supervisors of any county may authorize the correctional administrator, which includes a probation officer, to offer a program under which minimum security inmates and low-risk offenders committed to a county correctional facility or granted probation, or inmates participating in a work furlough program, may voluntarily participate in a home detention program during their sentence in lieu of confinement in the county correctional facility or program under the auspices of the probation officer.                                                                                                                                                                                                                                                                                                                                                                                                                                      | Bd. of Sups.             |                                   |
| Governance           | Pen. Code, § 1203.016(h) | Statute                          | Other                               | Defines <i>correctional administrator</i> , for the purposes of Pen. Code, § 1203.016, and specifies the probation officer as one of the entities included in the definition.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                          |                                   |
| Services:<br>Process | Pen. Code, § 1203.016(j) | Statute                          | Other                               | Provides that the correctional administrator, with the approval of the board of supervisors, may administer a home detention program pursuant to a written contract with appropriate public or private agencies or entities to provide specified program services. Prohibits any public or private agency, with the exception of the California Department of Corrections or the Department of the Youth Authority as established in Pen. Code, § 3004, from operating a home detention program in any county without a written contract with that county's correctional administrator. Places all privately operated home detention programs under the jurisdiction of, and subject to the terms and conditions of the contract entered into with, the correctional administrator. Specifies provisions that are required to be included in the contract between any privately operated home detention program and the correctional administrator.                                | Bd. of Sups.;<br>CDC; YA | Pen. Code, § 3004                 |
| Services:<br>Process | Pen. Code, § 1203.016(j) | Statute                          |                                     | Mandates the correctional administrator, the board of supervisors, and the designee of the correctional administrator to comply with Gov. Code, § 1090, in the consideration, making, and execution of contracts pursuant to Pen. Code, § 1203.016. Specifies that the failure of the private agency or entity to comply with statutory provisions and requirements or with the standards established by the contract and with the correctional administrator may be sufficient cause to terminate the contract. Mandates the correctional administrator, upon the discovery that a private agency or entity with whom there is a contract is not in compliance, to give 60 days' notice to the director of the private agency or entity that the contract may be cancelled if the specified deficiencies are not corrected, and specifies that shorter notice may be given or the contract may be cancelled without notice whenever a serious threat to public safety is present. | Bd. of Sups.             | Gov. Code, § 1090                 |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section            | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Collaboration     | Reference                       |
|-----------------------|-------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|---------------------------------|
| Services:<br>Casework | Pen. Code, § 1203.03(c) | Statute                          | Discretionary                       | Provides that the probation officer may retain a copy of the diagnosis and recommendations report concerning the disposition of a defendant's case, prepared by the director of the Department of Corrections, for the purpose of supervision of the defendant if the defendant is placed on probation by the court. Requires the probation officer to return the copy of the report to the sealed file upon the completion or termination of probation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Dept. of Correct. |                                 |
| Services:<br>Process  | Pen. Code, § 1203.05    | Statute                          | Other                               | Provides guidelines as to how any report of the probation officer filed with the court, including any report arising out of a previous arrest of the person who is the subject of the report, may be inspected or copied.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                   |                                 |
| Services:<br>Process  | Pen. Code, § 1203.067   | Statute                          | Other                               | Mandates the court to do the following before granting probation to any person convicted of specified molestation or sexual felony: order the defendant evaluated by the probation department pursuant to Pen. Code, § 1203.03; conduct a hearing at the time of sentencing to determine if probation of the defendant would pose a threat to the victim; and order a psychiatrist or psychologist, appointed pursuant to Pen. Code, § 288.1, to include a consideration of the threat to the victim and the defendant's potential for positive response to treatment, when treatment has been ordered as a condition of probation.                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   | Pen. Code, §§<br>1203.03, 288.1 |
| Services:<br>Casework | Pen. Code, § 1203.10    | Statute                          | Mandate                             | Mandates the probation officer, when directed by the court, to inquire into the antecedents, character, history, family environment, and offense of the defendant over 18 years of age at the time of the plea or verdict of guilty, and provides that the probation officer must report his or her findings to the court, including a recommendation for or against the defendant on probation, and must file the report in writing in the records of such court. Mandates the probation officer to keep a complete and accurate record in writing, which is part of the court record and is required to be made available to the court and other specified parties, of the history of the case in court, the name of the probation officer and his or her act in connection with said case, specified data about the person committed to probation officer's care, and the result of such probation. Specifies that the probation officer may destroy any records and papers in his or her possession relating to such case five years after termination of probation. |                   |                                 |
| Services:<br>Process  | Pen. Code, § 1203.1(a)  | Statute                          | Other                               | Specifies that in the order granting probation, the court may suspend the imposition or execution of the sentence. Provides that the court may imprison the defendant in a county jail for a period not exceeding the maximum time fixed by law in the case in the order granting probation. States that the court may impose either imprisonment in a county jail or a fine, both, or neither in connection with granting probation, and may require bonds for the faithful observance and performance of any or all of the conditions of probation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                   |                                 |
| Services:<br>Process  | Pen. Code, § 1203.1(b)  | Statute                          | Other                               | Mandates the court to consider whether the defendant, as a condition of probation, be required to make restitution to the victim or the Restitution Fund. Outlines procedures for handling restitution payments received by the probation department and restitution disbursements to crime victims and prohibits delay of restitution disbursement beyond 180 days from the date the payment is received by the probation department.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                   |                                 |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section              | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Collaboration | Reference          |
|-----------------------|---------------------------|----------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------|
| Services:<br>Process  | Pen. Code, § 1203.1(c)    | Statute                          | Other                               | States that the court may place the probationer in road camp, farm, or other public work instead of in jail in cities or counties where such possibilities exist, and that if the probationer is placed in road camp or other public work, Gov. Code, § 25359, is to be applied to probation, and the court has the same power to require adult probationers to work, as prisoners confined in the county jail are required to work, at public work.                                                                                                                                                                                            |               | Gov. Code, § 25359 |
| Services:<br>Process  | Pen. Code, § 1203.1(d)    | Statute                          | Other                               | States that the court may place the probationer in road camp, farm, or other public work instead of in jail in cities or counties where such possibilities exist, and that if the probationer is placed in road camp or other public work, Gov. Code, § 25359, is to be applied to probation, and the court has the same power to require adult probationers to work, as prisoners confined in the county jail are required to work, at public work.                                                                                                                                                                                            |               |                    |
| Services:<br>Process  | Pen. Code, § 1203.1(e)    | Statute                          | Other                               | Requires the court to consider whether the defendant, as a condition of probation, be required to make restitution to a public agency for the costs of an emergency response pursuant to art. 8 (commencing with § 53150) of ch. 1 of pt. 1 of div. 2 of Gov. Code.                                                                                                                                                                                                                                                                                                                                                                             |               | Gov. Code, § 53150 |
| Services:<br>Process  | Pen. Code, § 1203.1(g)    | Statute                          | Other                               | Requires the court and the prosecuting attorney to consider whether any defendant who has been convicted of a specified nonviolent or nonserious offense and ordered to participate in community service as a condition of probation shall be required to engage in the removal of graffiti in the performance of the community service.                                                                                                                                                                                                                                                                                                        |               |                    |
| Services:<br>Casework | Pen. Code, § 1203.1(h)    | Statute                          | Mandate                             | Mandates the probation officer or probation officer's designated representative to consider whether any defendant who has been convicted of a nonviolent and nonserious offense and ordered to participate in community service as a condition of probation be required to engage in the performance of house repairs or yard services for senior citizens.                                                                                                                                                                                                                                                                                     |               |                    |
| Services:<br>Casework | Pen. Code, § 1203.1(i)(2) | Statute                          | Other                               | Specifies that the court may order, as a condition of probation, at the request of the victim or in the court's discretion, that the defendant, who has been convicted of any sex offense subject to the registration requirements of Pen. Code, § 290, stay away from the victim and the victim's residence or place of employment, and that the defendant have no contact with the victim in person, by telephone or electronic means, or by mail.                                                                                                                                                                                            |               | Pen. Code, § 290   |
| Services:<br>Process  | Pen. Code, § 1203.1(j)    | Statute                          | Other                               | Requires the court to place the defendant or probationer in and under the charge of the probation officer of the court, for the period or term fixed for probation, upon the defendant's being released from the county jail in all cases where confinement in a county jail has not been a condition of the grant of probation. Specifies that the probationary period ceases upon the payment of any fine imposed and the fulfillment of all conditions of probation. Requires that probationer's fingerprints be taken and a record of them kept and preserved in counties and cities in which there are facilities for taking fingerprints. |               |                    |

## Probation Services Task Force Laws and Mandates Chart: Sorted by Statute

| Subject Area          | Code Section              | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Collaboration               | Reference                                       |
|-----------------------|---------------------------|----------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------------------------|
| Funding               | Pen. Code, § 1203.1(k)    | Statute                          | Other                               | Requires that all fines collected by a county probation officer as a condition of the granting of probation or as a part of the terms of probation be paid into the county treasury and placed in the general fund for the use and benefit of the county, except as specified.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                             | Gov. Code, § 13967                              |
| Services:<br>Casework | Pen. Code, § 1203.1a      | Statute                          | Discretionary                       | Permits the probation officer of the county to authorize, within 30 days prior to the inmate's release date, the temporary removal under custody or temporary release without custody of any inmate of the county jail, honor farm, or other detention facility who is confined or committed as a condition of probation, after suspension of imposition of sentence or suspension of execution of sentence, for purposes preparatory to the inmate's return to the community.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                             |                                                 |
| Services:<br>Casework | Pen. Code, § 1203.1abc(b) | Statute                          | Discretionary                       | Authorizes the probation officer to use volunteers from the community to provide assistance to probationers under Pen. Code, § 1203.1abc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |                                                 |
| Services:<br>Process  | Pen. Code, § 1203.1abc(d) | Statute                          | Discretionary                       | Authorizes the county probation department, with the exception of the probation department of Los Angeles county, to use the volunteer services of a local college or university in evaluating the effectiveness of the program that is designed to assist convicted felons in obtaining the equivalent of a twelfth-grade education.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Local College or University |                                                 |
| Services:<br>Process  | Pen. Code, § 1203.1b(a)   | Statute                          | Mandate<br>Other                    | Mandates the probation officer or probation officer's representative, whether or not probation supervision is ordered by the court, to determine the ability of the defendant to pay all or a portion of the reasonable cost of any probation supervision or a conditional sentence; of conducting any preplea investigation and preparing any preplea report pursuant to Pen. Code, § 1203.7 or § 1203; and of processing a jurisdictional transfer pursuant to § 1203.9 or of processing a request for interstate compact supervision pursuant to any of Pen. Code, §§ 11175–11179. Specifies that the reasonable cost of these services and of probation supervision or a conditional sentence cannot exceed the amount determined to be the actual average cost, and mandates the probation department in each county to develop, and the presiding judge of the superior court to approve, a payment schedule for the reimbursement of the costs of preplea or presentence investigations based on income. Requires the court to order the defendant to appear before a probation officer or probation officer's representative to inquire into the defendant's ability to pay such costs. |                             | Pen. Code, §§ 1203, 1203.7, 1203.9, 11175–11179 |
| Services:<br>Process  | Pen. Code, § 1203.1b(a)   | Statute                          | Mandate<br>Other                    | Mandates the probation officer to inform the defendant that he or she is entitled to a hearing, which includes the right to counsel, in which the court is required to make a determination of the defendant's ability to pay and the payment amount, and states that the defendant must waive the right to a determination by the court of his or her ability to pay and the payment amount by a knowing and intelligent waiver.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                             |                                                 |
| Services:<br>Process  | Pen. Code, § 1203.1b(b)   | Statute                          | Mandate                             | Mandates the probation officer to refer any case, where the defendant fails to waive the right provided in Pen. Code, § 1203.1b, subd. (a), to a determination by the court of the ability to pay and the payment amount, to the court for the scheduling of a hearing to determine the amount of payment and the manner in which the payments should be made. Requires the court to state on the record reasons regarding the court order concerning the defendant's ability to pay if the court's order differs from the determination of the probation officer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                             | Pen. Code, § 1203.1b(a)                         |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section             | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Collaboration | Reference                                       |
|-----------------------|--------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------------|
| Services:<br>Process  | Pen. Code, § 1203.1b(c)  | Statute                          | Other                               | States that the court may hold additional hearings during the probationary or conditional sentencing period to review the defendant's financial ability to pay the amount set by the probation officer or the court.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                                                 |
| Services:<br>Casework | Pen. Code, § 1203.1b(d)  | Statute                          | Mandate                             | Mandates the court or the probation officer to set payments, if applicable, pursuant to Pen. Code, § 1203.1b, subds. (a) and (b), to be made on a monthly basis.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               | Pen. Code, § 1203.1b(a) and (b)                 |
| Services:<br>Process  | Pen. Code, § 1203.1b(e)  | Statute                          | Other                               | Defines the term <i>ability to pay</i> as the defendant's overall capability to reimburse various costs, including the cost of presentence investigation and preparation of the preplea or presentence report by the probation officer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |                                                 |
| Services:<br>Process  | Pen. Code, § 1203.1b(f)  | Statute                          | Mandate<br>Other                    | Provides that the defendant at any time during the pendency of the judgment rendered according to the terms of Pen. Code, § 1203.1b, has a right to petition the probation officer or the rendering court for a review of the defendant's financial ability to pay on the grounds of a change of circumstances with regard to the defendant's ability to pay the judgment. Mandates the court and the probation department to inform the defendant about this right at the time judgment is rendered.                                                                                                                                                                                                                                                                                                                                                                                                                                                  |               | Pen. Code, § 1203.1b                            |
| Funding               | Pen. Code, § 1203.1b(g)  | Statute                          | Other                               | Allocates all sums paid by defendants pursuant to Pen. Code, § 1203.1b, for the operation of the county probation department.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               | Pen. Code, § 1203.1b                            |
| Funding               | Pen. Code, § 1203.1b(h)  | Statute                          | Other                               | Provides that the board of supervisors in any county may by resolution establish a fee not to exceed \$50 for the processing of payments made in installments to the probation department pursuant to Pen. Code, § 1203.1b.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Bd. of Sups.  | Pen. Code, § 1203.1b                            |
| Services:<br>Casework | Pen. Code, § 1203.1bb(a) | Statute                          | Mandate                             | Mandates the probation officer or his or her authorized representative to make a determination of the ability of the defendant to pay all or a portion of the reasonable cost incurred by the probation department when conducting activities specified in Pen. Code, §§ 1203.7, 1203, 1203.9, 11175–11179 inclusive, in any case in which a defendant is convicted of an offense and is the subject of any preplea or presentence investigation and report, whether or not probation supervision is ordered by the court, and in any case in which a defendant is granted probation or given a conditional sentence. Provides that the reasonable cost cannot exceed the amount determined to be the actual average cost. Mandates the probation department of each county to develop a payment schedule for the reimbursement of the costs of preplea or presentence investigations based on income, which is to be approved by the presiding judge. |               | Pen. Code, §§ 1203, 1203.7, 1203.9, 11175–11179 |
| Services:<br>Casework | Pen. Code, § 1203.1bb(a) | Statute                          | Mandate                             | Mandates the probation officer, or his or her authorized representative, to determine the amount of payment and the manner in which the payments are to be made to the county, based upon the defendant's ability to pay. Mandates the probation officer to inform the defendant that the defendant is entitled to a hearing, which includes the right to counsel, in which the court will make a determination of the defendant's ability to pay and the payment amount. Specifies that the defendant must waive the right to a determination by the court by a knowing and intelligent waiver.                                                                                                                                                                                                                                                                                                                                                       |               |                                                 |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section             | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Collaboration | Reference                         |
|-----------------------|--------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------|
| Services:<br>Casework | Pen. Code, § 1203.1bb(b) | Statute                          | Mandate                             | Mandates the probation officer to refer the matter to the court for the scheduling of a hearing to determine the amount of payment and the manner in which the payments are to be made in cases where the defendant fails to waive the right provided in Pen. Code, § 1203.1bb, subd. (a), to a determination by the court of his or her ability to pay and the payment amount.                                                                                                                                                                                                    |               | Pen. Code, § 1203.1bb(a)          |
| Services:<br>Process  | Pen. Code, § 1203.1bb(e) | Statute                          | Other                               | Defines the term <i>ability to pay</i> as the overall capability of the defendant to reimburse the cost, or a portion of the cost, of conducting the presentence investigation, preparing the preplea or presentence report, processing a jurisdictional transfer pursuant to Pen. Code, § 1203.9, processing requests for interstate compact supervision pursuant to Pen. Code, §§ 11175–11179 inclusive, and probation supervision or conditional sentencing. Specifies other additional information that is required to be included in the determination of the ability to pay. |               | Pen. Code, §§ 1203.9, 11175–11179 |
| Services:<br>Process  | Pen. Code, § 1203.1bb(f) | Statute                          | Mandate                             | Mandates the probation officer and the court to advise the defendant of the right to petition the probation officer for a review of the defendant's financial ability to pay at the time of rendering of the terms of probation or the judgment.                                                                                                                                                                                                                                                                                                                                   |               |                                   |
| Funding               | Pen. Code, § 1203.1bb(g) | Statute                          | Other                               | Requires all sums paid by a defendant pursuant to this section to be allocated for the operating expenses of the county probation department.                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |                                   |
| Services:<br>Process  | Pen. Code, § 1203.11     | Statute                          | Other                               | Authorizes the probation officer, among other entities, to serve any process regarding the issuance of a temporary restraining order or other protective order against a person committed to the care of the probation or parole officer or parole agent when the person appears for an appointment with the probation officer at his or her office.                                                                                                                                                                                                                               |               |                                   |
| Services:<br>Casework | Pen. Code, § 1203.12     | Statute                          | Mandate                             | Directs the probation officer to furnish every person who has been released on probation under his or her supervision with a written statement of the terms and conditions of probation, unless the court has furnished such a statement. Requires that the probation officer report to the court or a judge any violation or breach of the terms and conditions imposed by such court on the person placed in the probation officer's care.                                                                                                                                       |               |                                   |
| Prevention            | Pen. Code, § 1203.13     | Statute                          | Discretionary                       | Allows the probation officer of any county to establish, or assist in the establishment of, any public council or committee having as its object the prevention of crime. Permits the probation officer to cooperate with or participate in the work of any such councils or committees for the purpose of preventing or decreasing crime, including the improvement of recreational, health, and other conditions in the community.                                                                                                                                               | Community     |                                   |
| Prevention            | Pen. Code, § 1203.14     | Statute                          | Discretionary                       | Allows probation departments to engage in activities, including the rendering of direct and indirect services to persons in the community, designed to prevent adult delinquency. Specifies that probation departments not be limited to provision of services only to those persons on probation being supervised under Pen. Code, § 1203.10, and that probation departments may provide services to any adults in the community.                                                                                                                                                 |               | Pen. Code, § 1203.10              |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area               | Code Section           | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Collaboration                    | Reference                                   |
|----------------------------|------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------|
| Services:<br>Casework      | Pen. Code, § 1203.2(a) | Statute                          | Discretionary                       | Permits any probation or peace officer to rearrest and bring before the court without a warrant, at any time during the probationary period and at any time until the final disposition of the case, any person released on probation under the care of the probation officer or any person released on conditional sentence or summary probation not under the care of a probation officer if he or she has probable cause to believe that the probationer is violating any term or condition of the probation or the conditional sentence.                                                                                                                                                                                                                                                                                                                                                                                 |                                  |                                             |
| Services:<br>Process       | Pen. Code, § 1203.2a   | Statute                          | Discretionary<br>Mandate            | Provides that the probation officer may, upon learning of the defendant's imprisonment, and must, within 30 days after being notified in writing by the defendant or his or her counsel or the warden or duly authorized representative of the prison in which the defendant is confined, report such commitment to the court that released him or her on probation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                  |                                             |
| Services:<br>Process       | Pen. Code, § 1203.4(d) | Statute                          | Mandate                             | Mandates the probation officer to notify the prosecuting attorney when a petition for relief, pursuant to Pen. Code, § 1203.4, is filed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                  | Pen. Code, § 1203.4                         |
| Governance                 | Pen. Code, § 1203.5    | Statute                          | Other                               | Creates the offices of adult probation officer, assistant adult probation officer, and deputy adult probation officer. Defines the probation officers, assistant probation officers, and deputy probation officers appointed in accordance with ch. 2 of div. 2 of pt. 1 of Welf. & Inst. Code as ex officio adult probation officers, assistant adult probation officers, and deputy adult probation officers, except in any county or city and county whose charter provides for the separate office of adult probation officer. Specifies that an adult probation officer perform the duties of the probation officer, except for matters under the jurisdiction of the juvenile court, where the separate office of adult probation officer has been established. Permits any adult probation officer to accept appointment as a member of the Board of Corrections in addition to duties as an adult probation officer. |                                  | Welf. & Inst. Code, ch. 2 of div. 2 of pt.1 |
| Appointment<br>and Removal | Pen. Code, § 1203.6    | Statute                          | Mandate                             | Requires that the adult probation officer be appointed, and that her or she may be removed for good cause, by the judge of the superior court or, in a county with two superior court judges, by the judge who is senior in point of service, or in a superior court of more than two judges, by a majority of the judges. Provides that the board of supervisors in each county establish the salary of the probation officer. Grants the adult probation officer authority to appoint and remove all assistants, deputies, and other persons employed in his or her department and requires that the compensation be established according to the merit system or civil service system provisions of the county or, if neither merit nor civil service system exist in the county, according to the guidelines established by the county board of supervisors.                                                             | Local Judiciary;<br>Bd. of Sups. |                                             |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section         | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Collaboration                    | Reference |
|-----------------------|----------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-----------|
| Services:<br>Casework | Pen. Code, § 1203.7  | Statute                          | Mandate                             | Mandates the probation officer to inquire into the antecedents, character, history, family environment, and offense of any person over 16 years of age either at the time of the arrest or at the time of the plea or verdict of guilty when the probation officer is directed to do so by the court. Requires the probation officer to include his or her recommendation for or against the release of the person on probation in the report. Mandates the probation officer to keep a complete and accurate record in suitable books of specified information in connection with the case, and specifies that such record constitute a part of the records of the court and as such is open for inspection at all times to specified persons. Authorizes the probation officer to destroy any records and papers relating to any case five years after termination of probation. Mandates the probation officer to furnish each person released on probation to the probation officer's care a written statement of the terms and conditions of probation, and requires the probation officer to report to the court any violation or breach of the terms and conditions of probation. |                                  |           |
| Governance            | Pen. Code, § 1203.71 | Statute                          | Discretionary<br>Other              | Authorizes a deputy probation officer to perform any of the duties of the probation officer, and mandates the deputy probation officer to perform any of such duties whenever detailed to perform those by the probation officer. Makes it a duty of the probation officer to see that the deputy probation officer performs his or her duties. Provides that the probation officer and each deputy probation officer should have, with respect to the person committed to the care of the probation officer or deputy probation officer, the powers of a peace officer. Specifies that the probation officers and deputy probation officers are to serve as such probation officers in all courts having original jurisdiction over criminal actions in this state.                                                                                                                                                                                                                                                                                                                                                                                                                     |                                  |           |
| Funding               | Pen. Code, § 1203.73 | Statute                          | Other                               | Provides that the probation officers and deputy probation officers in all counties of the state are allowed such necessary incidental expenses incurred in the performance of their duties as may be authorized by a judge of the superior court, which should be a charge upon the county. Specifies that in counties in which the probation officer is appointed by the board of supervisors, the expenses are to be authorized by the probation officer and audited and paid in the same manner as other county claims.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                  |           |
| Funding               | Pen. Code, § 1203.74 | Statute                          | Mandate                             | Mandates the probation officer to notify immediately the presiding judge of the superior court and the board of supervisors of the county in writing upon a determination that, in his or her opinion, staff and financial resources available to him or her are insufficient to meet statutory or court ordered responsibilities. Specifies that the notification should explain which responsibilities cannot be met and what resources are necessary in order that statutory or court-ordered responsibilities can be properly discharged.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Local Judiciary;<br>Bd. of Sups. |           |

## Probation Services Task Force Laws and Mandates Chart: Sorted by Statute

| Subject Area         | Code Section              | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Collaboration                                                     | Reference                          |
|----------------------|---------------------------|----------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|------------------------------------|
| Services:<br>Process | Pen. Code, § 1203.9       | Statute                          | Mandate<br>Other                    | Provides that whenever any person is released on probation, the case may be transferred to any court of the same rank in any other county in which the person resides permanently, meaning the stated intention to remain for the duration of probation. Mandates the probation department and the court to give the matter of investigating such intercounty transfers precedence over all actions or proceedings, with the exception of actions or proceedings to which special precedence is given by law. Specifies that a copy of the transfer order and an order for reimbursement of reasonable costs for processing the transfer to be paid to the sending county in accordance with Pen. Code, § 1203.1b, are required to be transmitted to the court and probation officer of the receiving county within two weeks of the finding by that county that the person does permanently reside in or has permanently moved to that county. |                                                                   | Pen. Code, § 1203.1b               |
| Services:<br>Process | Pen. Code, § 1203c        | Statute                          | Mandate                             | Provides that whenever a person is committed to an institution under the jurisdiction of the Department of Corrections, whether probation has been applied for or not, it is a duty of the probation officer of the county from which the person is committed to send to the Department of Corrections a probation report prepared in the form prescribed by the administrator following consultation with the Board of Corrections, in addition to commitment papers, as may be required by the administrator of the Youth and Adult Corrections Agency.                                                                                                                                                                                                                                                                                                                                                                                       | Bd. of Correct.;<br>Adm. of Youth<br>and Adult<br>Correct. Agency |                                    |
| Services:<br>Process | Pen. Code, § 1203d        | Statute                          | Mandate<br>Other                    | Prevents the court from pronouncing judgment upon any defendant for whom the court has requested a probation report pursuant to Pen. Code, § 1203.10, unless a copy of the probation report has been made available to the court, the prosecuting attorney, and the defendant or defendant's attorney at least two days or, if requested by the defendant, five days prior to the hearing and consideration of the report. Mandates the court to order the probation officer preparing the report to discuss its contents with the defendant who is not represented by an attorney. Provides that the sentence recommendations of the report be available to the victim, or the victim's next of kin if the victim has died, through the district attorney's office, and that the victim or victim's next of kin be informed of the availability of this information through the notice provided pursuant to Pen. Code, § 1191.1.               |                                                                   | Pen. Code, §§ 1203.10, 1191.1      |
| Services:<br>Process | Pen. Code, § 1208.2(a)(1) | Statute                          | Other                               | Provides that this section applies to individuals authorized to participate in a work furlough program pursuant to Pen. Code, § 1208, or to individuals authorized to participate in an electronic home detention program pursuant to Pen. Code, § 1203.016, or to individuals authorized to participate in a county parole program pursuant to art. 3.5 (commencing with Pen. Code, § 3074) of ch. 8 of tit. 1 of pt. 3.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                   | Pen. Code, §§ 1208, 1203.016, 3074 |
| Governance           | Pen. Code, § 1208.2(a)(2) | Statute                          | Other                               | Includes the probation officer in the definition of <i>administrator</i> as used in this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                   |                                    |
| Services:<br>Process | Pen. Code, § 1208.2(c)    | Statute                          | Mandate                             | Prohibits the correctional administrator, including the probation officer or his or her designee, from having access to a person's financial data prior to the granting or denial of a person's participation in, or assignment of a person to, any of the programs governed by this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                   |                                    |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section           | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Collaboration | Reference                        |
|-----------------------|------------------------|----------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------------------|
| Services:<br>Casework | Pen. Code, § 1208.2(d) | Statute                          | Mandate                             | Prohibits the correctional administrator, including the probation officer or his or her designee, from considering a person's ability or inability to pay all or a portion of the program fee for the purposes of granting or denying a person's participation in, or assigning a person to, any of the programs governed by this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               |                                  |
| Services:<br>Casework | Pen. Code, § 1208.2(f) | Statute                          | Discretionary                       | Gives the correctional administrator, including the probation officer or his or her designee, authority to charge a person the fee set by the board of supervisors, or any portion of the fee, and authority to determine the method and frequency of payment. Specifies that any fee that the administrator or his or her designee charges cannot be in excess of the fee set by the board of supervisors and must be based on the person's ability to pay. Gives the correctional administrator, including the probation officer or his or her designee, authority to waive the fees for program supervision when deemed necessary, justified, or in the interests of justice. Specifies that the fees charged for program supervision may be modified or waived at any time based on the changing financial position of the person. |               |                                  |
| Services:<br>Process  | Pen. Code, § 1208.2(h) | Statute                          | Mandate                             | Mandates the correctional administrator, including the probation officer or his or her designee, to advise the appropriate court whenever the person and the administrator or his or her designee are unable to come to agreement regarding the person's ability to pay, or the amount that is to be paid, or the method and frequency with which payment is to be made.                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |                                  |
| Services:<br>Process  | Pen. Code, § 1208.2(i) | Statute                          | Mandate                             | Mandates the correctional administrator, including the probation officer or his or her designee, to furnish the person who is approved for any of the programs to which this section applies with a written statement of the person's rights in regard to the program for which the person has been approved.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |                                  |
| Services:<br>Process  | Pen. Code, § 1208.2(j) | Statute                          | Mandate                             | Mandates the program administrator, including the probation officer or his or her designee, to include the provisions of this section within any contractual agreement with a private agency or entity as described in Pen. Code, §§ 1203.016, 1208.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               | Pen. Code, §§ 1203.016, 1208     |
| Services:<br>Casework | Pen. Code, § 1208.3    | Statute                          | Other                               | Provides that the administrator, including the probation officer, is not prohibited by Pen. Code, § 1208.2, subd. (c), from verifying that the prisoner is receiving wages at a rate of pay not less than the prevailing minimum wage requirement as provided for in Pen. Code, § 1208, subd. (c), that the prisoner is working a specified minimum number of required hours, and that the prisoner is covered under an appropriate or suitable worker's compensation insurance plan.                                                                                                                                                                                                                                                                                                                                                  |               | Pen. Code, §§ 1208(c), 1208.2(c) |
| Services:<br>Process  | Pen. Code, § 1210.1(a) | Statute                          | Other                               | Entitles any person convicted of a nonviolent drug possession offense to receive probation, except as provided in Pen. Code, § 1210.1, subd. (b). Makes it mandatory for the court to require participation in and completion of an appropriate drug treatment program as a condition of probation, and allows the court to order participation in vocational training, family counseling, literacy training, and/or community service, and prohibits the court from imposing incarceration as an additional condition of probation.                                                                                                                                                                                                                                                                                                   |               | Pen. Code, § 1210.1(b)           |
| Services:<br>Process  | Pen. Code, § 1210.1(b) | Statute                          | Other                               | Specifies which categories of defendants are excluded from Pen. Code, § 1210.1, subd. (a), applicability.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               | Pen. Code, § 1210(a)             |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section           | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Collaboration              | Reference                            |
|-----------------------|------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|--------------------------------------|
| Services:<br>Casework | Pen. Code, § 1210.1(c) | Statute                          | Mandate<br>Other                    | Mandates the probation department, within seven days of an order imposing probation under Pen. Code, 1210.1, subd. (a), to notify the drug treatment provider designated to provide treatment of an order imposing probation. Provides that the probation department may move the court to modify the terms of probation if the treatment provider notifies the probation department that the defendant is unamenable to the drug treatment provided but may be amenable to other drug treatments or related programs, and provides that probation may be revoked if the treatment provider notifies the probation department that the defendant is unamenable to the drug treatment provided and all other forms of drug treatment programs pursuant to Pen. Code, § 1210, subd. (b). Specifies that drug treatment as a condition of probation may not exceed 12 months, and that additional aftercare services as a condition of probation may be required for up to 6 months.                                                                                        | Drug Treatment<br>Provider | Pen. Code, §<br>1210.1(a) and<br>(b) |
| Services:<br>Process  | Pen. Code, § 1210.1(d) | Statute                          | Other                               | Outlines procedures for the court dismissal of charges upon successful completion of drug treatment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                            |                                      |
| Services:<br>Casework | Pen. Code, § 1210.1(e) | Statute                          | Other                               | Provides for incarceration of the defendant if probation is revoked pursuant to Pen. Code, § 1210.1, subd. (e). Provides that the court may modify or revoke probation if it is proved that the defendant committed a non-drug-related probation violation, and requires the court to conduct a hearing to determine whether probation should be revoked. Requires the court to conduct a hearing to determine whether probation should be revoked in a case where the defendant has committed a drug-related violation of probation for the first or second time, and mandates the court to revoke probation if the alleged probation violation is proved and the state proves by a preponderance of the evidence that the defendant poses a danger to the safety of others or that the defendant is unamenable to drug treatment. Provides that the court may intensify or alter the drug treatment plan or impose as an additional condition participation in a drug treatment program if probation is not revoked upon defendant's drug-related probation violation. |                            |                                      |
| Services:<br>Casework | Pen. Code, § 1210.1(e) | Statute                          | Other                               | States that if a defendant for the third time violates probation either by committing a nonviolent drug possession offense or by violating a drug-related condition of probation, the court is required to conduct a hearing to determine whether probation shall be revoked, and if the alleged probation violation is proved, the defendant is not eligible for continued probation under Pen. Code, § 1210.1, subd. (a).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                            | Pen. Code, §<br>1210.1(a)            |
| Services:<br>Casework | Pen. Code, § 1210.1(f) | Statute                          | Other                               | Specifies that the term <i>drug-related condition of probation</i> includes a probationer's specific drug treatment regimen, employment, vocational training, educational programs, psychological counseling, and family counseling.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                            |                                      |
| Services:<br>Casework | Pen. Code, § 1210.5    | Statute                          | Other                               | Mandates that any court-ordered drug testing should be used as a treatment tool in a case where a person has been ordered to undergo drug treatment as a condition of probation. States that when evaluating a probationer's treatment program, results of any drug testing cannot be given greater weight than any other aspects of the probationer's individual treatment program.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                            |                                      |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section                | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Collaboration                                  | Reference                                |
|-----------------------|-----------------------------|----------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|------------------------------------------|
| Services:<br>Casework | Pen. Code, § 1215           | Statute                          | Other                               | Provides that if the defendant over the age of 16 years has been placed under the care and supervision of the probation officer upon the court's order, he or she is required to remain under the care and supervision of the probation officer of the court committing the defendant until the expiration of the period of probation and the compliance with the terms and conditions of the sentence, or until the suspension of the sentence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                |                                          |
| Services:<br>Process  | Pen. Code, § 3415           | Statute                          | Mandate                             | Mandates the probation department to notify, no later than the day sentence is pronounced, any woman sentenced to the state prison whose term does not exceed six years on the basis of either the probable release or parole date computed as if the maximum amount of good time credit would be granted, of a community treatment program under which women inmates who have one or more children under the age of six years can be released to a public or private facility in the community suitable to the needs of the mother and the child or children and which will provide the best possible care for the mother and the child. Upon receipt of the woman inmate's notice of her desire to be admitted to such program, requires the probation department or the defendant to transmit such notice to the Department of Corrections and to the appropriate local social services agency that conducts dependency hearings and investigations for child neglect. | Dept. of Correct.; Local Social Service Agency |                                          |
| Services:<br>Process  | Pen. Code, § 13020          | Statute                          | Other                               | States that the duty of every probation officer dealing with crimes or criminals or with delinquency or delinquents is to install and maintain records needed for the correct reporting of statistical data required by him or her when requested by the attorney general, to report statistical data to the department at those times and in the manner that the attorney general prescribes, and to give to the attorney general or the attorney general's accredited agent access to statistical data for the purpose of carrying out Pen. Code, tit. 3, "Criminal Statistics" (commencing with § 13000).                                                                                                                                                                                                                                                                                                                                                              | Atty. General                                  | Pen. Code, tit. 3, ch. 2, § 1300 et seq. |
| Governance            | Welf. & Inst. Code, § 202.5 | Statute                          | Mandate                             | Mandates the duties of the probation officer to be deemed social service with respect to minors alleged or adjudged to be dependent children of the court as described by Welf. & Inst. Code, § 300, whether or not the board of supervisors delegated to the county welfare department all or part of such duties of the probation officer pursuant to Welf. & Inst. Code, § 272. States that the probation officer's social service duties to such dependent children of the court are subject to the administration, supervision, and regulations of the State Department of Social Services.                                                                                                                                                                                                                                                                                                                                                                          | Bd. of Sups.; Dept. of Social Services         | Welf. & Inst. Code, §§ 272, 300          |
| Facilities            | Welf. & Inst. Code, § 207.5 | Statute                          | Other                               | Makes it a misdemeanor for anyone to misrepresent or falsely identify himself or herself either verbally or by presenting any fraudulent written instrument to any probation officer, among other specified entities, for the purpose of securing admission to the premises or grounds of any juvenile hall, ranch, or camp, or to gain access to any minor detained there, and who would not otherwise qualify for admission or access.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                |                                          |
| Governance            | Welf. & Inst. Code, § 240   | Statute                          | Other                               | Sets up a probation commission consisting of not less than seven members to be appointed by the same authority authorized to appoint the probation officer, in lieu of a county juvenile justice commission in counties with a population in excess of 6 million.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                |                                          |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Collaboration                                 | Reference                                  |
|----------------------|--------------------------------|----------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|--------------------------------------------|
| Governance           | Welf. & Inst. Code, § 241      | Statute                          | Other                               | Provides that the members of a probation commission appointed and holding office under prior provisions of law on January 1, 1997, should continue in office and should be members of the probation commission created for the same term as that for which they were appointed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                               |                                            |
| Services:<br>Process | Welf. & Inst. Code, § 241.1(a) | Statute                          | Mandate                             | Mandates the county probation department and the child protective services department, pursuant to a jointly developed written protocol described in subd. (b) of this section, to determine initially which status will serve the best interests of the protection of society and the minor who appears to come within the description of both Welf. & Inst. Code, § 300, and Welf. & Inst. Code, § 601 or 602. Mandates the submission of the departments' recommendations to the juvenile court with the petition that is filed on behalf of the minor.                                                                                                                                                                                                                                                                          | Child Protective/<br>Social Services<br>Dept. | Welf. & Inst.<br>Code, §§ 300,<br>601, 602 |
| Services:<br>Process | Welf. & Inst. Code, § 241.1(b) | Statute                          | Mandate                             | Mandates the probation department and the child protective services department in each county to develop jointly a written protocol to ensure appropriate local coordination in the assessment of a minor described in subd. (a) of this section and the development of recommendations by these departments for consideration by the juvenile court. Specifies the guidelines and provisions to be included in such protocols.                                                                                                                                                                                                                                                                                                                                                                                                     | Child Protective/<br>Social Services<br>Dept. |                                            |
| Services:<br>Process | Welf. & Inst. Code, § 241.1(c) | Statute                          | Mandate                             | Provides that whenever a minor who is under the jurisdiction of the juvenile court pursuant to Welf & Inst. Code, § 300, 601, or 602, is alleged to come within the description of Welf. & Inst. Code, § 300, 601, or 602, by another county, the county probation department or child protective services department in the county that has jurisdiction under Welf. & Inst. Code, § 300, 601, or 602, and the probation department or child protective services department in the county alleging the minor to be within one of those sections is mandated to determine initially which status will best serve the best interests of the minor and the protection of society. Specifies that recommendations of both departments are to be presented to the juvenile court in which the petition is filed on behalf of the minor. | Child Protective/<br>Social Services<br>Dept. | Welf. & Inst.<br>Code, §§ 300,<br>601, 602 |
| Governance           | Welf. & Inst. Code, § 242      | Statute                          | Other                               | Provides that the members of the probation commission are to hold office for four years, and until their successors are appointed and qualify. Specifies the duration of the respective terms of the members and requires that the terms be determined by lot as soon as possible after members' appointment. Specifies the appointment guidelines for filling vacancies.                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                               |                                            |
| Governance           | Welf. & Inst. Code, § 243      | Statute                          | Other                               | Identifies the probation commission as an advisory entity to the probation officer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Prob.<br>Commission                           |                                            |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area            | Code Section                 | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Collaboration                                       | Reference                                         |
|-------------------------|------------------------------|----------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|---------------------------------------------------|
| Appointment and Removal | Welf. & Inst. Code, § 270    | Statute                          | Mandate<br>Discretionary<br>Other   | Establishes the offices of probation officer, assistant probation officer, and deputy probation officer in each county, except as provided in Gov. Code, § 69906. Requires the probation officer to be appointed in every county. Requires the probation officers in any county to be nominated by the juvenile justice commission or regional juvenile justice commission of such county as directed by the judge of the juvenile court and then to be appointed by such judge. Gives the probation officer power to appoint as many deputies or assistant probation officers as he or she desires, and specifies that such deputies or assistant probation officers have no authority to act until their appointments have been approved by a majority vote of the members of the juvenile justice commission and by the judge of the juvenile court. Provides for the expiration of the term of office of each such deputy or assistant probation officer with the term of the probation officer who appointed him or her. | Juvenile Justice Commission                         | Gov. Code, § 69906                                |
| Appointment and Removal | Welf. & Inst. Code, § 270    | Statute                          | Mandate<br>Discretionary<br>Other   | Gives the probation officer authority to revoke and terminate any appointment of any deputy or assistant probation officer with the written approval of the majority of the members of the juvenile justice commission and of the judge of the juvenile court. Provides that probation officers may be removed at any time by the judge of the juvenile court for good cause shown. Provides that probation officers may be removed at any time by the judge of the juvenile court with the written approval of a majority of the members of the juvenile justice commission.                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Juvenile Justice Commission;<br>Judge of Juv. Court |                                                   |
| Appointment and Removal | Welf. & Inst. Code, § 271    | Statute                          | Other                               | Provides that in counties having charters or merit or civil service systems that provide a method of appointment and tenure of office for probation officers, assistant probation officers, deputy probation officers, and other employees of the juvenile hall, such charter or merit or civil service system provisions should control as to such matters. Provides that in all other counties the method of appointment and tenure of office for probation officers, assistant probation officers, deputy probation officers, and other employees of the juvenile hall is to be controlled exclusively by the provisions of the Welf. & Inst. Code.                                                                                                                                                                                                                                                                                                                                                                        |                                                     |                                                   |
| Governance              | Welf. & Inst. Code, § 272(a) | Statute                          | Other                               | Gives the board of supervisors authority to delegate all or part of the duties of the probation officer concerning dependent children described in Welf. & Inst. Code, § 300, to the county welfare department.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Bd. of Sups.                                        | Welf. & Inst. Code, § 300                         |
| Services: Process       | Welf. & Inst. Code, § 272(a) | Statute                          | Other                               | Gives the board of supervisors authority to delegate the probation officer's right of access to state summary criminal history information pursuant to Pen. Code, § 11105, to the county welfare department and to any Indian tribe that has entered into an agreement to perform child welfare services pursuant to Welf. & Inst. Code, § 10553.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Bd. of Sups.                                        | Pen. Code, § 11105; Welf. & Inst. Code, § 10553.1 |
| Services: Process       | Welf. & Inst. Code, § 273    | Statute                          | Discretionary                       | Gives the probation officer discretionary authority to employ, within budgetary limitations established by the board of supervisors, such psychiatrists, psychologists, and other clinical experts as are required to assist in determining appropriate treatment of minors within the jurisdiction of the juvenile court and in the implementation of such treatment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Bd. of Sups.                                        |                                                   |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area | Code Section                 | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Collaboration | Reference                  |
|--------------|------------------------------|----------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------------|
| Governance   | Welf. & Inst. Code, § 274    | Statute                          | Mandate<br>Other                    | Requires each probation officer and each assistant and deputy probation officer receiving an official salary to furnish a bond in the sum of not more than \$2,000 and approved by the judge of the juvenile court, conditioned for the faithful discharge of the duties of his or her office. Specifies that such premium should be paid out of the county treasury if it is furnished by a surety company. Provides that such individual bonds are not required if the probation officer, assistants, and deputies are included as covered employees in a master bond pursuant to Gov. Code, §§ 1481, 1481.1.                                                                                                                                                                                                                                                                                                                                                                                       |               | Gov. Code, §§ 1481, 1481.1 |
| Funding      | Welf. & Inst. Code, § 275    | Statute                          | Mandate                             | Mandates the probation officer or other county officer designated by the board of supervisors to keep suitable books and accounts and to give and keep suitable receipts and vouchers.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Bd. of Sups.  |                            |
| Funding      | Welf. & Inst. Code, § 276    | Statute                          | Discretionary<br>Mandate            | Gives the probation officer authority to receive money payable to the county when ordered to do so by a court of competent jurisdiction, and requires that such money be deposited or invested in the same manner as the other items set forth in this section. Mandates the probation officer to pay into the county treasury all money collected by him or her under his or her control during the preceding month that is payable into the treasury in conformity with Gov. Code, § 24353, if a bank account or savings and loan association investment certificate or share account is authorized pursuant to this section.                                                                                                                                                                                                                                                                                                                                                                       |               | Gov. Code, § 24353         |
| Funding      | Welf. & Inst. Code, § 276(a) | Statute                          | Discretionary<br>Other              | Gives the probation officer authority to receive money payable to spouse or child in an action for divorce, separate maintenance, or similar action, together with court costs, upon order of a court of competent jurisdiction. Gives the probation officer authority to give his or her receipt for such money received; to deposit or invest such money as soon as practicable in the county treasury, in a commercial bank account designated and approved for such a purpose by the board of supervisors, or in investment certificates or share accounts issued by a savings and loan association doing business in this state, insured by the Federal Savings and Loan Insurance Corporation, and designated and approved for such purpose by the board of supervisors; and to direct the disbursement of such money received. Gives the court authority to designate a bonded employee of the court to act as court trustee for the receipt and disbursement of money under this subdivision. | Bd. of Sups.  |                            |
| Funding      | Welf. & Inst. Code, § 276(b) | Statute                          | Discretionary<br>Other              | Gives the probation officer authority to receive money payable to or on behalf of a ward or dependent child of the juvenile court or a person concerning whom a petition has been filed in the juvenile court. Gives the probation officer authority to give his or her receipt for such money received; to deposit or invest such money as soon as practicable in the county treasury, in a commercial bank account designated and approved for such a purpose by the board of supervisors, or in investment certificates or share accounts issued by a savings and loan association doing business in this state, insured by the Federal Savings and Loan Insurance Corporation, and designated and approved for such purpose by the board of supervisors; and to direct the disbursement of such money received. Gives the probation officer authority to petition the court for approval of any past or prospective disbursement.                                                                 | Bd. of Sups.  |                            |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area | Code Section                 | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Collaboration | Reference                     |
|--------------|------------------------------|----------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------|
| Funding      | Welf. & Inst. Code, § 276(c) | Statute                          | Discretionary<br>Other              | Gives the probation officer authority to receive money payable to, by, or on behalf of probationers under the supervision of the probation officer. Gives the probation officer authority to give his or her receipt for such money received; to deposit or invest such money as soon as practicable in the county treasury, in a commercial bank account designated and approved for such a purpose by the board of supervisors, or in investment certificates or share accounts issued by a savings and loan association doing business in this state, insured by the Federal Savings and Loan Insurance Corporation, and designated and approved for such purpose by the board of supervisors; and to direct the disbursement of such money received. Gives the probation officer authority to petition the court for approval of any past or prospective disbursement.                                           | Bd. of Sups.  |                               |
| Funding      | Welf. & Inst. Code, § 276(d) | Statute                          | Discretionary<br>Other              | Gives the probation officer authority to receive money payable to a child, wife, or indigent parent when it has been alleged or claimed that there has been a violation of Pen. Code, § 270, 270a, or 270c, and the matter has been referred to the probation officer by the district attorney. Gives the probation officer authority to give his or her receipt for such money received; to deposit or invest such money as soon as practicable in the county treasury, in a commercial bank account designated and approved for such a purpose by the board of supervisors, or in investment certificates or share accounts issued by a savings and loan association doing business in this state, insured by the Federal Savings and Loan Insurance Corporation, and designated and approved for such purpose by the board of supervisors; and to direct the disbursement of such money received.                 | Dist. Atty.   | Pen. Code, §§ 270, 270a, 270c |
| Funding      | Welf. & Inst. Code, § 276(e) | Statute                          | Discretionary<br>Other              | Gives the probation officer authority to receive gifts of money made to the county to assist in the prevention or correction of delinquency or crime when the donor requests the probation officer to disburse such funds for such purposes and the board of supervisors accepts the gift upon such conditions. Gives the probation officer authority to give his or her receipt for such money received; to deposit or invest such money as soon as practicable in the county treasury, in a commercial bank account designated and approved for such a purpose by the board of supervisors, or in investment certificates or share accounts issued by a savings and loan association doing business in this state, insured by the Federal Savings and Loan Insurance Corporation, and designated and approved for such purpose by the board of supervisors; and to direct the disbursement of such money received. | Bd. of Sups.  |                               |
| Funding      | Welf. & Inst. Code, § 277    | Statute                          | Discretionary<br>Mandate            | Gives the probation officer authority to authorize the sale of articles of handiwork made by wards under the jurisdiction of the probation officer to the public at probation institutions, in public buildings, at fairs, or on property operated by nonprofit associations. Requires the cost of any county materials or other property consumed in the manufacture of articles to be paid for out of funds received from the sale of the articles, and the remainder of any funds received from the sale to be placed in the ward's trust account pursuant to Welf. & Inst. Code, § 276, subd. (b).                                                                                                                                                                                                                                                                                                               |               | Welf. & Inst. Code, § 276(b)  |

## Probation Services Task Force Laws and Mandates Chart: Sorted by Statute

| Subject Area          | Code Section                | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Collaboration                        | Reference                                                                   |
|-----------------------|-----------------------------|----------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-----------------------------------------------------------------------------|
| Funding               | Welf. & Inst. Code, § 278   | Statute                          | Other                               | Gives the board of supervisors authority to delegate to the auditor or other county officer any of the functions of the probation officer authorized by Welf. & Inst. Code, § 276, and required by Code Civ. Proc., §§ 1685–1687, inclusive.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Bd. of Sups.                         | Welf. & Inst. Code, § 276;<br>Code Civ. Proc., §§ 1685–1687                 |
| Services:<br>Casework | Welf. & Inst. Code, § 280   | Statute                          | Mandate                             | Mandates the probation officer, except where waived by the probation officer, judge, or referee and the minor, to be present in court to represent the interests of each person who is the subject of a petition to declare that person to be a ward or dependent child upon all hearings or rehearings of his or her case and to furnish to the court such information and assistance as the court may require. Mandates the probation officer to take charge of that person before and after any hearing or rehearing if so ordered. Requires that it be a duty of the probation officer to prepare, for every hearing on the disposition of a case as provided by Welf. & Inst. Code, § 356, 358, 358.1, 361.5, 364, 366, 366.2, or 366.21, as is appropriate for the specific hearing, or for a hearing as provided by Welf. & Inst. Code, § 702, a social study of the minor, containing such matters as may be relevant to a proper disposition of the case and including a recommendation for the disposition of the case. |                                      | Welf. & Inst. Code, §§ 356, 358, 358.1, 361.5, 364, 366, 366.2, 366.21, 702 |
| Services:<br>Casework | Welf. & Inst. Code, § 281   | Statute                          | Mandate                             | Mandates the probation officer, upon order of any court in any matter involving the custody, status, or welfare of a minor or minors, to make an investigation of appropriate facts and circumstances and to prepare and file with the court written reports and written recommendations in reference to such matters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                      |                                                                             |
| Services:<br>Casework | Welf. & Inst. Code, § 281.5 | Statute                          | Mandate                             | Mandates the probation officer, if he or she recommends to the court that a minor alleged to come within Welf. & Inst. Code, § 300, 601, or 602, or adjudged to come within Welf. & Inst. Code, § 300, 601, or 602, should be removed from the physical custody of his parent or guardian, to give primary consideration to recommending to the court that the minor be placed with a relative of the minor if such placement is in the best interests of the minor and will be conducive to reunification of the family.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                      | Welf. & Inst. Code, §§ 300, 601, 602                                        |
| Facilities            | Welf. & Inst. Code, § 282   | Statute                          | Other                               | Gives the judge of the juvenile court authority to require the probation officer, at any time and upon the request of the county board of supervisors, to look into and report to the court on the qualifications and management of any society, association, or corporation, other than a state institution, that applies for or receives custody of any ward or dependent child of the juvenile court. Prohibits any probation officer from entering any institution without its consent, and prohibits commitments to institutions that refuse such consent.                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Bd. of Sups.;<br>Juv. Court<br>Judge |                                                                             |
| Governance            | Welf. & Inst. Code, § 283   | Statute                          | Other                               | Gives every probation officer, assistant probation officer, and deputy probation officer powers and authority conferred by law upon peace officers listed in Pen. Code, § 830.5.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                      | Pen. Code, § 830.5                                                          |
| Services:<br>Process  | Welf. & Inst. Code, § 284   | Statute                          | Mandate                             | Mandates all probation officers to make such special and periodic reports to the Youth Authority as the authority may require and upon forms furnished by the authority.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                      |                                                                             |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section                 | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Collaboration          | Reference                                    |
|-----------------------|------------------------------|----------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----------------------------------------------|
| Services:<br>Process  | Welf. & Inst. Code, § 285    | Statute                          | Mandate                             | Mandates all probation officers to make such periodic reports to the Bureau of Criminal Statistics as the bureau may require and upon forms furnished by the bureau, provided that no names or social security numbers are transmitted regarding any proceeding under Welf. & Inst. Code, § 300 or 601.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Bureau of Crim. Stats. | Welf. & Inst. Code, §§ 300, 601              |
| Governance            | Welf. & Inst. Code, § 286    | Statute                          | Mandate                             | Provides that any person lawfully appointed to serve as a probation officer or assistant or deputy probation officer prior to the effective date of this section should continue in his or her office or employment as if appointed in the manner prescribed by art. 5 of ch. 2 of pt. 1 of Welf. & Inst. Code (commencing with § 270).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                        | Welf. & Inst. Code, art. 5 of ch. 2 of pt. 1 |
| Services:<br>Casework | Welf. & Inst. Code, § 307    | Statute                          | Mandate<br>Other                    | Outlines procedures available to a peace or a probation officer for dealing with a minor after he or she has been taken into temporary custody under the provisions of Welf. & Inst. Code, § 305. Mandates the officer, in determining which disposition of the minor should be made, to give preference to the alternative that least interferes with the parents' or guardians' custody of the minor if this alternative is compatible with the safety of the minor and to consider the needs of the minor for the least restrictive environment and the protective needs of the community.                                                                                                                                                                                                                                                                                                                                                                                                       |                        | Welf. & Inst. Code, § 305                    |
| Services:<br>Casework | Welf. & Inst. Code, § 307    | Statute                          | Mandate<br>Other                    | Outlines procedures that a peace or probation officer is required to follow after he or she takes a minor into temporary custody under the provisions of Welf. & Inst. Code, § 305. Mandates the officer to give preference to the alternative that least interferes with the parents' or guardians' custody of the minor and is compatible with the safety of the minor and to consider the needs of the minor for the least restrictive environment and the protective needs of the community when determining a proper disposition of the minor.                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                        | Welf. & Inst. Code, § 305                    |
| Services:<br>Casework | Welf. & Inst. Code, § 307(a) | Statute                          | Discretionary                       | Provides that a peace or probation officer who takes a minor into temporary custody under the provision of Welf. & Inst. Code, § 305, may thereafter release the minor.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                        | Welf. & Inst. Code, § 305                    |
| Services:<br>Process  | Welf. & Inst. Code, § 307(b) | Statute                          | Discretionary                       | Provides that a peace or probation officer who takes a minor into temporary custody under the provision of Welf. & Inst. Code, § 305, may thereafter prepare in duplicate a written notice for the parent or parents of the minor to appear with the minor before the probation officer of the county in which the minor was taken into custody. Requires that the notice include a concise statement of the reasons the minor was taken into custody. Mandates the officer to deliver one copy of the notice to the minor and a parent, guardian, or responsible relative of the minor, and gives the officer authority to require the minor and the parent, guardian, or relative to sign a written promise that she or she will appear at the time and place designated in the notice. Mandates the officer to immediately release the minor upon the execution of the promise to appear. Mandates the officer to file one copy of the notice with the probation officer as soon as practicable. |                        | Welf. & Inst. Code, § 305                    |
| Services:<br>Process  | Welf. & Inst. Code, § 307(c) | Statute                          | Discretionary                       | Provides that a peace or probation officer, who takes a minor into temporary custody under the provision of Welf. & Inst. Code, § 305, may thereafter take the minor, without unnecessary delay, before the probation officer of the county in which the minor resides, or in which the acts take place, or in which the circumstances exist that are alleged to bring the minor within the provisions of Welf. & Inst. Code, § 300, and deliver the minor into the custody of the probation officer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                        | Welf. & Inst. Code, §§ 300 & 305             |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Collaboration | Reference                                 |
|----------------------|--------------------------------|----------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------|
| Services:<br>Process | Welf. & Inst. Code, § 307.4(a) | Statute                          | Mandate                             | Mandates any peace or probation officer or social worker who takes a minor within the description of Welf. & Inst. Code, § 300, into temporary custody pursuant to Welf. & Inst. Code, § 305, 306, or 307, to immediately inform the parent, guardian, or responsible relative that the minor has been taken into protective custody and that a written statement is available that explains the parent's or guardian's procedural rights and the preliminary stages of the dependency investigation and hearing.                                                                                                                                                                                                                                                                                                                                                                                 |               | Welf. & Inst. Code, §§ 300, 305, 306, 307 |
| Services:<br>Process | Welf. & Inst. Code, § 307.4(b) | Statute                          | Other                               | Provides that the failure on the part of the peace or probation officer or social worker to notify the parent or guardian that the written information required by Welf. & Inst. Code, § 307.4, subd. (a), is available cannot be construed to permit a new defense to any juvenile or judicial proceeding or to interfere with any rights, or investigations accorded under any other law and is considered to be due to circumstances beyond the control of the officer or social worker, if a good faith attempt was made at notification.                                                                                                                                                                                                                                                                                                                                                     |               | Welf. & Inst. Code, § 307.4(a)            |
| Services:<br>Process | Welf. & Inst. Code, § 310      | Statute                          | Discretionary                       | Gives the probation officer authority to require a minor who was taken into custody pursuant to Welf. & Inst. Code, § 305, or his parent, guardian, or relative, or both, to sign a written promise, as a condition for the release of such minor, that either or both of them will appear before the probation officer at a suitable place designated by the probation officer at a specified time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               | Welf. & Inst. Code, § 305                 |
| Services:<br>Process | Welf. & Inst. Code, § 311      | Statute                          | Mandate                             | Mandates the probation officer to immediately file a petition pursuant to Welf. & Inst. Code, § 332, with the clerk of the juvenile court if the probation officer determines that a minor who was taken into custody pursuant to Welf. & Inst. Code, § 305, should be retained in custody. Mandates the probation officer to notify each parent or each guardian of the minor of the time and place of the detention hearing if the whereabouts of each parent or guardian can be ascertained by due diligence. Mandates the probation officer to serve those persons entitled to notice of the hearing under the provisions of Welf. & Inst. Code, § 335, with a copy of the petition and to notify these persons of the time and place of the detention hearing. Provides that the notice may be given orally, and is required to be given orally if it appears that the parent does not read. |               | Welf. & Inst. Code, §§ 332, 305, 335      |
| Services:<br>Process | Welf. & Inst. Code, § 313(a)   | Statute                          | Mandate                             | Mandates a peace or probation officer to release, within 48 hours excluding nonjudicial days and unless a petition to declare him or her a dependent child has been filed within said period, any minor taken into custody, except when such minor willfully misrepresents himself or herself as 18 or more years of age.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |                                           |
| Services:<br>Process | Welf. & Inst. Code, § 313(b)   | Statute                          | Mandate                             | Mandates a peace or probation officer to prepare a written explanation whenever a minor is held in custody for more than six hours and is subsequently released, and no petition is filed, of why the minor was held in custody longer than six hours. Requires that the written explanation be prepared within 72 hours after the minor is released, and that a copy of the written explanation be sent to the parents, guardian, or other person having care or custody of the minor.                                                                                                                                                                                                                                                                                                                                                                                                           |               |                                           |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area                   | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Collaboration                                                      | Reference                       |
|--------------------------------|--------------------------------|----------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|---------------------------------|
| Services:<br>Process           | Welf. & Inst. Code, § 314      | Statute                          | Mandate                             | Requires a petition or complaint to be filed within 48 hours, excluding nonjudicial days, from the time true age is determined, any time a minor willfully misrepresents himself or herself to be 18 or more years of age when taken into custody by a peace or probation officer, and any time such misrepresentation effects a material delay in investigation. Requires that the minor be immediately released from custody if the petition is not filed within the time prescribed by this section.                                                                                       |                                                                    |                                 |
| Services:<br>Process           | Welf. & Inst. Code, § 601.3(a) | Statute                          | Discretionary                       | Gives the probation officer or the district attorney, or both, authority to request the parents or guardians and the child who continues to be classified as a truant after review and counseling by the school attendance review board or probation officer to attend a meeting in the district attorney's office or at the probation department to discuss the possible legal consequences of the minor's truancy.                                                                                                                                                                          | Dist. Atty.                                                        |                                 |
| Services:<br>Process           | Welf. & Inst. Code, § 601.3(b) | Statute                          | Other                               | Specifies information that is required to be included in the notice of a meeting to be held pursuant to this section as summoned by the probation officer, the district attorney, or both, regarding the possible legal consequences of the minor's truancy.                                                                                                                                                                                                                                                                                                                                  |                                                                    |                                 |
| Services:<br>Process           | Welf. & Inst. Code, § 601.3(c) | Statute                          | Other                               | Provides that the notice of a meeting, to be held pursuant to this section, as summoned by the probation officer, the district attorney, or both, regarding the possible legal consequences of the minor's truancy must be served at least five days prior to the meeting on each person required to attend the meeting.                                                                                                                                                                                                                                                                      | Dist. Atty.                                                        |                                 |
| Services:<br>Process           | Welf. & Inst. Code, § 601.3(d) | Statute                          | Mandate                             | Mandates the probation officer or the district attorney to advise the parents or guardians and the child attending a meeting, held pursuant to this section, as summoned by the probation officer, the district attorney, or both, regarding the possible legal consequences of the minor's truancy, that any statements they make could be used against them in subsequent court proceedings.                                                                                                                                                                                                | Dist. Atty.                                                        |                                 |
| Services:<br>Process           | Welf. & Inst. Code, § 601.3(e) | Statute                          | Discretionary                       | Gives the probation officer or the district attorney after consultation with the probation officer, authority to file a petition pursuant to Welf. & Inst. Code, § 601, after a meeting held pursuant to this section, if the probation officer or the district attorney determines that available community resources cannot resolve the truancy problem, or if the student or student's parents or guardians, or both, have failed to respond to services provided or to the directives of the school, the school attendance review board, the probation officer, or the district attorney. | Dist. Atty.                                                        | Welf. & Inst. Code, § 601       |
| Services:<br>Process           | Welf. & Inst. Code, § 601.3(f) | Statute                          | Discretionary<br>Mandate            | Authorizes the truancy mediation program. Gives the probation officer or the district attorney authority to establish the truancy mediation program. Mandates the probation officer and the district attorney to coordinate their efforts and to cooperate in determining which office is best able to operate a truancy mediation program in their county.                                                                                                                                                                                                                                   | Dist. Atty.                                                        |                                 |
| Prevention and<br>Intervention | Welf. & Inst. Code, § 601.5(b) | Statute                          | Other                               | Includes the probation department in a collaborative group mandated to design and develop the At-Risk Youth Early Intervention Program, which is designed to assess and serve families with children who have chronic behavioral problems that place the child at risk of becoming a ward of the juvenile court under Welf. & Inst. Code, § 601 or 602.                                                                                                                                                                                                                                       | Juv. Court.; DA;<br>PD; DSS; COE;<br>County Mental<br>Health; CBOs | Welf. & Inst. Code, §§ 601, 602 |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area                | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Collaboration                                                           | Reference                                               |
|-----------------------------|--------------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|---------------------------------------------------------|
| Prevention and Intervention | Welf. & Inst. Code, § 601.5(c) | Statute                          | Other                               | Requires that the At-Risk Youth Early Intervention Program include one or more neighborhood-based Youth Referral Centers for at-risk youth and their families and provides that the center may be staffed as a collaborative services model involving probation officers among other entities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Probation Officers; School Officers; Mental Health or Service Providers |                                                         |
| Prevention and Intervention | Welf. & Inst. Code, § 601.5(d) | Statute                          | Other                               | Names the probation officer as one of the entities that may refer a minor to a youth referral center. Specifies that a minor may be referred to the program if the minor is at least 10 years of age and is believed by the referring source to be at risk of justice system involvement due to specified problems.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                         |                                                         |
| Prevention and Intervention | Welf. & Inst. Code, § 601.5(g) | Statute                          | Mandate<br>Other                    | Mandates the probation department to file a petition seeking to declare the minor a ward of the juvenile court under Welf. & Inst. Code, § 601, subd. (a), if the supervising caseworker at the center and the liaison probation officer, upon consultation with the minor's parents and with providers designated in the service plan, agree that the minor has willfully, significantly, and repeatedly failed to cooperate with the service plan. Prohibits the referral of any minor to the probation department for the filing of a petition under this subdivision until at least 90 days have elapsed after the first attempt to implement the service plan. Specifies that no minor should be subject to filing of a petition under this subdivision for a failure to complete the service plan that is due principally to an inability of the minor or the family to pay for the services listed in the service plan. |                                                                         | Welf. & Inst. Code, § 601(a)                            |
| Services: Process           | Welf. & Inst. Code, § 627.5    | Statute                          | Mandate                             | Mandates the probation officer to immediately advise the minor and his or her parent or guardian that anything a minor says can be used against him or her in any case where a minor is taken before a probation officer pursuant to the provisions of Welf. & Inst. Code, § 626, and it is alleged that such minor is a person described in Welf. & Inst. Code, § 601 or 602. Mandates the probation officer to advise such a minor and his or her parent or guardian of the minor's constitutional rights, including the right to remain silent, the right to have counsel present during any interrogation, and the right to have counsel appointed if he or she is unable to afford counsel. Mandates the probation officer to notify the judge of the juvenile court of the minor's or his or her parent's or guardian's request for counsel.                                                                             |                                                                         | Welf. & Inst. Code, §§ 601, 602, 626                    |
| Services: Casework          | Welf. & Inst. Code, § 628(a)   | Statute                          | Mandate                             | Mandates the probation officer to immediately investigate the circumstances of a minor who has been taken into temporary custody under the provision of art. 15 ("Wards – Temporary Custody and Detention") of ch. 2 of pt. 1 of div. 2 of Welf. & Inst. Code and the facts surrounding his or her being taken into custody. Mandates the probation officer to immediately release the minor to the custody of his or her parent, legal guardian, or responsible relative, unless it can be demonstrated upon the evidence before the court that the continuance in the home is contrary to the minor's welfare and that one or more of the specified conditions exist.                                                                                                                                                                                                                                                        |                                                                         | Welf. & Inst. Code, art. 15 of ch. 2 of pt. 1 of div. 2 |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section                 | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Collaboration | Reference                                           |
|-----------------------|------------------------------|----------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------------------------|
| Services:<br>Casework | Welf. & Inst. Code, § 628(b) | Statute                          | Mandate                             | Mandates the probation officer to make reasonable efforts, as described in Welf. & Inst. Code, § 727.4, par. (5), subd. (d), when conducting an investigation undertaken pursuant to subd. (a) of this section, to prevent or eliminate the need for removal of the minor from his or her home if the probation officer has reason to believe that the minor is at risk of entering foster care placement as defined in pars. (1) and (2) of Welf. & Inst. Code, § 727.4, subd. (d).                                                                                                                                                                                                                                                                                                                                                                                                                                  |               | Welf. & Inst. Code, § 727.4(d)(1), (2), and (5)     |
| Services:<br>Casework | Welf. & Inst. Code, § 628.1  | Statute                          | Mandate<br>Other                    | Mandates the probation officer to proceed according to this section if the minor meets one or more of the criteria for detention under Welf. & Inst. Code, § 628, but the probation officer believes that 24-hour secure detention is not necessary to protect the minor or the person or property of another, or to ensure that the minor does not flee the jurisdiction of the court. Mandates the probation officer to release a minor, taken into temporary custody under Welf. & Inst. Code, § 628, to his or her parent, guardian, or responsible relative on home supervision, unless one of the conditions described in par. (1), (2), or (3) of Welf. & Inst. Code, § 628, subd. (a), exists. Mandates the probation officer to require such minor to sign a written promise that he or she understands and will observe the specific conditions of home supervision release as a condition of such release. |               | Welf. & Inst. Code, §§ 628, 628(a)(1), (2), and (3) |
| Services:<br>Casework | Welf. & Inst. Code, § 628.1  | Statute                          | Mandate<br>Other                    | Mandates the probation officer to also require the minor's parent, guardian, or responsible relative to sign a written promise, translated into language the parent understands if necessary, that he or she understands the specific conditions of home supervision release as an additional condition for release. Specifies that these conditions may include curfew and school attendance requirements related to the protection of the minor or the person or property of another, or to the minor's appearances at court hearings. Provides that a minor who violates a specific condition of home supervision release may be taken into custody and placed in secure detention, subject to court review.                                                                                                                                                                                                       |               |                                                     |
| Services:<br>Process  | Welf. & Inst. Code, § 629(a) | Statute                          | Discretionary<br>Mandate            | Mandates the probation officer to require the minor, as a condition for his or her release pursuant to Welf. & Inst. Code, § 628.1, and subject to Welf. & Inst. Code, §§ 631 and 632, to sign a written promise to appear before the probation officer at the juvenile hall or other suitable place designated by the probation officer at a specified time. Gives the probation officer discretionary authority to require the minor's parent, guardian, or relative to sign a written promise to appear before the probation officer at the juvenile hall or other suitable place designated by the probation officer at a specified time.                                                                                                                                                                                                                                                                         |               | Welf. & Inst. Code, §§ 628.1, 631, 632              |
| Services:<br>Process  | Welf. & Inst. Code, § 629.1  | Statute                          | Mandate                             | Mandates the probation officer to retain the minor, who was delivered to him or her pursuant to Welf. & Inst. Code, § 626.6, notwithstanding Welf. & Inst. Code, § 628 or 628.1, and who is 14 years of age or older, in custody until such time that the minor can be brought before a judicial officer of the juvenile court pursuant to Welf. & Inst. Code, § 632.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               | Welf. & Inst. Code, §§ 626.6, 628, 628.1, 632       |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                 | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Collaboration | Reference                                                                                      |
|----------------------|------------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------------------------------------------------------------------------------|
| Services:<br>Process | Welf. & Inst. Code, § 630(a) | Statute                          | Mandate                             | Mandates the probation officer to immediately proceed in accordance with art. 16 ("Wards – Commencement of Proceedings") of ch. 2 of pt. 1 of div. 2 of Welf. & Inst. Code (commencing with § 650) to cause the filing of a petition pursuant to Welf. & Inst. Code, § 656, with the clerk of the juvenile court if the probation officer determines that the minor should be retained in custody. Mandates the probation officer or the prosecuting attorney to serve such minor with a copy of the petition and notify the minor of the time and place of the detention hearing immediately upon filing the petition with the clerk of the juvenile court if the minor is alleged to be a person described in Welf. & Inst. Code, § 601 or 602. Mandates the probation officer or the prosecuting attorney to notify each parent or each guardian also, if their whereabouts can be ascertained by due diligence, and provides that such notice may be given orally.                                                                                           |               | Welf. & Inst. Code, art. 16 of ch. 2 of pt. 1 of div. 2 ; Welf. & Inst. Code, §§ 656, 601, 602 |
| Services:<br>Process | Welf. & Inst. Code, § 631(a) | Statute                          | Other                               | Requires the release of any minor within 48 hours, excluding nonjudicial days, after having been taken into custody by a peace or probation officer, except when the minor willfully misrepresents himself or herself as 18 or more years of age, and unless within that period of time a petition to declare the minor a ward has been filed pursuant to ch. 2 ("Juvenile Court Law") of pt. 1 of div. 2 of Welf. & Inst. Code or a criminal complaint against the minor has been filed in a court of competent jurisdiction.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               | Welf. & Inst. Code, div. 2 of pt. 1 of ch. 2                                                   |
| Services:<br>Process | Welf. & Inst. Code, § 631(b) | Statute                          | Other                               | Requires the release of any minor within 48 hours, excluding nonjudicial days, after having been taken into custody by a peace or probation officer without a warrant on the belief that the minor has committed a misdemeanor that does not involve violence, the threat of violence, or possession or use of a weapon, except when the minor willfully misrepresents himself or herself as 18 or more years of age, and unless a petition has been filed to declare the minor a ward of the court and the minor has been ordered detained by a judge of referee of the juvenile court pursuant to Welf. & Inst. Code, § 635. Makes any decision to detain such minor more than 24 hours a subject of written review and approval by a probation officer who is a supervisor in all cases as soon as possible after it is known that the minor will be detained more than 24 hours. Specifies that a decision to detain the minor more than 24 hours is not subject to review and approval if such decision is made by a probation officer who is a supervisor. |               | Welf. & Inst. Code, § 635                                                                      |
| Services:<br>Process | Welf. & Inst. Code, § 631(c) | Statute                          | Mandate                             | Mandates the probation officer to prepare a written explanation of why the minor was held in custody for more than 24 hours if a minor has been held in custody for more than 24 hours by the probation officer and is subsequently released and no petition is filed. Requires that the written explanation be prepared within 72 hours after the minor is released from custody and filed in the record of the case. Requires that a copy of the written explanation be sent to the parents, guardian, or other person having care or custody of the minor.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |               |                                                                                                |
| Services:<br>Process | Welf. & Inst. Code, § 635    | Statute                          | Mandate                             | Mandates the probation officer to submit a written report to the court containing specified information if the probation officer has reason to believe that the minor is at risk of entering foster care placement as defined by Welf. & Inst. Code, § 11402.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |               | Welf. & Inst. Code, § 11402                                                                    |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Collaboration              | Reference                                            |
|-----------------------|--------------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|------------------------------------------------------|
| Services:<br>Process  | Welf. & Inst. Code, § 636(c)   | Statute                          | Other                               | Specifies documentation that the probation officer is mandated to submit to the court when he or she is recommending that the minor be detained.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                            |                                                      |
| Services:<br>Casework | Welf. & Inst. Code, § 636.1(a) | Statute                          | Other                               | Provides that the case plan should focus on issues and activities, including a description of the strengths and needs of the minor and his or her family and identification of services that will be provided to the minor, that would reduce or eliminate the need for the minor to be placed in foster care if the probation officer believes that such efforts will enable the minor to return home safely.                                                                                                                                                                                                                                                                                 |                            |                                                      |
| Services:<br>Casework | Welf. & Inst. Code, § 636.1(a) | Statute                          | Other                               | Requires that the case plan include all the information required by Welf. & Inst. Code, § 706.6, if the probation officer believes, based on the information available to him or her, that foster care placement is the most appropriate disposition.                                                                                                                                                                                                                                                                                                                                                                                                                                          |                            | Welf. & Inst. Code, § 706.6                          |
| Services:<br>Process  | Welf. & Inst. Code, § 636.1(a) | Statute                          | Mandate                             | Mandates the probation officer to complete a case plan, whenever a minor is detained pursuant to Welf. & Inst. Code, § 636, following a finding by the court that continuance in the home is contrary to the minor's welfare and the minor is at risk of entering foster care, within 30 calendar days of initial removal of a minor or by the date of the disposition hearing, whichever occurs first.                                                                                                                                                                                                                                                                                        |                            | Welf. & Inst. Code, § 636                            |
| Facilities            | Welf. & Inst. Code, § 636.2    | Statute                          | Discretionary                       | Gives the probation officer discretionary authority to operate and maintain nonsecure detention facilities, or to contract with public or private agencies offering such services, for those minors who are not considered escape risks and are not considered a danger to themselves or to the person or property of another. Specifies criteria to be considered for detention in such facilities. Provides that a minor who leaves such nonsecure detention facility without permission may be housed in a secure facility following his apprehension, pending a detention hearing pursuant to Welf. & Inst. Code, § 632.                                                                   | Public or Private Agencies | Welf. & Inst. Code, § 632                            |
| Services:<br>Process  | Welf. & Inst. Code, § 652      | Statute                          | Mandate                             | Mandates the probation officer, whenever he or she has cause to believe that there was or is within the county, or residing in the county, a person within the provision of Welf. & Inst. Code, § 601 or 602, to immediately make an investigation to determine whether proceedings in the juvenile court should be commenced and whether reasonable efforts, as described in par. (5) of Welf. & Inst. Code, § 727.4, subd. (d), have been made to prevent or eliminate the need for removal of the minor from his or her home. Does not require an investigation by the probation officer if a minor is delivered or referred to an agency pursuant to Welf. & Inst. Code, § 626, subd. (b). |                            | Welf. & Inst. Code, §§ 601, 602, 727.4(d)(5), 626(b) |
| Services:<br>Process  | Welf. & Inst. Code, § 653      | Statute                          | Mandate                             | Mandates the probation officer, whenever any person applies to the probation officer or the district attorney to commence proceedings in the juvenile court in accordance with Welf. & Inst. Code, § 601.3, subd. (e), to investigate immediately whether proceedings in the juvenile court should be commenced.                                                                                                                                                                                                                                                                                                                                                                               | Dist. Atty.                | Welf. & Inst. Code, § 601.3(e)                       |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area       | Code Section                   | Statute/Regulation/Rules | Mandate/Discretionary/Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Collaboration | Reference                                            |
|--------------------|--------------------------------|--------------------------|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------------------------------------|
| Services: Casework | Welf. & Inst. Code, § 653.1    | Statute                  | Mandate                     | Mandates the probation officer to cause the affidavit alleging that the minor committed an offense described in Welf. & Inst. Code, § 602, to be immediately taken to the prosecuting attorney if it appears to the probation officer that the minor has been referred to him or her for any violation of either an offense listed in Welf. & Inst. Code, § 707, subd. (b), and allegedly committed when the minor was 16 years of age or older, or an offense listed in par. (2) of Welf. & Inst. Code, § 707, subd. (d), or Welf. & Inst. Code, § 707, subd. (e), and allegedly committed when the minor was 14 years of age or older. | Dist. Atty.   | Welf. & Inst. Code, §§ 602, 707(b), 707(d)(2) or (e) |
| Services: Casework | Welf. & Inst. Code, § 653.5(a) | Statute                  | Mandate                     | Mandates the probation officer to immediately make any investigation he or she deems necessary to determine whether proceedings in the juvenile court should be commenced whenever any person submits an affidavit alleging that there was or is within the county, or resides in the county, a minor within the provisions of Welf. & Inst. Code, § 602. Mandates the probation officer to make a referral to certain services if the probation officer determines that it is appropriate to offer such services to the family to prevent or eliminate the need for removal of the minor from his or her home.                          |               | Welf. & Inst. Code, § 602                            |
| Services: Casework | Welf. & Inst. Code, § 653.5(b) | Statute                  | Mandate                     | Mandates the probation officer to cause the affidavit to be taken to the prosecuting attorney if the probation officer determines that proceedings to declare a person to be a ward of the juvenile court on the basis that he or she is a person described in Welf. & Inst. Code, § 602, should be commenced pursuant to Welf. & Inst. Code, § 650.                                                                                                                                                                                                                                                                                     | Dist. Atty.   | Welf. & Inst. Code, §§ 602, 650                      |
| Services: Process  | Welf. & Inst. Code, § 653.5(c) | Statute                  | Other                       | Specifies the cases in which the probation officer is required, notwithstanding subd. (b) of this section, to cause the affidavit to be taken within 48 hours to the prosecuting attorney.                                                                                                                                                                                                                                                                                                                                                                                                                                               | Dist. Atty.   |                                                      |
| Services: Casework | Welf. & Inst. Code, § 653.7    | Statute                  | Mandate                     | Mandates the probation officer to endorse, upon the affidavit of the applicant, the decision not to proceed further, and the reasons therefore, any time the probation officer does not take action under Welf. & Inst. Code, § 654, or any time the probation officer does not cause the affidavit alleging that a minor is within or has committed an offense described in Welf. & Inst. Code, § 602, to be taken to the prosecuting attorney within 21 court days after the application. Requires the probation officer to retain the affidavit and the endorsement for a period of 30 court days after the notice to the applicant.  |               | Welf. & Inst. Code, §§ 602, 654                      |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section                 | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Collaboration | Reference                                 |
|-----------------------|------------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------|
| Services:<br>Casework | Welf. & Inst. Code, § 654    | Statute                          | Mandate<br>Discretionary<br>Other   | Gives the probation officer discretionary authority, with consent of the minor and the minor's parent or guardian, in any case in which a probation officer concludes that a minor is within the jurisdiction of the juvenile court or will probably soon be within that jurisdiction, to delineate specific programs of supervision not to exceed six months for the minor, and attempt thereby to adjust the situation that brings the minor within the jurisdiction of the court or creates the probability that the minor will soon be within that jurisdiction, in lieu of filing a petition to declare the minor a dependent child of the court or a minor or a ward of the court under Welf. & Inst. Code, § 601, or requesting that a petition be filed by the prosecuting attorney under Welf. & Inst. Code, § 601.3, subd. (e), or § 602. Specifies that the program of supervision may call for the minor to obtain care and treatment for the misuse of or addiction to controlled substances from a county mental health service or other appropriate community agency. |               | Welf. & Inst. Code, §§ 601, 601.3(e), 602 |
| Services:<br>Casework | Welf. & Inst. Code, § 654    | Statute                          | Mandate<br>Discretionary<br>Other   | Requires that the program of supervision include a requirement for the parents or guardians of the minor to participate with the minor in counseling or education programs. Mandates the probation officer to prepare and maintain a follow-up report of the actual program measures taken at the conclusion of the program of supervision undertaken pursuant to this section. Specifies that nothing in this section can be construed to prevent the probation officer from filing a petition or requesting the prosecuting attorney to file a petition at any time within the six-month period or a 90-day period thereafter. Mandates the probation officer to immediately file a petition or request that the prosecuting attorney file a petition if the probation officer determines that the minor has not involved himself or herself in the specific programs within 60 days. Mandates the probation officer to make a diligent effort to proceed under this section if the interest of the minor and the community can be protected.                                      | Dist. Atty.   |                                           |
| Services:<br>Process  | Welf. & Inst. Code, § 654(a) | Statute                          | Other                               | Authorizes the probation officer, with consent of the minor and the minor's parent or guardian, to maintain and operate sheltered-care facilities, or to contract with private or public agencies to provide these services, in lieu of filing a petition to declare a minor a dependent child of the court. Requires that placement of the minor pursuant to this section be limited to a maximum of 90 days, and requires that the counseling services be extended to the sheltered minor and minor's family during this period of diversion services. Specifies that the minor and his or her parents may be required to make full or partial reimbursement for the services rendered during the diversion process. Provides that referrals for sheltered-care diversion may be made by the minor, his or her family, schools, any law enforcement agency, or any other private or public social service agency.                                                                                                                                                                  |               |                                           |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Collaboration              | Reference                                                             |
|-----------------------|--------------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|-----------------------------------------------------------------------|
| Services:<br>Process  | Welf. & Inst. Code, § 654(b)   | Statute                          | Other                               | Authorizes the probation officer, with consent of the minor and the minor's parent or guardian, to maintain and operate crisis resolution homes, or to contract with private or public agencies to provide these services, in lieu of filing a petition to declare a minor a dependent child of the court. Requires that residence at these facilities be limited to 20 days, and requires that individual and family counseling services be extended to the sheltered minor and minor's family during this period of diversion services. Specifies that the failure to resolve the crisis within the 20-day period may result in the minor's referral to a sheltered-care facility for a period not to exceed 90 days. Provides that referrals for crisis resolution homes are required to be accepted from the minor, his or her family, schools, any law enforcement agency, or any other private or public social service agency. Provides that the minor, his or her parents, or both, may be required to reimburse the county for the cost of services rendered at a rate to be determined by the county board of supervisors. | Public or Private Agencies |                                                                       |
| Services:<br>Process  | Welf. & Inst. Code, § 654(c)   | Statute                          | Other                               | Authorizes the probation officer, with consent of the minor and the minor's parent or guardian, to maintain and operate counseling and educational centers, or to contract with private or public agencies whose purpose is to provide vocational training or skills, in lieu of filing a petition to declare a minor a dependent child of the court. Provides that the center may be operated separately or in conjunction with crisis resolution homes by the probation officer. Authorizes the probation officer to make referrals to the appropriate existing private or public agencies offering similar services when available.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Public or Private Agencies |                                                                       |
| Services:<br>Process  | Welf. & Inst. Code, § 654.1(a) | Statute                          | Discretionary Mandate               | Authorizes the probation officer, in lieu of requesting that a petition be filed by the prosecuting attorney to declare the minor a ward of the court under Welf. & Inst. Code, § 602, to proceed in accordance with Welf. & Inst. Code, § 654, and delineate a program of supervision for the minor in any case in which a minor has been charged with a violation of Veh. Code, § 23140 or 23152. Mandates the probation officer to cause the citation for a violation of Veh. Code, § 23140 or 23152, to be heard and disposed of by the judge, referee, or traffic hearing officer pursuant to Welf. & Inst. Code, §§ 257, 258, as a condition of any program of supervision.                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                            | Welf. & Inst. Code, §§ 602, 654, 257, 258; Veh. Code, §§ 23140, 23152 |
| Services:<br>Casework | Welf. & Inst. Code, § 654.1(b) | Statute                          | Discretionary Mandate               | Provides that nothing in this section can be construed to prevent the probation officer from requesting the prosecuting attorney to file a petition to declare the minor a ward of the court under Welf. & Inst. Code, § 602, for a violation of Veh. Code, § 23140 or 23152. Mandates the probation officer to proceed under subd. (a) when in his or her judgment the interest of the minor and the community can be protected by adjudication of a violation of Veh. Code, § 23140 or 23152.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                            | Welf. & Inst. Code, § 602; Veh. Code, §§ 23140, 23152                 |
| Services:<br>Casework | Welf. & Inst. Code, § 654.2(b) | Statute                          | Discretionary                       | Authorizes the probation officer to recommend informal supervision as provided in this section when referring the affidavit described in § 653.5 to the prosecuting attorney if the minor is eligible for § 654 supervision and the probation officer believes the minor would benefit from such program of supervision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                            | Welf. & Inst. Code, §§ 653.5, 654                                     |
| Services:<br>Process  | Welf. & Inst. Code, § 660.5(a) | Statute                          | Other                               | Names the chief probation officer as one of the members of a committee, in any county upon approval by the board of supervisors, that can vote to participate in the Expedited Youth Accountability Program.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Bd. of Sups.               |                                                                       |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area       | Code Section                      | Statute/Regulation/Rules | Mandate/Discretionary/Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                | Collaboration | Reference                                                              |
|--------------------|-----------------------------------|--------------------------|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------------------------------------------------------|
| Services: Process  | Welf. & Inst. Code, § 660.5(d)    | Statute                  | Mandate                     | Mandates the probation or peace officer, when releasing a minor who is not detained for any misdemeanor or felony offense and who is not cited to Informal Juvenile and Traffic Court pursuant to Pen. Code, § 256, pars. (1)–(15), & § 853.6a, to issue a citation and obtain a written promise to appear in juvenile court or to record the minor's refusal to sign the promise to appear and serve a notice to appear in juvenile court.                |               | Welf. & Inst. Code §§ 658, 659, 660; Pen. Code, §§ 256(1)–(15), 853.6a |
| Services: Casework | Welf. & Inst. Code, § 660.5(h)    | Statute                  | Discretionary               | Authorizes the probation officer in a county in which this subdivision is applicable, notwithstanding Welf. & Inst. Code, § 654, and in lieu of filing a petition or proceeding under Welf. & Inst. Code, § 654, to issue a citation in the form described in subd. (d) to the Informal Juvenile and Traffic Court pursuant to Welf. & Inst. Code, § 256, for specified misdemeanors.                                                                      |               | Welf. & Inst. Code, §§ 654, 256                                        |
| Services: Process  | Welf. & Inst. Code, § 660.5(i)    | Statute                  | Mandate                     | Mandates the probation officer to inform the minor and his or her parent or guardian, in the event that the probation officer places a minor on informal probation or cites the minor to Informal Juvenile and Traffic Court or elects some other lawful disposition not requiring the hearing set forth in subd. (b), and no later than 72 hours, excluding nonjudicial days and holidays, prior to the hearing, that a court appearance is not required. |               |                                                                        |
| Services: Process  | Welf. & Inst. Code, § 676(e)      | Statute                  | Discretionary               | Authorizes the probation officer or any party involved in the case under this section to petition the juvenile court to prohibit disclosure of any file or record to the public.                                                                                                                                                                                                                                                                           |               |                                                                        |
| Services: Casework | Welf. & Inst. Code, § 676.5(a)    | Statute                  | Mandate                     | Mandates the probation officer to notify, in person or by registered mail, a victim of juvenile offenses that he or she and up to two support persons of the victim's choosing are entitled to be admitted to juvenile court hearings concerning petitions filed pursuant to Welf. & Inst. Code, § 602, alleging the commission of any criminal offense, on the same basis as he or she may be admitted to trials in a court of criminal jurisdiction.     |               | Welf. & Inst. Code, § 602                                              |
| Services: Casework | Welf. & Inst. Code, § 704(d)      | Statute                  | Mandate                     | Mandates the probation officer, or any other peace officer designated by the court, to execute the order placing a minor in a diagnostic and treatment center pursuant to this section or returning the minor therefrom to the court. Specifies that the expense incurred in executing such order is a charge upon the county in which the court is situated.                                                                                              |               |                                                                        |
| Services: Casework | Welf. & Inst. Code, § 707(e)      | Statute                  | Other                       | Requires any report submitted by a probation officer pursuant to this section regarding the behavioral patterns and social history of the minor being considered for a determination of unfitness to include any written oral statement offered by the victim, the victim's parent or guardian if the victim is a minor, or if the victim has died, the victim's next of kin, as authorized by Welf. & Inst. Code, § 656.2, subd. (b).                     |               | Welf. & Inst. Code, § 656.2(b)                                         |
| Services: Casework | Welf. & Inst. Code, § 727.3(a)(1) | Statute                  | Mandate                     | Mandates the probation officer, with respect to every minor declared a ward and ordered to be placed in foster care, to prepare a written social study report including an updated case plan and a recommendation for a permanent plan, pursuant to Welf. & Inst. Code, § 706.5, subd. (c), and submit the report to the court prior to each permanency planning hearing, pursuant to Welf. & Inst. Code, § 727, subd. (b).                                |               | Welf. & Inst. Code, §§ 706.5(c), 727(b)                                |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Collaboration | Reference                                      |
|-----------------------|--------------------------------|----------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------------------------------|
| Services:<br>Casework | Welf. & Inst. Code, § 727.32   | Statute                          | Mandate<br>Other                    | Mandates the probation department to follow the procedures described in Welf. & Inst. Code, § 727.31, to terminate the parental rights of the minor's parents in any case where a minor has been declared a ward of the juvenile court and has been in foster care for 15 of the most recent 22 months, unless the probation department has documented in its file a compelling reason for determining that termination of the parental rights would not be in the minor's best interests pursuant to Welf. & Inst. Code, § 727.3, or the probation department has not provided the family with reasonable efforts necessary to achieve reunification. Provides that if the probation department documented a compelling reason at the time of the permanency planning hearing, pursuant to Welf. & Inst. Code, § 706.6, subd. (l), the probation department is not required to provide any additional documentation to comply with the requirements of this section. Mandates the probation department to make efforts to identify an approved family for adoption and follow the procedures described in Welf. & Inst. Code, § 727.31, subd. (b), when setting a hearing pursuant to Welf. & Inst. Code, § 727.31. |               | Welf. & Inst. Code, §§ 727.31, 727.3, 706.6(l) |
| Services:<br>Process  | Welf. & Inst. Code, § 727.4(a) | Statute                          | Mandate                             | Mandates the probation officer to mail or personally serve a notice of any hearing pursuant to Welf. & Inst. Code, § 727, 727.2, or 727.3, to the minor and the minor's parent or guardian or any other specified provider of care to the minor, including a statement regarding the nature of the status review or permanency planning hearing; a statement regarding any change in the custody or status of the minor being recommended by the probation department; and a statement informing the foster parents, relative caregivers, or preadoptive parents that he or she may attend all hearings or may submit any information he or she deems relevant to the court in writing. Mandates the probation department to mail or serve such notice not earlier than 30 days nor later than 15 days preceding the date of the hearing and to file proof of notice with the court.                                                                                                                                                                                                                                                                                                                                 |               | Welf. & Inst. Code, §§ 727, 727.2, 727.3       |
| Services:<br>Process  | Welf. & Inst. Code, § 727.4(b) | Statute                          | Mandate                             | Mandates the probation officer to file a social study report with the court pursuant to the requirements listed in § 706.5 after the hearing during which the court orders that the care, custody, and control of the minor be under the supervision of the probation officer for placement pursuant to Welf. & Inst. Code, § 727, subd. (a), and at least 10 calendar days prior to each status review and permanency planning hearing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               | Welf. & Inst. Code, §§ 706.5, 727(a)           |
| Services:<br>Process  | Welf. & Inst. Code, § 727.4(c) | Statute                          | Mandate                             | Mandates the probation officer to inform the minor, the minor's parent or guardian, and all counsel of record that a copy of the social study prepared for the status review and permanency hearing will be available 10 days prior to the hearing and may be obtained from the probation officer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                                                |
| Services:<br>Casework | Welf. & Inst. Code, § 729.7    | Statute                          | Mandate                             | Mandates the probation officer, upon request by the victim, to assist in mediating a service contract between the victim and the minor under which the amount of restitution owed to the victim by the minor may be paid by performance of specified services.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |                                                |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Collaboration | Reference                                           |
|----------------------|--------------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------------------------|
| Services:<br>Process | Welf. & Inst. Code, § 731.3(a) | Statute                          | Other                               | Requires any minor, who is 15 years of age or older and who is found to have committed a firearms-related offense described in par. (1) of Ed. Code, § 48915, subd. (c), at school or a school activity off school grounds, to complete six months of intensive probation supervision in the minor's county of origin, including participation in an aftercare program, after completion of the Turning Point Academy.                                                                                                                                                                                                                                                                                                                                                         |               | Ed. Code, § 48915(c)(1)                             |
| Services:<br>Process | Welf. & Inst. Code, § 731.3(c) | Statute                          | Mandate                             | Mandates the probation officer to assess the minor who is 15 years of age or older prior to a referral to the Turning Point Academy. Mandates the probation officer to perform a social study and assess the minor's mental health status and to make a determination whether the criteria enumerated in Welf. & Inst. Code, § 731.3, subd. (b), apply.                                                                                                                                                                                                                                                                                                                                                                                                                        |               | Welf. & Inst. Code, § 731.3(b)                      |
| Services:<br>Process | Welf. & Inst. Code, § 731.3(f) | Statute                          | Discretionary<br>Mandate            | Provides that the probation officer of the county in which the minor is adjudged a ward of the court may temporarily remove the minor from the facility or program if the probation officer determines that the Turning Point Academy is an unsuitable placement for the minor. Mandates the probation officer to promptly inform the court of the minor's removal, and requires that the probation officer return the minor to the court for a hearing to review the suitability of continued confinement at the academy.                                                                                                                                                                                                                                                     |               |                                                     |
| Services:<br>Process | Welf. & Inst. Code, § 731.3(g) | Statute                          | Other                               | Places the individually designed, comprehensive, and intensive programs that are part of the aftercare program of the Turning Point Academy under probation supervision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |                                                     |
| Services:<br>Process | Welf. & Inst. Code, § 739(a)   | Statute                          | Discretionary<br>Mandate            | Gives the probation officer authority, whenever any person is taken into temporary custody under Welf. & Inst. Code art. 15 (commencing with § 625) who is in need of medical, surgical, dental, or other remedial care, and upon the recommendation of the attending physician, surgeon, or attending dentist, to authorize the performance of such care. Mandates the probation officer to notify the parent, guardian, or person standing in loco parentis of the person that medical, surgical, dental, or other remedial care is needed, before care is provided. Specifies that in cases where the parent, guardian, or person standing in loco parentis objects, such care can be given only upon order of the court.                                                   |               | Welf. & Inst. Code, art. 15 (commencing with § 625) |
| Services:<br>Process | Welf. & Inst. Code, § 739(d)   | Statute                          | Discretionary<br>Mandate            | Gives the probation officer authority, whenever it appears that a minor otherwise within subd. (a), (b), or (c) requires immediate emergency, medical, surgical, or other remedial care in an emergency situation, to authorize the performance of such care. Gives the probation officer authority, if the minor needs foot or ankle care within the scope of practice of podiatric medicine, and after obtaining the advice and concurrence of a physician and surgeon, to authorize such care to be provided by a podiatrist. Mandates the probation officer to make reasonable efforts to obtain the consent of, or to notify, the parent, guardian, or person standing in loco parentis prior to authorizing emergency medical, surgical, dental, or other remedial care. |               |                                                     |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section                    | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Collaboration | Reference                 |
|-----------------------|---------------------------------|----------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------------------|
| Services:<br>Casework | Welf. & Inst. Code, § 740(b)(1) | Statute                          | Mandate                             | Mandates the probation officer or the parole officer in charge of a Youth Authority ward to send written notice of the placement of a minor adjudged to be a ward of the court on the basis that he or she is a person described in Welf. & Inst. Code, § 602, in any community care facility outside the ward's county of residence to the probation officer of the county in which the community care facility is located. Mandates the probation or parole officer making the placement to make best efforts to send, or to hand deliver, the notice at the same time the placement is made. Mandates the probation or parole officer, when such placement is terminated, to send notice of termination to any person or agency receiving notification of the placement. |               | Welf. & Inst. Code, § 602 |
| Funding               | Welf. & Inst. Code, § 740(d)    | Statute                          | Other                               | Mandates the county of residence, if a minor is placed in a community care facility out of his or her county of residence and is then arrested and placed in juvenile hall pending a jurisdictional hearing, to pay to the probation department of the county of placement all reasonable costs resulting directly from the minor's stay in the juvenile hall, provided that these costs exceed \$100.                                                                                                                                                                                                                                                                                                                                                                      |               |                           |
| Funding               | Welf. & Inst. Code, § 740(e)    | Statute                          | Other                               | Mandates the county of residence, if a minor is remanded back to his or her county of residence as a result of the hearing in subd. (d), to pay to the probation department of the county of placement all reasonable costs resulting directly from transporting the minor to the county of residency in addition to any payment made pursuant to subd. (d), provided that these costs exceed \$100.                                                                                                                                                                                                                                                                                                                                                                        |               |                           |
| Funding               | Welf. & Inst. Code, § 740(e)    | Statute                          | Other                               | Requires that claims made by the probation department in the county of placement to the county of residence, pursuant to subds. (d) and (e) of this section, to be paid within 30 days of the submission of these claims. Specifies that the probation department in the county of placement should bear the remaining expense.                                                                                                                                                                                                                                                                                                                                                                                                                                             |               |                           |
| Services:<br>Casework | Welf. & Inst. Code, § 742(a)    | Statute                          | Mandate                             | Mandates the probation officer, upon the request of an alleged victim of a crime and within 60 days of the final disposition of a case within which a petition has been filed pursuant to Welf. & Inst. Code, § 602, to inform that victim by letter of the final disposition of the case. Requires the probation officer to include specified information about restitution in the letter if the court orders that restitution is to be made to the victim.                                                                                                                                                                                                                                                                                                                |               | Welf. & Inst. Code, § 602 |
| Services:<br>Casework | Welf. & Inst. Code, § 742(b)    | Statute                          | Mandate                             | Mandates the probation officer, in any case in which a petition has been filed pursuant to Welf. & Inst. Code, § 602, to inform the victim of the offense of any victim-offender conferencing program or victim impact class available in the county and of the victim's right to be informed of the final disposition of the case, including his or her right to victim restitution.                                                                                                                                                                                                                                                                                                                                                                                       |               | Welf. & Inst. Code, § 602 |
| Services:<br>Process  | Welf. & Inst. Code, § 776       | Statute                          | Other                               | Provides that no order changing, modifying, or setting aside a previous order of the juvenile court can be made either in chambers or otherwise, unless prior notice of the application therefore has been given by the judge or the clerk of the court to the probation officer, among others.                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               |                           |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Collaboration                                           | Reference                 |
|----------------------|--------------------------------|----------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|---------------------------|
| Services:<br>Process | Welf. & Inst. Code, § 781(a)   | Statute                          | Discretionary                       | Authorizes the county probation officer or the person to petition the court, in any case in which a petition has been filed with a juvenile court to commence proceedings to adjudge a person a ward of the court and at any time after the person has reached the age of 18 years, to petition the court for sealing of the records under specified circumstances, including records of arrest in the custody of the juvenile court, probation officer, and any other specified agencies that the petitioner alleges in his or her petition to have custody of the records.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                         |                           |
| Services:<br>Process | Welf. & Inst. Code, § 781.5(a) | Statute                          | Mandate                             | Provides that a determination of factual innocence cannot be made pursuant to this subdivision unless the law enforcement agency and probation officer, with the concurrence of the district attorney, determine that no reasonable cause exists to believe that the minor committed the offense for which the arrest was made or the citation was issued. Mandates the probation officer and the law enforcement agency having jurisdiction over the offense to notify the Department of Justice and any other law enforcement agency or probation officer that arrested or cited the minor or participated in the arrest or citing of the minor for an offense for which the minor has been found factually innocent under this subdivision of the sealing of the minor's records and the reason for the sealing of the minor's records. Mandates the probation officer and other specified entities so notified to seal records of the arrest or citation and the notice of sealing for three years from the date of the arrest or citation and thereafter destroy those records and the notice of sealing. | Law Enforcement Agencies; Dist. Atty.; Dept. of Justice |                           |
| Services:<br>Process | Welf. & Inst. Code, § 781.5(a) | Statute                          | Mandate                             | Mandates the Justice Department and the probation officer and the law enforcement agency having jurisdiction over the offense to request the destruction of any records of the arrest or citation that they have given to any local, state, or federal agency or to any other person or entity.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Law Enforcement Agencies; Just. Dept.                   |                           |
| Services:<br>Process | Welf. & Inst. Code, § 781.5(a) | Statute                          | Discretionary                       | Provides that a minor may request in writing that the law enforcement agency and probation officer having jurisdiction over the offense destroy their records of the arrest or citation in any case where a minor has been cited to appear before a probation officer, has been taken before a probation officer pursuant to Welf. & Inst. Code, § 626, or has been taken before any officer of a law enforcement agency and no accusatory pleading or petition to adjudge the minor a ward of the court has been filed. Requires the probation officer and the law enforcement agency having jurisdiction over the offense, and upon a determination that the minor is factually innocent and with concurrence of the district attorney, to seal their records with respect to the minor and the request for relief under this section for three years from the date of the arrest or citation and thereafter destroy the records and the request.                                                                                                                                                            | Law Enforcement Agencies; Dist. Atty.                   | Welf. & Inst. Code, § 626 |
| Services:<br>Process | Welf. & Inst. Code, § 781.5(b) | Statute                          | Other                               | Requires the request for relief under subd. (a) to be deemed denied if the law enforcement agency, probation officer, and district attorney do not respond to the request by accepting or denying the request within 60 days after the running of the statute of limitation for the offense for which the minor was cited or arrested or within 60 days after receipt of the petition in cases where the statute of limitations has previously elapsed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Law Enforcement Agencies; Dist. Atty.                   |                           |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                    | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Collaboration            | Reference                        |
|----------------------|---------------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|----------------------------------|
| Services:<br>Process | Welf. & Inst. Code, § 781.5(f)  | Statute                          | Mandate                             | Mandates the probation officer and law enforcement agency having jurisdiction over the offense or the court to issue a written declaration to the minor, in any case where a minor who has been arrested or cited is granted relief pursuant to this section, stating that it is the determination of the law enforcement agency and probation officer having jurisdiction over the offense or the court that the minor is factually innocent of the charges for which the minor was arrested or cited and that the minor is thereby exonerated.                                                                                                           | Law Enforcement Agencies |                                  |
| Services:<br>Process | Welf. & Inst. Code, § 781.5(h)  | Statute                          | Mandate                             | Mandates the probation officer and law enforcement agency having jurisdiction over the offense or the sealing and destruction of the arrest and citation records pursuant to this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Law Enforcement Agencies |                                  |
| Services:<br>Process | Welf. & Inst. Code, § 785(a)    | Statute                          | Other                               | Gives any parent, minor, or other person having an interest in the minor authority through a probation officer or the prosecuting attorney, in any case where a minor is a ward of the juvenile court and the wardship did not result in the minor's commitment to the Youth Authority and the minor is found to be a fit and proper subject to be dealt with under the juvenile court law with respect to a subsequent allegation of criminal conduct, to petition the court in the same action in which the minor was found to be a ward of the juvenile court for a hearing for an order to terminate or modify the jurisdiction of the juvenile court. | Dist. Atty.              |                                  |
| Services:<br>Process | Welf. & Inst. Code, § 795       | Statute                          | Other                               | Designates the county probation officer or a person designated by the county probation officer to serve as the program administrator for juveniles granted deferred entry of judgment in each county. Specifies that the program administrator is responsible for developing, supervising, and monitoring treatment programs and otherwise overseeing the placement and supervision of minors granted probation pursuant to the provision of ch. 2 ("Juvenile Court Law") of div. 2 of Welf. & Inst. Code.                                                                                                                                                 |                          |                                  |
| Services:<br>Process | Welf. & Inst. Code, § 826.5(a)  | Statute                          | Discretionary<br>Other              | Includes the probation officer in a list of entities who may destroy, at any time before a person reaches the age when his or her records are required to be destroyed, all specified records and papers pertaining to that person if such records and papers are microfilmed or photocopied prior to destruction. Specifies that exhibits are required to be destroyed as provided under Pen. Code, §§ 1418, 1418.5, 1419.                                                                                                                                                                                                                                |                          | Pen. Code, §§ 1418, 1418.5, 1419 |
| Services:<br>Process | Welf. & Inst. Code, § 827(b)(3) | Statute                          | Mandate                             | Mandates the probation or the parole officer having jurisdiction over the minor returned to a school district other than the one from which the minor was removed as a result of the court's finding described in subd. (b) of this section to notify the superintendent of the last district of attendance about the minor's return.                                                                                                                                                                                                                                                                                                                      |                          |                                  |
| Services:<br>Process | Welf. & Inst. Code, § 840       | Statute                          | Other                               | Establishes in each county probation department a program of home supervision to which minors are referred pursuant to Welf. & Inst. Code, § 628.1. Defines the home supervision program.                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                          | Welf. & Inst. Code, § 628.1      |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area               | Code Section              | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Collaboration | Reference                                                                                  |
|----------------------------|---------------------------|----------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------------------------------------------|
| Services:<br>Process       | Welf. & Inst. Code, § 841 | Statute                          | Other                               | Specifies that the duties of a deputy probation officer, probation aide, community worker, or volunteer assigned to home supervision and under the supervision of a deputy probation officer are to ensure the minor's appearance at probation officer interviews and court hearings and to ensure that the minor obeys the conditions of his or her release and commits no public offenses pending final disposition of his or her case. Mandates a deputy probation officer, probation aide, or community worker assigned to home supervision to have a caseload of no more than 10 minors, or no more than 15 minors if the county probation department employs a method of home supervision including electronic surveillance. Requires that a minor be assigned to a deputy probation officer, probation aide, community worker, or volunteer who resides in the same community as the minor, whenever possible. |               |                                                                                            |
| Services:<br>Process       | Welf. & Inst. Code, § 842 | Statute                          | Other                               | Defines a probation volunteer as a person who donates personal services to the probation department and probationers without compensation. Defines a probation aide or a community worker, who may receive compensation for his or her services. Provides that probation aides, community workers, and volunteers cannot qualify for peace officer status pursuant to Pen. Code, § 830.5.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               | Pen. Code, § 830.5                                                                         |
| Facilities                 | Welf. & Inst. Code, § 852 | Statute                          | Other                               | Places the juvenile hall under the management and control of the probation officer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                                                                                            |
| Appointment<br>and Removal | Welf. & Inst. Code, § 854 | Statute                          | Mandate                             | Requires that the superintendent and other employees of the juvenile hall be appointed by the probation officer, and that they may be removed for cause, pursuant to a civil service or merit system.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                                                                                            |
| Facilities                 | Welf. & Inst. Code, § 855 | Statute                          | Mandate                             | Mandates the probation officer to keep a classified list of expenses for the operation of the juvenile hall and to file a duplicate copy with the county board of supervisors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |               |                                                                                            |
| Facilities                 | Welf. & Inst. Code, § 862 | Statute                          | Discretionary                       | Gives the probation officer authority to receive and detain in the county juvenile hall, for no more than three judicial days in the absence of a valid detention order issued by a federal court, any juvenile committed thereto by process or order issued under the authority of the United States, until such juvenile is discharged according to law as if he had been committed under process issued under the authority of this state. Gives juveniles detained pursuant to this section all the rights, powers, privileges, and duties that are afforded juveniles detained pursuant to the laws of this state, and requires that juveniles detained pursuant to this section receive the same treatment as juveniles detained pursuant to laws of this state.                                                                                                                                                |               |                                                                                            |
| Facilities                 | Welf. & Inst. Code, § 870 | Statute                          | Other                               | Authorizes two or more counties, pursuant to art. 1 (commencing with § 6500) of ch. 5 of div. 7 of tit. 1 of Gov. Code, to establish and operate a joint juvenile hall. Places such joint juvenile hall under the management and control of the probation officers, acting jointly, of the participating counties, or of one of such probation officers as provided by the agreement among the counties. Places the managing probation officer or officers in charge of a superintendent selected pursuant to a civil service or merit system. Requires that a joint juvenile hall be operated in the manner prescribed by ch. 2 ("Juvenile Court Law") of pt. 1 of div. 2 of Welf. & Inst. Code.                                                                                                                                                                                                                     |               | Gov. Code, art. 1 of ch. 5 of div. 7, § 6500; Welf. & Inst. Code, div. 2 of pt. 1 of ch. 2 |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area | Code Section                 | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Collaboration | Reference |
|--------------|------------------------------|----------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------|
| Facilities   | Welf. & Inst. Code, § 873(a) | Statute                          | Discretionary                       | Authorizes the chief probation officer of the county, upon approval of the board of supervisors, to establish, maintain, and operate a store in connection with the juvenile hall or other county juvenile facilities. Authorizes the chief probation officer, upon approval of the board of supervisors, to purchase various goods, articles, and supplies, and to sell such goods, articles, and supplies for cash, to wards and detainees confined in the juvenile hall or other county juvenile facilities.                                                                                                                                                                                                                                                                 | Bd. of Sups.  |           |
| Facilities   | Welf. & Inst. Code, § 873(b) | Statute                          | Other                               | Requires that the sale prices of the articles offered for sale at the store established pursuant to subd. (a) be fixed by the chief probation officer. Requires any profit acquired as a result of such sale to be deposited in a Ward Welfare Fund, which is required to be established in the treasury of the county.                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |           |
| Facilities   | Welf. & Inst. Code, § 873(c) | Statute                          | Other                               | Requires a deposit of 10 percent of all gross sales of confined minor hobbycraft into the Ward Welfare Fund.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |               |           |
| Facilities   | Welf. & Inst. Code, § 873(d) | Statute                          | Other                               | Requires a deposit of any money, refund, rebate, or commission received from a telephone company or pay telephone provider into the Ward Welfare Fund, when such money, refund, rebate, or commission is attributable to the use of pay telephones that are primarily used by confined wards or detainees while incarcerated.                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |           |
| Facilities   | Welf. & Inst. Code, § 873(e) | Statute                          | Mandate                             | Mandates the chief probation officer to expend the money and property deposited in the Ward Welfare Fund primarily for the benefit, education, and welfare of the wards and detainees confined within the juvenile hall or other county juvenile facilities. Authorizes the chief probation officer to expend any funds that are not needed for the welfare of the confined wards and detainees at his or her sole discretion for the maintenance of county juvenile facilities. Specifies that maintenance of the juvenile hall or other county juvenile facilities may include, but is not limited to, education, drug and alcohol treatment, welfare, library, accounting, and other programs deemed appropriate by the chief probation officer.                             |               |           |
| Facilities   | Welf. & Inst. Code, § 873(f) | Statute                          | Other                               | Places the operation of a store within any other county juvenile detention facility that is not under the jurisdiction of the chief probation officer under the governance of provisions of this section, except that the board of supervisors are is to designate the proper county official to exercise the duties otherwise allocated in this section to the chief probation officer.                                                                                                                                                                                                                                                                                                                                                                                        | Bd. of Sups.  |           |
| Facilities   | Welf. & Inst. Code, § 873(h) | Statute                          | Discretionary                       | Authorizes the chief probation officer to expend money form the Ward Welfare Fund to provide indigent wards and detainees, prior to release from the juvenile hall, any county juvenile facility, or other juvenile detention facility under the jurisdiction of the chief probation officer, with essential clothing and transportation expenses within the county or, at the discretion of the chief probation officer, transportation to the minor's county of residence if the county is within the state or 500 miles from the county of incarceration. Specifies that this subdivision does not authorize expenditure of money from the Ward Welfare Fund for the transfer of any ward or detainees to the custody of any other law enforcement official or jurisdiction. |               |           |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area       | Code Section                      | Statute/Regulation/Rules | Mandate/Discretionary/Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Collaboration | Reference                                           |
|--------------------|-----------------------------------|--------------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------------------------|
| Facilities         | Welf. & Inst. Code, § 1852        | Statute                  | Other                       | Mandates the board of supervisors to place responsibility for internal management of the youth correctional center with the chief probation officer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Bd. of Sups.  |                                                     |
| Facilities         | Welf. & Inst. Code, § 1854        | Statute                  | Other                       | Places the offender under the control of the chief probation officer while under commitment to the youth correctional center. Specifies that the offender may be confined to the center at all times. Provides that the offender may be released for brief periods to work, attend school, or engage in educational or recreational pursuits. Provides that the offender may be allowed to live in the community and return to the center for specific services as directed by the chief probation officer.                                                                                                                                               |               |                                                     |
| Facilities         | Welf. & Inst. Code, § 1855        | Statute                  | Other                       | Requires that earnings of offenders who reside in the youth correctional center and work in the community be collected by the chief probation officer. Authorizes the chief probation officer, from the earnings of the offender, to pay the offender's board and personal expenses and such administrative costs as are allocable to him or her. Provides that any balance may be paid periodically to the offender as deemed appropriate by the chief probation officer. Requires all funds credited to the offender's account be paid to the offender upon the offender's release from juvenile court wardship or termination of his or her probation. |               |                                                     |
| Services: Process  | Welf. & Inst. Code, § 16500.5(d)  | Statute                  | Discretionary               | Authorizes the probation officer or a county welfare department social worker, pursuant to an appropriate court order, to return a dependent minor or ward of the court removed from the home pursuant to Welf. & Inst. Code, § 361, to his or her home with appropriate interagency family preservation program services.                                                                                                                                                                                                                                                                                                                                |               | Welf. & Inst. Code, § 361                           |
| Funding            | Welf. & Inst. Code, § 16500.51(c) | Statute                  | Discretionary               | Authorizes the county probation department, through an interagency agreement with the county welfare department, to refer cases to the county welfare department for the provision of services under this subdivision.                                                                                                                                                                                                                                                                                                                                                                                                                                    |               |                                                     |
| Funding            | Welf. & Inst. Code, § 16500.65(c) | Statute                  | Discretionary               | Authorizes the county probation department, through an interagency agreement with the county welfare department, to refer cases to the county welfare department for the direct provision of services under this subdivision.                                                                                                                                                                                                                                                                                                                                                                                                                             |               |                                                     |
| Governance         | Welf. & Inst. Code, § 16516(a)    | Statute                  | Mandate                     | Prohibits any probation officer or social worker acting as an officer of the court for purposes of ch. 5 ("State Child Welfare Services") (commencing with § 16500), directly or indirectly, from lobbying for, acting as a consultant, entering into a business transaction with, acquiring ownership of, or obtaining a pecuniary interest in any business that has received any funds or income from court-ordered child welfare services.                                                                                                                                                                                                             |               | Welf. & Inst. Code, ch. 5 (commencing with § 16500) |
| Services: Casework | Welf. & Inst. Code, § 16516.5(a)  | Statute                  | Mandate                     | Mandates the probation officer or county social worker to visit, at least monthly, all foster children placed in group homes by the county probation departments or county welfare departments. Requires that each visit include a private discussion between the foster child and the probation officer or the county social worker. Prohibits such discussion to be held in the presence or immediate vicinity of the group home staff. Prohibits the contents of such private discussion to be disclosed to the group home staff, and makes an exception for the disclosure of the discussion contents under specified circumstances.                  |               |                                                     |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section                                                                  | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Collaboration                                            | Reference |
|-----------------------|-------------------------------------------------------------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|-----------|
| Services:<br>Casework | Welf. & Inst. Code, § 16516.6                                                 | Statute                          | Mandate                             | Mandates the probation officer or county social worker to include a private discussion between the foster child and the probation officer or social worker during a regular visit with a child in any licensed, certified, or approved foster home. Prohibits such discussion to be held in the presence or immediate vicinity of the foster parent or caregiver. Prohibits the contents of such private discussion to be disclosed to the foster parent or caregiver, and makes an exception for the disclosure of the discussion contents under specified circumstances.                                                                                                                                                                                                                 |                                                          |           |
| Services:<br>Casework | Welf. & Inst. Code, § 16517(a)                                                | Statute                          | Mandate                             | Prohibits a probation officer or social worker acting as an officer of the court from making an out-of-home placement of a dependent or ward of the court, with the exception of any relative of the social worker or probation officer responsible for the placement of the child, with the spouse of any relative of the social worker or probation officer responsible for the placement.                                                                                                                                                                                                                                                                                                                                                                                               |                                                          |           |
| Services:<br>Casework | Welf. & Inst. Code, § 16517(b)                                                | Statute                          | Mandate                             | Prohibits any probation officer or a social worker acting as an officer of the court from receiving compensation for the out-of-home placement of a dependent or ward of the court other than the compensation received as an employee of the county or the state.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                          |           |
| Services:<br>Process  | Welf. & Inst. Code, § 16521                                                   | Statute                          | Other                               | Mandates the State Department of Social Services, in consultation with representatives of local probation departments, foster care providers, and other interested parties, to review federal and state statutes, federal requirements, and state regulations pertaining to the placement of children whose board and care is funded through the Aid to Families with Dependent Children–Foster Care program. Mandates the State Department of Social Services to develop, by January 1, 1995, regulations identifying specific initial and ongoing placement activities that must be performed by the probation department to ensure that the needs of wards in placement whose board and care is funded through the Aid to Families with Dependent Children–Foster Care program are met. | State Dept. of Social Services;<br>Foster Care Providers |           |
|                       | <i>Charles S. v. Super. Ct. of LA Co.</i>                                     | 32 Cal. 3d 741                   |                                     | The initial determination of whether to institute informal probation or to file court proceedings is at the discretion of the probation officer and may not be delegated to the prosecuting attorney. (Citing also <i>Raymond B. v. Super. Ct.</i> (1980) 102 Cal.App.3d 372, 375; and <i>Marvin F. v. Super. Ct.</i> (1977) 75 Cal.App.3d 281, 288.)                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                          |           |
|                       | <i>In re Arron C.</i>                                                         | 59 Cal. App. 4th 1365            |                                     | The juvenile probation office is, in effect, an arm of the juvenile court. In a general-law county, probation officers are appointed by and serve at the pleasure of the juvenile court judge. Probation officers are not "adjuncts of the law enforcement team"; they are more like the court employees (identified in Evans) who have "no stake in the outcome of particular criminal prosecutions." (Citing <i>Arizona v. Evans</i> (1995) 514 U.S. 1).                                                                                                                                                                                                                                                                                                                                 |                                                          |           |
|                       | <i>People v. Super. Ct. of LA Co. (Robin Hubbard, Real Party in Interest)</i> | 230 Cal. App. 3d 287             |                                     | Mandates the administrator of the Electronic Monitoring Program (EMP) program to make the determination whether a person meets the criteria to participate in the program. The administrator is not required to permit participation; the sentencing judge has only the right to restrict or deny a defendant's participation, but no authority to direct or order placement of a defendant in the EMP program.                                                                                                                                                                                                                                                                                                                                                                            |                                                          |           |

# Probation Services Task Force Laws and Mandates Chart

Sorted by:

Subject Area

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area            | Code Section              | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Collaboration                                             | Reference             |
|-------------------------|---------------------------|----------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|-----------------------|
| Appointment and Removal | Pen. Code, § 1203.6       | Statute                          | Mandate                             | Requires that the adult probation officer be appointed, and that her or she may be removed for good cause, by the judge of the superior court or, in a county with two superior court judges, by the judge who is senior in point of service, or in a superior court of more than two judges, by a majority of the judges. Provides that the board of supervisors in each county establish the salary of the probation officer. Grants the adult probation officer authority to appoint and remove all assistants, deputies, and other persons employed in his or her department and requires that the compensation be established according to the merit system or civil service system provisions of the county or, if neither merit nor civil service system exist in the county, according to the guidelines established by the county board of supervisors.                                                                                                                                                              | Local Judiciary;<br>Bd. of Sups.                          |                       |
| Appointment and Removal | Welf. & Inst. Code, § 270 | Statute                          | Mandate<br>Discretionary<br>Other   | Establishes the offices of probation officer, assistant probation officer, and deputy probation officer in each county, except as provided in Gov. Code, § 69906. Requires the probation officer to be appointed in every county. Requires the probation officers in any county to be nominated by the juvenile justice commission or regional juvenile justice commission of such county as directed by the judge of the juvenile court and then to be appointed by such judge. Gives the probation officer power to appoint as many deputies or assistant probation officers as he or she desires, and specifies that such deputies or assistant probation officers have no authority to act until their appointments have been approved by a majority vote of the members of the juvenile justice commission and by the judge of the juvenile court. Provides for the expiration of the term of office of each such deputy or assistant probation officer with the term of the probation officer who appointed him or her. | Juvenile Justice<br>Commission                            | Gov. Code, §<br>69906 |
| Appointment and Removal | Welf. & Inst. Code, § 270 | Statute                          | Mandate<br>Discretionary<br>Other   | Gives the probation officer authority to revoke and terminate any appointment of any deputy or assistant probation officer with the written approval of the majority of the members of the juvenile justice commission and of the judge of the juvenile court. Provides that probation officers may be removed at any time by the judge of the juvenile court for good cause shown. Provides that probation officers may be removed at any time by the judge of the juvenile court with the written approval of a majority of the members of the juvenile justice commission.                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Juvenile Justice<br>Commission;<br>Judge of Juv.<br>Court |                       |
| Appointment and Removal | Welf. & Inst. Code, § 271 | Statute                          | Other                               | Provides that in counties having charters or merit or civil service systems that provide a method of appointment and tenure of office for probation officers, assistant probation officers, deputy probation officers, and other employees of the juvenile hall, such charter or merit or civil service system provisions should control as to such matters. Provides that in all other counties the method of appointment and tenure of office for probation officers, assistant probation officers, deputy probation officers, and other employees of the juvenile hall is to be controlled exclusively by the provisions of the Welf. & Inst. Code.                                                                                                                                                                                                                                                                                                                                                                        |                                                           |                       |
| Appointment and Removal | Welf. & Inst. Code, § 854 | Statute                          | Mandate                             | Requires that the superintendent and other employees of the juvenile hall be appointed by the probation officer, and that they may be removed for cause, pursuant to a civil service or merit system.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                           |                       |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area                                   | Code Section            | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Collaboration    | Reference                           |
|------------------------------------------------|-------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------------|
| Appointment and Removal in Contra Costa County | Gov. Code, § 73357      | Statute                          |                                     | Provides that municipal court judicial districts in the county of Contra Costa may have no more than four court probation officers for all districts in total. Requires that the court probation officers be appointed by a majority of the judges of the court, or by the presiding judge in a two-judge court, to which the probation officer is appointed. Specifies that probation officers report directly to the judges of the district to which they are appointed. Gives court probation officers in the Contra Costa county authority to exercise all of the powers within the jurisdiction of the court and under the direction of the judges, and gives the probation officer power to perform all of the duties of a deputy probation officer. | County Judiciary |                                     |
| Appointment and Removal in Mendocino County    | Gov. Code, § 69906.5    | Statute                          | Mandate                             | Provides that notwithstanding Welf. & Inst. Code, § 270, the offices of assistant probation officer and deputy probation officer, or either of them, in Mendocino County, can exist only if established by an ordinance adopted by the board of supervisors. Specifies that the probation officer may appoint one or more deputy or assistant probation officers only if the positions have been authorized by the board of supervisors.                                                                                                                                                                                                                                                                                                                   | Bd. of Sups.     | Welf. & Inst. Code, § 270           |
| Compensation: Retirement                       | Gov. Code, § 31469.4    | Statute                          | Other                               | Includes probation officers employed in juvenile hall, who are primarily engaged in the control and custody of delinquent youths who must be detained under physical security in order not to be harmful to themselves or others, within the definition of a <i>safety member</i> . Specifies that the provision of Gov. Code, § 31469, cannot be applicable in any county until the board of supervisors makes the provisions applicable by resolution.                                                                                                                                                                                                                                                                                                   | Bd. of Sups.     | Gov. Code, § 31469                  |
| Compensation: Retirement                       | Gov. Code, § 31469.5(a) | Statute                          | Other                               | Requires the applicability of this section in the retirement system of a county of the 10th class, as defined by Gov. Code, §§ 28020, 28031, as amended by ch. 1204 of the Statutes of 1971, if the board of supervisors executes a memorandum of understanding with the employee representatives, and if the board of supervisors adopts, by majority vote, a resolution providing for safety status for probation officers, as provided in Gov. Code, § 31469.4.                                                                                                                                                                                                                                                                                         | Bd. of Sups.     | Gov. Code, §§ 28020, 28031, 31469.4 |
| Compensation: Retirement                       | Gov. Code, § 31469.5(b) | Statute                          | Mandate<br>Other                    | Provides that the purpose of this section is to provide optional safety status for probation officers employed on or before March 1, 1991. Requires that, notwithstanding Gov. Code, § 31558.6, the optional safety status provision be exercised within 120 days from the effective date of the implementation of Gov. Code, § 31469.4, together with the option to receive credit as a safety member for all or part of the time during which his or her duties would have made him or her eligible to become a safety member, if this section had then been in effect.                                                                                                                                                                                  |                  | Gov. Code, §§ 31558.6, 31469.4      |
| Compensation: Retirement                       | Gov. Code, § 31469.5(c) | Statute                          | Other                               | Requires that the retirement benefits of existing probation officers who elect to transfer from general membership in the county retirement system to safety membership be implemented pursuant to Gov. Code, § 31484.5. Outlines exceptions to the requirement that the retirement benefits of those probation officers that transfer to safety membership be implemented pursuant to Gov. Code, § 31484.5.                                                                                                                                                                                                                                                                                                                                               |                  | Gov. Code, § 31484.5                |
| Compensation: Retirement                       | Gov. Code, § 31469.5(d) | Statute                          | Other                               | Requires the transfer of all probation officers from Tier III to Tier II if they elect to transfer from general membership in the county retirement system to safety membership, regardless of their status prior to selecting Tier III benefits.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                  |                                     |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area                | Code Section                | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Collaboration                        | Reference                    |
|-----------------------------|-----------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------|
| Compensation:<br>Retirement | Gov. Code, § 31469.5(e)     | Statute                          | Other                               | Requires all persons hired after the effective date of implementation of Gov. Code, § 31469.4, to have, upon retirement, his or her cost-of-living allowance and final compensation computed in accordance with this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                      | Gov. Code, § 31469.4         |
| Facilities                  | Welf. & Inst. Code, § 207.5 | Statute                          | Other                               | Makes it a misdemeanor for anyone to misrepresent or falsely identify himself or herself either verbally or by presenting any fraudulent written instrument to any probation officer, among other specified entities, for the purpose of securing admission to the premises or grounds of any juvenile hall, ranch, or camp, or to gain access to any minor detained there, and who would not otherwise qualify for admission or access.                                                                                                                                                                                                                                                                                                                               |                                      |                              |
| Facilities                  | Welf. & Inst. Code, § 282   | Statute                          | Other                               | Gives the judge of the juvenile court authority to require the probation officer, at any time and upon the request of the county board of supervisors, to look into and report to the court on the qualifications and management of any society, association, or corporation, other than a state institution, that applies for or receives custody of any ward or dependent child of the juvenile court. Prohibits any probation officer from entering any institution without its consent, and prohibits commitments to institutions that refuse such consent.                                                                                                                                                                                                        | Bd. of Sups.;<br>Juv. Court<br>Judge |                              |
| Facilities                  | Welf. & Inst. Code, § 636.2 | Statute                          | Discretionary                       | Gives the probation officer discretionary authority to operate and maintain nonsecure detention facilities, or to contract with public or private agencies offering such services, for those minors who are not considered escape risks and are not considered a danger to themselves or to the person or property of another. Specifies criteria to be considered for detention in such facilities. Provides that a minor who leaves such nonsecure detention facility without permission may be housed in a secure facility following his apprehension, pending a detention hearing pursuant to Welf. & Inst. Code, § 632.                                                                                                                                           | Public or Private<br>Agencies        | Welf. & Inst.<br>Code, § 632 |
| Facilities                  | Welf. & Inst. Code, § 852   | Statute                          | Other                               | Places the juvenile hall under the management and control of the probation officer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                      |                              |
| Facilities                  | Welf. & Inst. Code, § 855   | Statute                          | Mandate                             | Mandates the probation officer to keep a classified list of expenses for the operation of the juvenile hall and to file a duplicate copy with the county board of supervisors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                      |                              |
| Facilities                  | Welf. & Inst. Code, § 862   | Statute                          | Discretionary                       | Gives the probation officer authority to receive and detain in the county juvenile hall, for no more than three judicial days in the absence of a valid detention order issued by a federal court, any juvenile committed thereto by process or order issued under the authority of the United States, until such juvenile is discharged according to law as if he had been committed under process issued under the authority of this state. Gives juveniles detained pursuant to this section all the rights, powers, privileges, and duties that are afforded juveniles detained pursuant to the laws of this state, and requires that juveniles detained pursuant to this section receive the same treatment as juveniles detained pursuant to laws of this state. |                                      |                              |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area | Code Section                 | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Collaboration | Reference                                                                                  |
|--------------|------------------------------|----------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------------------------------------------|
| Facilities   | Welf. & Inst. Code, § 870    | Statute                          | Other                               | Authorizes two or more counties, pursuant to art. 1 (commencing with § 6500) of ch. 5 of div. 7 of tit. 1 of Gov. Code, to establish and operate a joint juvenile hall. Places such joint juvenile hall under the management and control of the probation officers, acting jointly, of the participating counties, or of one of such probation officers as provided by the agreement among the counties. Places the managing probation officer or officers in charge of a superintendent selected pursuant to a civil service or merit system. Requires that a joint juvenile hall be operated in the manner prescribed by ch. 2 ("Juvenile Court Law") of pt. 1 of div. 2 of Welf. & Inst. Code.                                                   |               | Gov. Code, art. 1 of ch. 5 of div. 7, § 6500; Welf. & Inst. Code, div. 2 of pt. 1 of ch. 2 |
| Facilities   | Welf. & Inst. Code, § 873(a) | Statute                          | Discretionary                       | Authorizes the chief probation officer of the county, upon approval of the board of supervisors, to establish, maintain, and operate a store in connection with the juvenile hall or other county juvenile facilities. Authorizes the chief probation officer, upon approval of the board of supervisors, to purchase various goods, articles, and supplies, and to sell such goods, articles, and supplies for cash, to wards and detainees confined in the juvenile hall or other county juvenile facilities.                                                                                                                                                                                                                                     | Bd. of Sups.  |                                                                                            |
| Facilities   | Welf. & Inst. Code, § 873(b) | Statute                          | Other                               | Requires that the sale prices of the articles offered for sale at the store established pursuant to subd. (a) be fixed by the chief probation officer. Requires any profit acquired as a result of such sale to be deposited in a Ward Welfare Fund, which is required to be established in the treasury of the county.                                                                                                                                                                                                                                                                                                                                                                                                                             |               |                                                                                            |
| Facilities   | Welf. & Inst. Code, § 873(c) | Statute                          | Other                               | Requires a deposit of 10 percent of all gross sales of confined minor hobbycraft into the Ward Welfare Fund.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |               |                                                                                            |
| Facilities   | Welf. & Inst. Code, § 873(d) | Statute                          | Other                               | Requires a deposit of any money, refund, rebate, or commission received from a telephone company or pay telephone provider into the Ward Welfare Fund, when such money, refund, rebate, or commission is attributable to the use of pay telephones that are primarily used by confined wards or detainees while incarcerated.                                                                                                                                                                                                                                                                                                                                                                                                                       |               |                                                                                            |
| Facilities   | Welf. & Inst. Code, § 873(e) | Statute                          | Mandate                             | Mandates the chief probation officer to expend the money and property deposited in the Ward Welfare Fund primarily for the benefit, education, and welfare of the wards and detainees confined within the juvenile hall or other county juvenile facilities. Authorizes the chief probation officer to expend any funds that are not needed for the welfare of the confined wards and detainees at his or her sole discretion for the maintenance of county juvenile facilities. Specifies that maintenance of the juvenile hall or other county juvenile facilities may include, but is not limited to, education, drug and alcohol treatment, welfare, library, accounting, and other programs deemed appropriate by the chief probation officer. |               |                                                                                            |
| Facilities   | Welf. & Inst. Code, § 873(f) | Statute                          | Other                               | Places the operation of a store within any other county juvenile detention facility that is not under the jurisdiction of the chief probation officer under the governance of provisions of this section, except that the board of supervisors are is to designate the proper county official to exercise the duties otherwise allocated in this section to the chief probation officer.                                                                                                                                                                                                                                                                                                                                                            | Bd. of Sups.  |                                                                                            |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area | Code Section                 | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Collaboration | Reference            |
|--------------|------------------------------|----------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------|
| Facilities   | Welf. & Inst. Code, § 873(h) | Statute                          | Discretionary                       | Authorizes the chief probation officer to expend money from the Ward Welfare Fund to provide indigent wards and detainees, prior to release from the juvenile hall, any county juvenile facility, or other juvenile detention facility under the jurisdiction of the chief probation officer, with essential clothing and transportation expenses within the county or, at the discretion of the chief probation officer, transportation to the minor's county of residence if the county is within the state or 500 miles from the county of incarceration. Specifies that this subdivision does not authorize expenditure of money from the Ward Welfare Fund for the transfer of any ward or detainees to the custody of any other law enforcement official or jurisdiction. |               |                      |
| Facilities   | Welf. & Inst. Code, § 1852   | Statute                          | Other                               | Mandates the board of supervisors to place responsibility for internal management of the youth correctional center with the chief probation officer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Bd. of Sups.  |                      |
| Facilities   | Welf. & Inst. Code, § 1854   | Statute                          | Other                               | Places the offender under the control of the chief probation officer while under commitment to the youth correctional center. Specifies that the offender may be confined to the center at all times. Provides that the offender may be released for brief periods to work, attend school, or engage in educational or recreational pursuits. Provides that the offender may be allowed to live in the community and return to the center for specific services as directed by the chief probation officer.                                                                                                                                                                                                                                                                     |               |                      |
| Facilities   | Welf. & Inst. Code, § 1855   | Statute                          | Other                               | Requires that earnings of offenders who reside in the youth correctional center and work in the community be collected by the chief probation officer. Authorizes the chief probation officer, from the earnings of the offender, to pay the offender's board and personal expenses and such administrative costs as are allocable to him or her. Provides that any balance may be paid periodically to the offender as deemed appropriate by the chief probation officer. Requires all funds credited to the offender's account be paid to the offender upon the offender's release from juvenile court wardship or termination of his or her probation.                                                                                                                       |               |                      |
| Funding      | Pen. Code, § 1203.1(k)       | Statute                          | Other                               | Requires that all fines collected by a county probation officer as a condition of the granting of probation or as a part of the terms of probation be paid into the county treasury and placed in the general fund for the use and benefit of the county, except as specified.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |               | Gov. Code, § 13967   |
| Funding      | Pen. Code, § 1203.1b(g)      | Statute                          | Other                               | Allocates all sums paid by defendants pursuant to Pen. Code, § 1203.1b, for the operation of the county probation department.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               | Pen. Code, § 1203.1b |
| Funding      | Pen. Code, § 1203.1b(h)      | Statute                          | Other                               | Provides that the board of supervisors in any county may by resolution establish a fee not to exceed \$50 for the processing of payments made in installments to the probation department pursuant to Pen. Code, § 1203.1b.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Bd. of Sups.  | Pen. Code, § 1203.1b |
| Funding      | Pen. Code, § 1203.1bb(g)     | Statute                          | Other                               | Requires all sums paid by a defendant pursuant to this section to be allocated for the operating expenses of the county probation department.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                      |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area | Code Section                 | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Collaboration                    | Reference             |
|--------------|------------------------------|----------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-----------------------|
| Funding      | Pen. Code, § 1203.73         | Statute                          | Other                               | Provides that the probation officers and deputy probation officers in all counties of the state are allowed such necessary incidental expenses incurred in the performance of their duties as may be authorized by a judge of the superior court, which should be a charge upon the county. Specifies that in counties in which the probation officer is appointed by the board of supervisors, the expenses are to be authorized by the probation officer and audited and paid in the same manner as other county claims.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                  |                       |
| Funding      | Pen. Code, § 1203.74         | Statute                          | Mandate                             | Mandates the probation officer to notify immediately the presiding judge of the superior court and the board of supervisors of the county in writing upon a determination that, in his or her opinion, staff and financial resources available to him or her are insufficient to meet statutory or court ordered responsibilities. Specifies that the notification should explain which responsibilities cannot be met and what resources are necessary in order that statutory or court-ordered responsibilities can be properly discharged.                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Local Judiciary;<br>Bd. of Sups. |                       |
| Funding      | Welf. & Inst. Code, § 275    | Statute                          | Mandate                             | Mandates the probation officer or other county officer designated by the board of supervisors to keep suitable books and accounts and to give and keep suitable receipts and vouchers.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Bd. of Sups.                     |                       |
| Funding      | Welf. & Inst. Code, § 276    | Statute                          | Discretionary<br>Mandate            | Gives the probation officer authority to receive money payable to the county when ordered to do so by a court of competent jurisdiction, and requires that such money be deposited or invested in the same manner as the other items set forth in this section. Mandates the probation officer to pay into the county treasury all money collected by him or her under his or her control during the preceding month that is payable into the treasury in conformity with Gov. Code, § 24353, if a bank account or savings and loan association investment certificate or share account is authorized pursuant to this section.                                                                                                                                                                                                                                                                                                                                                                       |                                  | Gov. Code, §<br>24353 |
| Funding      | Welf. & Inst. Code, § 276(a) | Statute                          | Discretionary<br>Other              | Gives the probation officer authority to receive money payable to spouse or child in an action for divorce, separate maintenance, or similar action, together with court costs, upon order of a court of competent jurisdiction. Gives the probation officer authority to give his or her receipt for such money received; to deposit or invest such money as soon as practicable in the county treasury, in a commercial bank account designated and approved for such a purpose by the board of supervisors, or in investment certificates or share accounts issued by a savings and loan association doing business in this state, insured by the Federal Savings and Loan Insurance Corporation, and designated and approved for such purpose by the board of supervisors; and to direct the disbursement of such money received. Gives the court authority to designate a bonded employee of the court to act as court trustee for the receipt and disbursement of money under this subdivision. | Bd. of Sups.                     |                       |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area | Code Section                 | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Collaboration | Reference                     |
|--------------|------------------------------|----------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------|
| Funding      | Welf. & Inst. Code, § 276(b) | Statute                          | Discretionary<br>Other              | Gives the probation officer authority to receive money payable to or on behalf of a ward or dependent child of the juvenile court or a person concerning whom a petition has been filed in the juvenile court. Gives the probation officer authority to give his or her receipt for such money received; to deposit or invest such money as soon as practicable in the county treasury, in a commercial bank account designated and approved for such a purpose by the board of supervisors, or in investment certificates or share accounts issued by a savings and loan association doing business in this state, insured by the Federal Savings and Loan Insurance Corporation, and designated and approved for such purpose by the board of supervisors; and to direct the disbursement of such money received. Gives the probation officer authority to petition the court for approval of any past or prospective disbursement. | Bd. of Sup.   |                               |
| Funding      | Welf. & Inst. Code, § 276(c) | Statute                          | Discretionary<br>Other              | Gives the probation officer authority to receive money payable to, by, or on behalf of probationers under the supervision of the probation officer. Gives the probation officer authority to give his or her receipt for such money received; to deposit or invest such money as soon as practicable in the county treasury, in a commercial bank account designated and approved for such a purpose by the board of supervisors, or in investment certificates or share accounts issued by a savings and loan association doing business in this state, insured by the Federal Savings and Loan Insurance Corporation, and designated and approved for such purpose by the board of supervisors; and to direct the disbursement of such money received. Gives the probation officer authority to petition the court for approval of any past or prospective disbursement.                                                            | Bd. of Sup.   |                               |
| Funding      | Welf. & Inst. Code, § 276(d) | Statute                          | Discretionary<br>Other              | Gives the probation officer authority to receive money payable to a child, wife, or indigent parent when it has been alleged or claimed that there has been a violation of Pen. Code, § 270, 270a, or 270c, and the matter has been referred to the probation officer by the district attorney. Gives the probation officer authority to give his or her receipt for such money received; to deposit or invest such money as soon as practicable in the county treasury, in a commercial bank account designated and approved for such a purpose by the board of supervisors, or in investment certificates or share accounts issued by a savings and loan association doing business in this state, insured by the Federal Savings and Loan Insurance Corporation, and designated and approved for such purpose by the board of supervisors; and to direct the disbursement of such money received.                                  | Dist. Atty.   | Pen. Code, §§ 270, 270a, 270c |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area | Code Section                      | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Collaboration | Reference                                                   |
|--------------|-----------------------------------|----------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------------------------|
| Funding      | Welf. & Inst. Code, § 276(e)      | Statute                          | Discretionary<br>Other              | Gives the probation officer authority to receive gifts of money made to the county to assist in the prevention or correction of delinquency or crime when the donor requests the probation officer to disburse such funds for such purposes and the board of supervisors accepts the gift upon such conditions. Gives the probation officer authority to give his or her receipt for such money received; to deposit or invest such money as soon as practicable in the county treasury, in a commercial bank account designated and approved for such a purpose by the board of supervisors, or in investment certificates or share accounts issued by a savings and loan association doing business in this state, insured by the Federal Savings and Loan Insurance Corporation, and designated and approved for such purpose by the board of supervisors; and to direct the disbursement of such money received. | Bd. of Sup.   |                                                             |
| Funding      | Welf. & Inst. Code, § 277         | Statute                          | Discretionary<br>Mandate            | Gives the probation officer authority to authorize the sale of articles of handiwork made by wards under the jurisdiction of the probation officer to the public at probation institutions, in public buildings, at fairs, or on property operated by nonprofit associations. Requires the cost of any county materials or other property consumed in the manufacture of articles to be paid for out of funds received from the sale of the articles, and the remainder of any funds received from the sale to be placed in the ward's trust account pursuant to Welf. & Inst. Code, § 276, subd. (b).                                                                                                                                                                                                                                                                                                               |               | Welf. & Inst. Code, § 276(b)                                |
| Funding      | Welf. & Inst. Code, § 278         | Statute                          | Other                               | Gives the board of supervisors authority to delegate to the auditor or other county officer any of the functions of the probation officer authorized by Welf. & Inst. Code, § 276, and required by Code Civ. Proc., §§ 1685–1687, inclusive.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Bd. of Sup.   | Welf. & Inst. Code, § 276;<br>Code Civ. Proc., §§ 1685–1687 |
| Funding      | Welf. & Inst. Code, § 740(d)      | Statute                          | Other                               | Mandates the county of residence, if a minor is placed in a community care facility out of his or her county of residence and is then arrested and placed in juvenile hall pending a jurisdictional hearing, to pay to the probation department of the county of placement all reasonable costs resulting directly from the minor's stay in the juvenile hall, provided that these costs exceed \$100.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |                                                             |
| Funding      | Welf. & Inst. Code, § 740(e)      | Statute                          | Other                               | Mandates the county of residence, if a minor is remanded back to his or her county of residence as a result of the hearing in subd. (d), to pay to the probation department of the county of placement all reasonable costs resulting directly from transporting the minor to the county of residency in addition to any payment made pursuant to subd. (d), provided that these costs exceed \$100.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                                                             |
| Funding      | Welf. & Inst. Code, § 740(e)      | Statute                          | Other                               | Requires that claims made by the probation department in the county of placement to the county of residence, pursuant to subds. (d) and (e) of this section, to be paid within 30 days of the submission of these claims. Specifies that the probation department in the county of placement should bear the remaining expense.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |                                                             |
| Funding      | Welf. & Inst. Code, § 16500.51(c) | Statute                          | Discretionary                       | Authorizes the county probation department, through an interagency agreement with the county welfare department, to refer cases to the county welfare department for the provision of services under this subdivision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |                                                             |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area | Code Section                      | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Collaboration | Reference                                   |
|--------------|-----------------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------------------------------------|
| Funding      | Welf. & Inst. Code, § 16500.65(c) | Statute                          | Discretionary                       | Authorizes the county probation department, through an interagency agreement with the county welfare department, to refer cases to the county welfare department for the direct provision of services under this subdivision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |                                             |
| Governance   | Gov. Code, § 1481.1               | Statute                          | Discretionary                       | Gives the board of supervisors of a county, for the purposes of Gov. Code, § 1481, the appointing power of the adult probation officer and his or her assistants and deputies. States that the adult probation officer and his or her assistants and deputies are deemed to be employees of the county in which they are appointed and provides for their inclusion as covered employees in any master bond used in such county.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Bd. of Sups.  | Gov. Code, § 1481                           |
| Governance   | Pen. Code, § 1202.7               | Statute                          | Other                               | Makes legislative findings and declarations of the probation services as an essential element in the administration of criminal justice. Identifies safety of the public through the enforcement of court-ordered conditions as the primary goal of probation. Also identifies primary considerations in granting probation as the nature of the offense; the interests of justice, including punishment, reintegration of the offender into the community, and enforcement of conditions of probation; the loss to the victim; the needs of the defendant; and the safety of the public.                                                                                                                                                                                                                                                                                                                                    |               |                                             |
| Governance   | Pen. Code, § 1203.016(h)          | Statute                          | Other                               | Defines <i>correctional administrator</i> , for the purposes of Pen. Code, § 1203.016, and specifies the probation officer as one of the entities included in the definition.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |                                             |
| Governance   | Pen. Code, § 1203.5               | Statute                          | Other                               | Creates the offices of adult probation officer, assistant adult probation officer, and deputy adult probation officer. Defines the probation officers, assistant probation officers, and deputy probation officers appointed in accordance with ch. 2 of div. 2 of pt. 1 of Welf. & Inst. Code as ex officio adult probation officers, assistant adult probation officers, and deputy adult probation officers, except in any county or city and county whose charter provides for the separate office of adult probation officer. Specifies that an adult probation officer perform the duties of the probation officer, except for matters under the jurisdiction of the juvenile court, where the separate office of adult probation officer has been established. Permits any adult probation officer to accept appointment as a member of the Board of Corrections in addition to duties as an adult probation officer. |               | Welf. & Inst. Code, ch. 2 of div. 2 of pt.1 |
| Governance   | Pen. Code, § 1203.71              | Statute                          | Discretionary<br>Other              | Authorizes a deputy probation officer to perform any of the duties of the probation officer, and mandates the deputy probation officer to perform any of such duties whenever detailed to perform those by the probation officer. Makes it a duty of the probation officer to see that the deputy probation officer performs his or her duties. Provides that the probation officer and each deputy probation officer should have, with respect to the person committed to the care of the probation officer or deputy probation officer, the powers of a peace officer. Specifies that the probation officers and deputy probation officers are to serve as such probation officers in all courts having original jurisdiction over criminal actions in this state.                                                                                                                                                         |               |                                             |
| Governance   | Pen. Code, § 1208.2(a)(2)         | Statute                          | Other                               | Includes the probation officer in the definition of <i>administrator</i> as used in this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |               |                                             |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area | Code Section                 | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Collaboration                                | Reference                                          |
|--------------|------------------------------|----------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|----------------------------------------------------|
| Governance   | Welf. & Inst. Code, § 202.5  | Statute                          | Mandate                             | Mandates the duties of the probation officer to be deemed social service with respect to minors alleged or adjudged to be dependent children of the court as described by Welf. & Inst. Code, § 300, whether or not the board of supervisors delegated to the county welfare department all or part of such duties of the probation officer pursuant to Welf. & Inst. Code, § 272. States that the probation officer's social service duties to such dependent children of the court are subject to the administration, supervision, and regulations of the State Department of Social Services.                | Bd. of Sups.;<br>Dept. of Social<br>Services | Welf. & Inst.<br>Code, §§ 272,<br>300              |
| Governance   | Welf. & Inst. Code, § 240    | Statute                          | Other                               | Sets up a probation commission consisting of not less than seven members to be appointed by the same authority authorized to appoint the probation officer, in lieu of a county juvenile justice commission in counties with a population in excess of 6 million.                                                                                                                                                                                                                                                                                                                                               |                                              |                                                    |
| Governance   | Welf. & Inst. Code, § 241    | Statute                          | Other                               | Provides that the members of a probation commission appointed and holding office under prior provisions of law on January 1, 1997, should continue in office and should be members of the probation commission created for the same term as that for which they were appointed.                                                                                                                                                                                                                                                                                                                                 |                                              |                                                    |
| Governance   | Welf. & Inst. Code, § 242    | Statute                          | Other                               | Provides that the members of the probation commission are to hold office for four years, and until their successors are appointed and qualify. Specifies the duration of the respective terms of the members and requires that the terms be determined by lot as soon as possible after members' appointment. Specifies the appointment guidelines for filling vacancies.                                                                                                                                                                                                                                       |                                              |                                                    |
| Governance   | Welf. & Inst. Code, § 243    | Statute                          | Other                               | Identifies the probation commission as an advisory entity to the probation officer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Prob.<br>Commission                          |                                                    |
| Governance   | Welf. & Inst. Code, § 272(a) | Statute                          | Other                               | Gives the board of supervisors authority to delegate all or part of the duties of the probation officer concerning dependent children described in Welf. & Inst. Code, § 300, to the county welfare department.                                                                                                                                                                                                                                                                                                                                                                                                 | Bd. of Sups.                                 | Welf. & Inst.<br>Code, § 300                       |
| Governance   | Welf. & Inst. Code, § 274    | Statute                          | Mandate<br>Other                    | Requires each probation officer and each assistant and deputy probation officer receiving an official salary to furnish a bond in the sum of not more than \$2,000 and approved by the judge of the juvenile court, conditioned for the faithful discharge of the duties of his or her office. Specifies that such premium should be paid out of the county treasury if it is furnished by a surety company. Provides that such individual bonds are not required if the probation officer, assistants, and deputies are included as covered employees in a master bond pursuant to Gov. Code, §§ 1481, 1481.1. |                                              | Gov. Code, §§<br>1481, 1481.1                      |
| Governance   | Welf. & Inst. Code, § 283    | Statute                          | Other                               | Gives every probation officer, assistant probation officer, and deputy probation officer powers and authority conferred by law upon peace officers listed in Pen. Code, § 830.5.                                                                                                                                                                                                                                                                                                                                                                                                                                |                                              | Pen. Code, §<br>830.5                              |
| Governance   | Welf. & Inst. Code, § 286    | Statute                          | Mandate                             | Provides that any person lawfully appointed to serve as a probation officer or assistant or deputy probation officer prior to the effective date of this section should continue in his or her office or employment as if appointed in the manner prescribed by art. 5 of ch. 2 of pt. 1 of Welf. & Inst. Code (commencing with § 270).                                                                                                                                                                                                                                                                         |                                              | Welf. & Inst.<br>Code, art. 5 of<br>ch. 2 of pt. 1 |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area                | Code Section                   | Statute/Regulation/Rules | Mandate/Discretionary/Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                   | Collaboration                                                           | Reference                                           |
|-----------------------------|--------------------------------|--------------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|-----------------------------------------------------|
| Governance                  | Welf. & Inst. Code, § 16516(a) | Statute                  | Mandate                     | Prohibits any probation officer or social worker acting as an officer of the court for purposes of ch. 5 ("State Child Welfare Services") (commencing with § 16500), directly or indirectly, from lobbying for, acting as a consultant, entering into a business transaction with, acquiring ownership of, or obtaining a pecuniary interest in any business that has received any funds or income from court-ordered child welfare services. |                                                                         | Welf. & Inst. Code, ch. 5 (commencing with § 16500) |
| Prevention                  | Pen. Code, § 1203.13           | Statute                  | Discretionary               | Allows the probation officer of any county to establish, or assist in the establishment of, any public council or committee having as its object the prevention of crime. Permits the probation officer to cooperate with or participate in the work of any such councils or committees for the purpose of preventing or decreasing crime, including the improvement of recreational, health, and other conditions in the community.          | Community                                                               |                                                     |
| Prevention                  | Pen. Code, § 1203.14           | Statute                  | Discretionary               | Allows probation departments to engage in activities, including the rendering of direct and indirect services to persons in the community, designed to prevent adult delinquency. Specifies that probation departments not be limited to provision of services only to those persons on probation being supervised under Pen. Code, § 1203.10, and that probation departments may provide services to any adults in the community.            |                                                                         | Pen. Code, § 1203.10                                |
| Prevention and Intervention | Welf. & Inst. Code, § 601.5(b) | Statute                  | Other                       | Includes the probation department in a collaborative group mandated to design and develop the At-Risk Youth Early Intervention Program, which is designed to assess and serve families with children who have chronic behavioral problems that place the child at risk of becoming a ward of the juvenile court under Welf. & Inst. Code, § 601 or 602.                                                                                       | Juv. Court.; DA; PD; DSS; COE; County Mental Health; CBOs               | Welf. & Inst. Code, §§ 601, 602                     |
| Prevention and Intervention | Welf. & Inst. Code, § 601.5(c) | Statute                  | Other                       | Requires that the At-Risk Youth Early Intervention Program include one or more neighborhood-based Youth Referral Centers for at-risk youth and their families and provides that the center may be staffed as a collaborative services model involving probation officers among other entities.                                                                                                                                                | Probation Officers; School Officers; Mental Health or Service Providers |                                                     |
| Prevention and Intervention | Welf. & Inst. Code, § 601.5(d) | Statute                  | Other                       | Names the probation officer as one of the entities that may refer a minor to a youth referral center. Specifies that a minor may be referred to the program if the minor is at least 10 years of age and is believed by the referring source to be at risk of justice system involvement due to specified problems.                                                                                                                           |                                                                         |                                                     |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area                | Code Section                      | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Collaboration | Reference                                                                                 |
|-----------------------------|-----------------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------------------------------------------------------|
| Prevention and Intervention | Welf. & Inst. Code, § 601.5(g)    | Statute                          | Mandate<br>Other                    | Mandates the probation department to file a petition seeking to declare the minor a ward of the juvenile court under Welf. & Inst. Code, § 601, subd. (a), if the supervising caseworker at the center and the liaison probation officer, upon consultation with the minor's parents and with providers designated in the service plan, agree that the minor has willfully, significantly, and repeatedly failed to cooperate with the service plan. Prohibits the referral of any minor to the probation department for the filing of a petition under this subdivision until at least 90 days have elapsed after the first attempt to implement the service plan. Specifies that no minor should be subject to filing of a petition under this subdivision for a failure to complete the service plan that is due principally to an inability of the minor or the family to pay for the services listed in the service plan. |               | Welf. & Inst. Code, § 601(a)                                                              |
| Services:<br>Casework       | Cal. Rules of Court, rule 4.411.5 | Regulation                       | Mandate                             | Outlines the specific information that a probation officer is required to include in a presentence investigation report in a felony case with any other additional information.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |                                                                                           |
| Services:<br>Casework       | Fam. Code, § 1817                 | Statute                          | Mandate                             | Mandates the probation officer in every county to give assistance to the family conciliation court and to make investigations and reports that the court may request, to carry out the purposes of Pen. Code, pt. 1; also "Family Conciliation Court Law" of div. 5 (commencing with § 1800).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |               | Fam. Code, pt. 1; also "Family Conciliation Court Law" of div. 5 (commencing with § 1800) |
| Services:<br>Casework       | Pen. Code, § 273.1(b)             | Statute                          | Mandate                             | Mandates the probation officer to recalendar the case for hearing or refer the defendant to an appropriate alternative child abuser's treatment counseling program if any treatment program to which a child abuser is referred finds that the defendant is unsuitable and the treatment program contacts the probation department or the court.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |                                                                                           |
| Services:<br>Casework       | Pen. Code, § 1191.1               | Statute                          | Mandate                             | Mandates the probation officer to give adequate notice of all sentencing proceedings concerning the person who committed the crime to the victim, or the parents or guardians of the victim who is a minor, or the next of kin of the victim if the victim has died.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |               |                                                                                           |
| Services:<br>Casework       | Pen. Code, § 1191.2               | Statute                          | Mandate                             | Requires that the probation officer provide the victim for whom the probation officer has a current mailing address, and in addition to the notice of all sentencing proceedings concerning the person who committed the crime pursuant to Pen. Code, § 1911.1, with information in written form concerning the victim's right to civil recovery against the defendant; the requirement that the court order restitution for the victim; the victim's right to receive a copy of the restitution order from the court and to enforce the restitution order as a civil judgment; the victim's responsibility to furnish the probation department, district attorney, and court with information relevant to his or her losses; and the victims' opportunity to be compensated from the Restitution Fund if eligible under art. 1 of ch. 5 of pt. 4 of div. 3 of tit. 2 of Gov. Code.                                            |               | Pen. Code, § 1911.1; Gov. Code, art. 1 of ch. 5 of pt. 4 of div. 3 of tit. 2              |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section            | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Collaboration     | Reference                              |
|-----------------------|-------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|----------------------------------------|
| Services:<br>Casework | Pen. Code, § 1191.3     | Statute                          | Mandate                             | Mandates the probation officer to provide, at the time of sentencing in all felony convictions, a general estimate of the conduct and work-time credits to which the defendant may be entitled for previous time served and the conduct or work-time credits authorized under Pen. Code, § 2931, 2933, or 4019. Mandates the probation officer to inform the victim of such general estimate of the credits pursuant to Pen. Code, § 1191.1. Mandates the probation officer to file with the court this estimate, which subsequently becomes a part of the court record.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                   | Pen. Code, §§ 2931, 2933, 4019, 1191.1 |
| Services:<br>Casework | Pen. Code, § 1202.8(a)  | Statute                          | Other                               | Assigns persons placed on probation by a court under the supervision of the county probation officer and requires the probation officer to determine both the level and type of supervision consistent with the court-ordered conditions of probation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                   |                                        |
| Services:<br>Casework | Pen. Code, § 1202.8(b)  | Statute                          | Mandate                             | Requires the probation officer to establish, within 30 days of a court making an order to provide restitution to a victim or to the Restitution Fund, an account into which any restitution payments that are not deposited into the Restitution Fund are to be deposited.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                   |                                        |
| Services:<br>Casework | Pen. Code, § 1203(c)    | Statute                          | Mandate                             | Requires that the probation officer discuss the contents of the probation report with the defendant if a defendant is not represented by an attorney.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                   |                                        |
| Services:<br>Casework | Pen. Code, § 1203.03(c) | Statute                          | Discretionary                       | Provides that the probation officer may retain a copy of the diagnosis and recommendations report concerning the disposition of a defendant's case, prepared by the director of the Department of Corrections, for the purpose of supervision of the defendant if the defendant is placed on probation by the court. Requires the probation officer to return the copy of the report to the sealed file upon the completion or termination of probation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Dept. of Correct. |                                        |
| Services:<br>Casework | Pen. Code, § 1203.10    | Statute                          | Mandate                             | Mandates the probation officer, when directed by the court, to inquire into the antecedents, character, history, family environment, and offense of the defendant over 18 years of age at the time of the plea or verdict of guilty, and provides that the probation officer must report his or her findings to the court, including a recommendation for or against the defendant on probation, and must file the report in writing in the records of such court. Mandates the probation officer to keep a complete and accurate record in writing, which is part of the court record and is required to be made available to the court and other specified parties, of the history of the case in court, the name of the probation officer and his or her act in connection with said case, specified data about the person committed to probation officer's care, and the result of such probation. Specifies that the probation officer may destroy any records and papers in his or her possession relating to such case five years after termination of probation. |                   |                                        |
| Services:<br>Casework | Pen. Code, § 1203.1(h)  | Statute                          | Mandate                             | Mandates the probation officer or probation officer's designated representative to consider whether any defendant who has been convicted of a nonviolent and nonserious offense and ordered to participate in community service as a condition of probation be required to engage in the performance of house repairs or yard services for senior citizens.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                                        |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section              | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Collaboration | Reference                                       |
|-----------------------|---------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------------|
| Services:<br>Casework | Pen. Code, § 1203.1(i)(2) | Statute                          | Other                               | Specifies that the court may order, as a condition of probation, at the request of the victim or in the court's discretion, that the defendant, who has been convicted of any sex offense subject to the registration requirements of Pen. Code, § 290, stay away from the victim and the victim's residence or place of employment, and that the defendant have no contact with the victim in person, by telephone or electronic means, or by mail.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               | Pen. Code, § 290                                |
| Services:<br>Casework | Pen. Code, § 1203.1a      | Statute                          | Discretionary                       | Permits the probation officer of the county to authorize, within 30 days prior to the inmate's release date, the temporary removal under custody or temporary release without custody of any inmate of the county jail, honor farm, or other detention facility who is confined or committed as a condition of probation, after suspension of imposition of sentence or suspension of execution of sentence, for purposes preparatory to the inmate's return to the community.                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |                                                 |
| Services:<br>Casework | Pen. Code, § 1203.1abc(b) | Statute                          | Discretionary                       | Authorizes the probation officer to use volunteers from the community to provide assistance to probationers under Pen. Code, § 1203.1abc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |                                                 |
| Services:<br>Casework | Pen. Code, § 1203.1b(d)   | Statute                          | Mandate                             | Mandates the court or the probation officer to set payments, if applicable, pursuant to Pen. Code, § 1203.1b, subds. (a) and (b), to be made on a monthly basis.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               | Pen. Code, § 1203.1b(a) and (b)                 |
| Services:<br>Casework | Pen. Code, § 1203.1bb(a)  | Statute                          | Mandate                             | Mandates the probation officer or his or her authorized representative to make a determination of the ability of the defendant to pay all or a portion of the reasonable cost incurred by the probation department when conducting activities specified in Pen. Code, §§ 1203.7, 1203, 1203.9, 11175–11179 inclusive, in any case in which a defendant is convicted of an offense and is the subject of any preplea or presentence investigation and report, whether or not probation supervision is ordered by the court, and in any case in which a defendant is granted probation or given a conditional sentence. Provides that the reasonable cost cannot exceed the amount determined to be the actual average cost. Mandates the probation department of each county to develop a payment schedule for the reimbursement of the costs of preplea or presentence investigations based on income, which is to be approved by the presiding judge. |               | Pen. Code, §§ 1203, 1203.7, 1203.9, 11175–11179 |
| Services:<br>Casework | Pen. Code, § 1203.1bb(a)  | Statute                          | Mandate                             | Mandates the probation officer, or his or her authorized representative, to determine the amount of payment and the manner in which the payments are to be made to the county, based upon the defendant's ability to pay. Mandates the probation officer to inform the defendant that the defendant is entitled to a hearing, which includes the right to counsel, in which the court will make a determination of the defendant's ability to pay and the payment amount. Specifies that the defendant must waive the right to a determination by the court by a knowing and intelligent waiver.                                                                                                                                                                                                                                                                                                                                                       |               |                                                 |
| Services:<br>Casework | Pen. Code, § 1203.1bb(b)  | Statute                          | Mandate                             | Mandates the probation officer to refer the matter to the court for the scheduling of a hearing to determine the amount of payment and the manner in which the payments are to be made in cases where the defendant fails to waive the right provided in Pen. Code, § 1203.1bb, subd. (a), to a determination by the court of his or her ability to pay and the payment amount.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |               | Pen. Code, § 1203.1bb(a)                        |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section           | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Collaboration | Reference |
|-----------------------|------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------|
| Services:<br>Casework | Pen. Code, § 1203.12   | Statute                          | Mandate                             | Directs the probation officer to furnish every person who has been released on probation under his or her supervision with a written statement of the terms and conditions of probation, unless the court has furnished such a statement. Requires that the probation officer report to the court or a judge any violation or breach of the terms and conditions imposed by such court on the person placed in the probation officer's care.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               |           |
| Services:<br>Casework | Pen. Code, § 1203.2(a) | Statute                          | Discretionary                       | Permits any probation or peace officer to rearrest and bring before the court without a warrant, at any time during the probationary period and at any time until the final disposition of the case, any person released on probation under the care of the probation officer or any person released on conditional sentence or summary probation not under the care of a probation officer if he or she has probable cause to believe that the probationer is violating any term or condition of the probation or the conditional sentence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               |           |
| Services:<br>Casework | Pen. Code, § 1203.7    | Statute                          | Mandate                             | Mandates the probation officer to inquire into the antecedents, character, history, family environment, and offense of any person over 16 years of age either at the time of the arrest or at the time of the plea or verdict of guilty when the probation officer is directed to do so by the court. Requires the probation officer to include his or her recommendation for or against the release of the person on probation in the report. Mandates the probation officer to keep a complete and accurate record in suitable books of specified information in connection with the case, and specifies that such record constitute a part of the records of the court and as such is open for inspection at all times to specified persons. Authorizes the probation officer to destroy any records and papers relating to any case five years after termination of probation. Mandates the probation officer to furnish each person released on probation to the probation officer's care a written statement of the terms and conditions of probation, and requires the probation officer to report to the court any violation or breach of the terms and conditions of probation. |               |           |
| Services:<br>Casework | Pen. Code, § 1208.2(d) | Statute                          | Mandate                             | Prohibits the correctional administrator, including the probation officer or his or her designee, from considering a person's ability or inability to pay all or a portion of the program fee for the purposes of granting or denying a person's participation in, or assigning a person to, any of the programs governed by this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |           |
| Services:<br>Casework | Pen. Code, § 1208.2(f) | Statute                          | Discretionary                       | Gives the correctional administrator, including the probation officer or his or her designee, authority to charge a person the fee set by the board of supervisors, or any portion of the fee, and authority to determine the method and frequency of payment. Specifies that any fee that the administrator or his or her designee charges cannot be in excess of the fee set by the board of supervisors and must be based on the person's ability to pay. Gives the correctional administrator, including the probation officer or his or her designee, authority to waive the fees for program supervision when deemed necessary, justified, or in the interests of justice. Specifies that the fees charged for program supervision may be modified or waived at any time based on the changing financial position of the person.                                                                                                                                                                                                                                                                                                                                                   |               |           |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section           | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Collaboration              | Reference                        |
|-----------------------|------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|----------------------------------|
| Services:<br>Casework | Pen. Code, § 1208.3    | Statute                          | Other                               | Provides that the administrator, including the probation officer, is not prohibited by Pen. Code, § 1208.2, subd. (c), from verifying that the prisoner is receiving wages at a rate of pay not less than the prevailing minimum wage requirement as provided for in Pen. Code, § 1208, subd. (c), that the prisoner is working a specified minimum number of required hours, and that the prisoner is covered under an appropriate or suitable worker's compensation insurance plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                            | Pen. Code, §§ 1208(c), 1208.2(c) |
| Services:<br>Casework | Pen. Code, § 1210.1(c) | Statute                          | Mandate<br>Other                    | Mandates the probation department, within seven days of an order imposing probation under Pen. Code, 1210.1, subd. (a), to notify the drug treatment provider designated to provide treatment of an order imposing probation. Provides that the probation department may move the court to modify the terms of probation if the treatment provider notifies the probation department that the defendant is unamenable to the drug treatment provided but may be amenable to other drug treatments or related programs, and provides that probation may be revoked if the treatment provider notifies the probation department that the defendant is unamenable to the drug treatment provided and all other forms of drug treatment programs pursuant to Pen. Code, § 1210, subd. (b). Specifies that drug treatment as a condition of probation may not exceed 12 months, and that additional aftercare services as a condition of probation may be required for up to 6 months.                                                                                        | Drug Treatment<br>Provider | Pen. Code, § 1210.1(a) and (b)   |
| Services:<br>Casework | Pen. Code, § 1210.1(e) | Statute                          | Other                               | Provides for incarceration of the defendant if probation is revoked pursuant to Pen. Code, § 1210.1, subd. (e). Provides that the court may modify or revoke probation if it is proved that the defendant committed a non-drug-related probation violation, and requires the court to conduct a hearing to determine whether probation should be revoked. Requires the court to conduct a hearing to determine whether probation should be revoked in a case where the defendant has committed a drug-related violation of probation for the first or second time, and mandates the court to revoke probation if the alleged probation violation is proved and the state proves by a preponderance of the evidence that the defendant poses a danger to the safety of others or that the defendant is unamenable to drug treatment. Provides that the court may intensify or alter the drug treatment plan or impose as an additional condition participation in a drug treatment program if probation is not revoked upon defendant's drug-related probation violation. |                            |                                  |
| Services:<br>Casework | Pen. Code, § 1210.1(e) | Statute                          | Other                               | States that if a defendant for the third time violates probation either by committing a nonviolent drug possession offense or by violating a drug-related condition of probation, the court is required to conduct a hearing to determine whether probation shall be revoked, and if the alleged probation violation is proved, the defendant is not eligible for continued probation under Pen. Code, § 1210.1, subd. (a).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                            | Pen. Code, § 1210.1(a)           |
| Services:<br>Casework | Pen. Code, § 1210.1(f) | Statute                          | Other                               | Specifies that the term <i>drug-related condition of probation</i> includes a probationer's specific drug treatment regimen, employment, vocational training, educational programs, psychological counseling, and family counseling.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                            |                                  |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section                | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Collaboration | Reference                                                                   |
|-----------------------|-----------------------------|----------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------------------------------------------------|
| Services:<br>Casework | Pen. Code, § 1210.5         | Statute                          | Other                               | Mandates that any court-ordered drug testing should be used as a treatment tool in a case where a person has been ordered to undergo drug treatment as a condition of probation. States that when evaluating a probationer's treatment program, results of any drug testing cannot be given greater weight than any other aspects of the probationer's individual treatment program.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |                                                                             |
| Services:<br>Casework | Pen. Code, § 1215           | Statute                          | Other                               | Provides that if the defendant over the age of 16 years has been placed under the care and supervision of the probation officer upon the court's order, he or she is required to remain under the care and supervision of the probation officer of the court committing the defendant until the expiration of the period of probation and the compliance with the terms and conditions of the sentence, or until the suspension of the sentence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |               |                                                                             |
| Services:<br>Casework | Welf. & Inst. Code, § 280   | Statute                          | Mandate                             | Mandates the probation officer, except where waived by the probation officer, judge, or referee and the minor, to be present in court to represent the interests of each person who is the subject of a petition to declare that person to be a ward or dependent child upon all hearings or rehearings of his or her case and to furnish to the court such information and assistance as the court may require. Mandates the probation officer to take charge of that person before and after any hearing or rehearing if so ordered. Requires that it be a duty of the probation officer to prepare, for every hearing on the disposition of a case as provided by Welf. & Inst. Code, § 356, 358, 358.1, 361.5, 364, 366, 366.2, or 366.21, as is appropriate for the specific hearing, or for a hearing as provided by Welf. & Inst. Code, § 702, a social study of the minor, containing such matters as may be relevant to a proper disposition of the case and including a recommendation for the disposition of the case. |               | Welf. & Inst. Code, §§ 356, 358, 358.1, 361.5, 364, 366, 366.2, 366.21, 702 |
| Services:<br>Casework | Welf. & Inst. Code, § 281   | Statute                          | Mandate                             | Mandates the probation officer, upon order of any court in any matter involving the custody, status, or welfare of a minor or minors, to make an investigation of appropriate facts and circumstances and to prepare and file with the court written reports and written recommendations in reference to such matters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |               |                                                                             |
| Services:<br>Casework | Welf. & Inst. Code, § 281.5 | Statute                          | Mandate                             | Mandates the probation officer, if he or she recommends to the court that a minor alleged to come within Welf. & Inst. Code, § 300, 601, or 602, or adjudged to come within Welf. & Inst. Code, § 300, 601, or 602, should be removed from the physical custody of his parent or guardian, to give primary consideration to recommending to the court that the minor be placed with a relative of the minor if such placement is in the best interests of the minor and will be conducive to reunification of the family.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               | Welf. & Inst. Code, §§ 300, 601, 602                                        |
| Services:<br>Casework | Welf. & Inst. Code, § 307   | Statute                          | Mandate<br>Other                    | Outlines procedures available to a peace or a probation officer for dealing with a minor after he or she has been taken into temporary custody under the provisions of Welf. & Inst. Code, § 305. Mandates the officer, in determining which disposition of the minor should be made, to give preference to the alternative that least interferes with the parents' or guardians' custody of the minor if this alternative is compatible with the safety of the minor and to consider the needs of the minor for the least restrictive environment and the protective needs of the community.                                                                                                                                                                                                                                                                                                                                                                                                                                     |               | Welf. & Inst. Code, § 305                                                   |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section                 | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Collaboration | Reference                                               |
|-----------------------|------------------------------|----------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------------------------------------------------|
| Services:<br>Casework | Welf. & Inst. Code, § 307    | Statute                          | Mandate<br>Other                    | Outlines procedures that a peace or probation officer is required to follow after he or she takes a minor into temporary custody under the provisions of Welf. & Inst. Code, § 305. Mandates the officer to give preference to the alternative that least interferes with the parents' or guardians' custody of the minor and is compatible with the safety of the minor and to consider the needs of the minor for the least restrictive environment and the protective needs of the community when determining a proper disposition of the minor.                                                                                                                                                                                                                                                                                                                                                                   |               | Welf. & Inst. Code, § 305                               |
| Services:<br>Casework | Welf. & Inst. Code, § 307(a) | Statute                          | Discretionary                       | Provides that a peace or probation officer who takes a minor into temporary custody under the provision of Welf. & Inst. Code, § 305, may thereafter release the minor.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               | Welf. & Inst. Code, § 305                               |
| Services:<br>Casework | Welf. & Inst. Code, § 628(a) | Statute                          | Mandate                             | Mandates the probation officer to immediately investigate the circumstances of a minor who has been taken into temporary custody under the provision of art. 15 ("Wards – Temporary Custody and Detention") of ch. 2 of pt. 1 of div. 2 of Welf. & Inst. Code and the facts surrounding his or her being taken into custody. Mandates the probation officer to immediately release the minor to the custody of his or her parent, legal guardian, or responsible relative, unless it can be demonstrated upon the evidence before the court that the continuance in the home is contrary to the minor's welfare and that one or more of the specified conditions exist.                                                                                                                                                                                                                                               |               | Welf. & Inst. Code, art. 15 of ch. 2 of pt. 1 of div. 2 |
| Services:<br>Casework | Welf. & Inst. Code, § 628(b) | Statute                          | Mandate                             | Mandates the probation officer to make reasonable efforts, as described in Welf. & Inst. Code, § 727.4, par. (5), subd. (d), when conducting an investigation undertaken pursuant to subd. (a) of this section, to prevent or eliminate the need for removal of the minor from his or her home if the probation officer has reason to believe that the minor is at risk of entering foster care placement as defined in pars. (1) and (2) of Welf. & Inst. Code, § 727.4, subd. (d).                                                                                                                                                                                                                                                                                                                                                                                                                                  |               | Welf. & Inst. Code, § 727.4(d)(1), (2), and (5)         |
| Services:<br>Casework | Welf. & Inst. Code, § 628.1  | Statute                          | Mandate<br>Other                    | Mandates the probation officer to proceed according to this section if the minor meets one or more of the criteria for detention under Welf. & Inst. Code, § 628, but the probation officer believes that 24-hour secure detention is not necessary to protect the minor or the person or property of another, or to ensure that the minor does not flee the jurisdiction of the court. Mandates the probation officer to release a minor, taken into temporary custody under Welf. & Inst. Code, § 628, to his or her parent, guardian, or responsible relative on home supervision, unless one of the conditions described in par. (1), (2), or (3) of Welf. & Inst. Code, § 628, subd. (a), exists. Mandates the probation officer to require such minor to sign a written promise that he or she understands and will observe the specific conditions of home supervision release as a condition of such release. |               | Welf. & Inst. Code, §§ 628, 628(a)(1), (2), and (3)     |
| Services:<br>Casework | Welf. & Inst. Code, § 628.1  | Statute                          | Mandate<br>Other                    | Mandates the probation officer to also require the minor's parent, guardian, or responsible relative to sign a written promise, translated into language the parent understands if necessary, that he or she understands the specific conditions of home supervision release as an additional condition for release. Specifies that these conditions may include curfew and school attendance requirements related to the protection of the minor or the person or property of another, or to the minor's appearances at court hearings. Provides that a minor who violates a specific condition of home supervision release may be taken into custody and placed in secure detention, subject to court review.                                                                                                                                                                                                       |               |                                                         |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Collaboration | Reference                                            |
|-----------------------|--------------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------------------------------------|
| Services:<br>Casework | Welf. & Inst. Code, § 636.1(a) | Statute                          | Other                               | Provides that the case plan should focus on issues and activities, including a description of the strengths and needs of the minor and his or her family and identification of services that will be provided to the minor, that would reduce or eliminate the need for the minor to be placed in foster care if the probation officer believes that such efforts will enable the minor to return home safely.                                                                                                                                                                                                                           |               |                                                      |
| Services:<br>Casework | Welf. & Inst. Code, § 636.1(a) | Statute                          | Other                               | Requires that the case plan include all the information required by Welf. & Inst. Code, § 706.6, if the probation officer believes, based on the information available to him or her, that foster care placement is the most appropriate disposition.                                                                                                                                                                                                                                                                                                                                                                                    |               | Welf. & Inst. Code, § 706.6                          |
| Services:<br>Casework | Welf. & Inst. Code, § 653.1    | Statute                          | Mandate                             | Mandates the probation officer to cause the affidavit alleging that the minor committed an offense described in Welf. & Inst. Code, § 602, to be immediately taken to the prosecuting attorney if it appears to the probation officer that the minor has been referred to him or her for any violation of either an offense listed in Welf. & Inst. Code, § 707, subd. (b), and allegedly committed when the minor was 16 years of age or older, or an offense listed in par. (2) of Welf. & Inst. Code, § 707, subd. (d), or Welf. & Inst. Code, § 707, subd. (e), and allegedly committed when the minor was 14 years of age or older. | Dist. Atty.   | Welf. & Inst. Code, §§ 602, 707(b), 707(d)(2) or (e) |
| Services:<br>Casework | Welf. & Inst. Code, § 653.5(a) | Statute                          | Mandate                             | Mandates the probation officer to immediately make any investigation he or she deems necessary to determine whether proceedings in the juvenile court should be commenced whenever any person submits an affidavit alleging that there was or is within the county, or resides in the county, a minor within the provisions of Welf. & Inst. Code, § 602. Mandates the probation officer to make a referral to certain services if the probation officer determines that it is appropriate to offer such services to the family to prevent or eliminate the need for removal of the minor from his or her home.                          |               | Welf. & Inst. Code, § 602                            |
| Services:<br>Casework | Welf. & Inst. Code, § 653.5(b) | Statute                          | Mandate                             | Mandates the probation officer to cause the affidavit to be taken to the prosecuting attorney if the probation officer determines that proceedings to declare a person to be a ward of the juvenile court on the basis that he or she is a person described in Welf. & Inst. Code, § 602, should be commenced pursuant to Welf. & Inst. Code, § 650.                                                                                                                                                                                                                                                                                     | Dist. Atty.   | Welf. & Inst. Code, §§ 602, 650                      |
| Services:<br>Casework | Welf. & Inst. Code, § 653.7    | Statute                          | Mandate                             | Mandates the probation officer to endorse, upon the affidavit of the applicant, the decision not to proceed further, and the reasons therefore, any time the probation officer does not take action under Welf. & Inst. Code, § 654, or any time the probation officer does not cause the affidavit alleging that a minor is within or has committed an offense described in Welf. & Inst. Code, § 602, to be taken to the prosecuting attorney within 21 court days after the application. Requires the probation officer to retain the affidavit and the endorsement for a period of 30 court days after the notice to the applicant.  |               | Welf. & Inst. Code, §§ 602, 654                      |

## Probation Services Task Force Laws and Mandates Chart: Sorted by Statute

| Subject Area          | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Collaboration | Reference                                             |
|-----------------------|--------------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------------------|
| Services:<br>Casework | Welf. & Inst. Code, § 654      | Statute                          | Mandate<br>Discretionary<br>Other   | Gives the probation officer discretionary authority, with consent of the minor and the minor's parent or guardian, in any case in which a probation officer concludes that a minor is within the jurisdiction of the juvenile court or will probably soon be within that jurisdiction, to delineate specific programs of supervision not to exceed six months for the minor, and attempt thereby to adjust the situation that brings the minor within the jurisdiction of the court or creates the probability that the minor will soon be within that jurisdiction, in lieu of filing a petition to declare the minor a dependent child of the court or a minor or a ward of the court under Welf. & Inst. Code, § 601, or requesting that a petition be filed by the prosecuting attorney under Welf. & Inst. Code, § 601.3, subd. (e), or § 602. Specifies that the program of supervision may call for the minor to obtain care and treatment for the misuse of or addiction to controlled substances from a county mental health service or other appropriate community agency. |               | Welf. & Inst. Code, §§ 601, 601.3(e), 602             |
| Services:<br>Casework | Welf. & Inst. Code, § 654      | Statute                          | Mandate<br>Discretionary<br>Other   | Requires that the program of supervision include a requirement for the parents or guardians of the minor to participate with the minor in counseling or education programs. Mandates the probation officer to prepare and maintain a follow-up report of the actual program measures taken at the conclusion of the program of supervision undertaken pursuant to this section. Specifies that nothing in this section can be construed to prevent the probation officer from filing a petition or requesting the prosecuting attorney to file a petition at any time within the six-month period or a 90-day period thereafter. Mandates the probation officer to immediately file a petition or request that the prosecuting attorney file a petition if the probation officer determines that the minor has not involved himself or herself in the specific programs within 60 days. Mandates the probation officer to make a diligent effort to proceed under this section if the interest of the minor and the community can be protected.                                      | Dist. Atty.   |                                                       |
| Services:<br>Casework | Welf. & Inst. Code, § 654.1(b) | Statute                          | Discretionary<br>Mandate            | Provides that nothing in this section can be construed to prevent the probation officer from requesting the prosecuting attorney to file a petition to declare the minor a ward of the court under Welf. & Inst. Code, § 602, for a violation of Veh. Code, § 23140 or 23152. Mandates the probation officer to proceed under subd. (a) when in his or her judgment the interest of the minor and the community can be protected by adjudication of a violation of Veh. Code, § 23140 or 23152.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               | Welf. & Inst. Code, § 602; Veh. Code, §§ 23140, 23152 |
| Services:<br>Casework | Welf. & Inst. Code, § 654.2(b) | Statute                          | Discretionary                       | Authorizes the probation officer to recommend informal supervision as provided in this section when referring the affidavit described in § 653.5 to the prosecuting attorney if the minor is eligible for § 654 supervision and the probation officer believes the minor would benefit from such program of supervision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               | Welf. & Inst. Code, §§ 653.5, 654                     |
| Services:<br>Casework | Welf. & Inst. Code, § 660.5(h) | Statute                          | Discretionary                       | Authorizes the probation officer in a county in which this subdivision is applicable, notwithstanding Welf. & Inst. Code, § 654, and in lieu of filing a petition or proceeding under Welf. & Inst. Code, § 654, to issue a citation in the form described in subd. (d) to the Informal Juvenile and Traffic Court pursuant to Welf. & Inst. Code, § 256, for specified misdemeanors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               | Welf. & Inst. Code, §§ 654, 256                       |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section                      | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Collaboration | Reference                                      |
|-----------------------|-----------------------------------|----------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------------------------------|
| Services:<br>Casework | Welf. & Inst. Code, § 676.5(a)    | Statute                          | Mandate                             | Mandates the probation officer to notify, in person or by registered mail, a victim of juvenile offenses that he or she and up to two support persons of the victim's choosing are entitled to be admitted to juvenile court hearings concerning petitions filed pursuant to Welf. & Inst. Code, § 602, alleging the commission of any criminal offense, on the same basis as he or she may be admitted to trials in a court of criminal jurisdiction.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               | Welf. & Inst. Code, § 602                      |
| Services:<br>Casework | Welf. & Inst. Code, § 704(d)      | Statute                          | Mandate                             | Mandates the probation officer, or any other peace officer designated by the court, to execute the order placing a minor in a diagnostic and treatment center pursuant to this section or returning the minor therefrom to the court. Specifies that the expense incurred in executing such order is a charge upon the county in which the court is situated.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |               |                                                |
| Services:<br>Casework | Welf. & Inst. Code, § 707(e)      | Statute                          | Other                               | Requires any report submitted by a probation officer pursuant to this section regarding the behavioral patterns and social history of the minor being considered for a determination of unfitness to include any written oral statement offered by the victim, the victim's parent or guardian if the victim is a minor, or if the victim has died, the victim's next of kin, as authorized by Welf. & Inst. Code, § 656.2, subd. (b).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               | Welf. & Inst. Code, § 656.2(b)                 |
| Services:<br>Casework | Welf. & Inst. Code, § 727.3(a)(1) | Statute                          | Mandate                             | Mandates the probation officer, with respect to every minor declared a ward and ordered to be placed in foster care, to prepare a written social study report including an updated case plan and a recommendation for a permanent plan, pursuant to Welf. & Inst. Code, § 706.5, subd. (c), and submit the report to the court prior to each permanency planning hearing, pursuant to Welf. & Inst. Code, § 727, subd. (b).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               | Welf. & Inst. Code, §§ 706.5(c), 727(b)        |
| Services:<br>Casework | Welf. & Inst. Code, § 727.32      | Statute                          | Mandate<br>Other                    | Mandates the probation department to follow the procedures described in Welf. & Inst. Code, § 727.31, to terminate the parental rights of the minor's parents in any case where a minor has been declared a ward of the juvenile court and has been in foster care for 15 of the most recent 22 months, unless the probation department has documented in its file a compelling reason for determining that termination of the parental rights would not be in the minor's best interests pursuant to Welf. & Inst. Code, § 727.3, or the probation department has not provided the family with reasonable efforts necessary to achieve reunification. Provides that if the probation department documented a compelling reason at the time of the permanency planning hearing, pursuant to Welf. & Inst. Code, § 706.6, subd. (l), the probation department is not required to provide any additional documentation to comply with the requirements of this section. Mandates the probation department to make efforts to identify an approved family for adoption and follow the procedures described in Welf. & Inst. Code, § 727.31, subd. (b), when setting a hearing pursuant to Welf. & Inst. Code, § 727.31. |               | Welf. & Inst. Code, §§ 727.31, 727.3, 706.6(l) |
| Services:<br>Casework | Welf. & Inst. Code, § 729.7       | Statute                          | Mandate                             | Mandates the probation officer, upon request by the victim, to assist in mediating a service contract between the victim and the minor under which the amount of restitution owed to the victim by the minor may be paid by performance of specified services.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |                                                |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section                     | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Collaboration | Reference                 |
|-----------------------|----------------------------------|----------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------------------|
| Services:<br>Casework | Welf. & Inst. Code, § 740(b)(1)  | Statute                          | Mandate                             | Mandates the probation officer or the parole officer in charge of a Youth Authority ward to send written notice of the placement of a minor adjudged to be a ward of the court on the basis that he or she is a person described in Welf. & Inst. Code, § 602, in any community care facility outside the ward's county of residence to the probation officer of the county in which the community care facility is located. Mandates the probation or parole officer making the placement to make best efforts to send, or to hand deliver, the notice at the same time the placement is made. Mandates the probation or parole officer, when such placement is terminated, to send notice of termination to any person or agency receiving notification of the placement. |               | Welf. & Inst. Code, § 602 |
| Services:<br>Casework | Welf. & Inst. Code, § 742(a)     | Statute                          | Mandate                             | Mandates the probation officer, upon the request of an alleged victim of a crime and within 60 days of the final disposition of a case within which a petition has been filed pursuant to Welf. & Inst. Code, § 602, to inform that victim by letter of the final disposition of the case. Requires the probation officer to include specified information about restitution in the letter if the court orders that restitution is to be made to the victim.                                                                                                                                                                                                                                                                                                                |               | Welf. & Inst. Code, § 602 |
| Services:<br>Casework | Welf. & Inst. Code, § 742(b)     | Statute                          | Mandate                             | Mandates the probation officer, in any case in which a petition has been filed pursuant to Welf. & Inst. Code, § 602, to inform the victim of the offense of any victim-offender conferencing program or victim impact class available in the county and of the victim's right to be informed of the final disposition of the case, including his or her right to victim restitution.                                                                                                                                                                                                                                                                                                                                                                                       |               | Welf. & Inst. Code, § 602 |
| Services:<br>Casework | Welf. & Inst. Code, § 16516.5(a) | Statute                          | Mandate                             | Mandates the probation officer or county social worker to visit, at least monthly, all foster children placed in group homes by the county probation departments or county welfare departments. Requires that each visit include a private discussion between the foster child and the probation officer or the county social worker. Prohibits such discussion to be held in the presence or immediate vicinity of the group home staff. Prohibits the contents of such private discussion to be disclosed to the group home staff, and makes an exception for the disclosure of the discussion contents under specified circumstances.                                                                                                                                    |               |                           |
| Services:<br>Casework | Welf. & Inst. Code, § 16516.6    | Statute                          | Mandate                             | Mandates the probation officer or county social worker to include a private discussion between the foster child and the probation officer or social worker during a regular visit with a child in any licensed, certified, or approved foster home. Prohibits such discussion to be held in the presence or immediate vicinity of the foster parent or caregiver. Prohibits the contents of such private discussion to be disclosed to the foster parent or caregiver, and makes an exception for the disclosure of the discussion contents under specified circumstances.                                                                                                                                                                                                  |               |                           |
| Services:<br>Casework | Welf. & Inst. Code, § 16517(a)   | Statute                          | Mandate                             | Prohibits a probation officer or social worker acting as an officer of the court from making an out-of-home placement of a dependent or ward of the court, with the exception of any relative of the social worker or probation officer responsible for the placement of the child, with the spouse of any relative of the social worker or probation officer responsible for the placement.                                                                                                                                                                                                                                                                                                                                                                                |               |                           |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area          | Code Section                    | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Collaboration                  | Reference               |
|-----------------------|---------------------------------|----------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-------------------------|
| Services:<br>Casework | Welf. & Inst. Code, § 16517(b)  | Statute                          | Mandate                             | Prohibits any probation officer or a social worker acting as an officer of the court from receiving compensation for the out-of-home placement of a dependent or ward of the court other than the compensation received as an employee of the county or the state.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                |                         |
| Services:<br>Process  | Cal. Rules of Court, rule 4.411 | Regulation                       | Other                               | Directs the court to refer the case to the probation officer for a presentence investigation and report irrespective of the defendant's eligibility for probation and prohibits acceptance of the waivers of the presentence report except in unusual circumstances in those cases where the defendant is eligible for probation. Specifies that the court is required to order a supplemental probation officer's report in preparation for sentencing proceedings that occur a significant period of time after the original report was prepared. States that the purpose of the presentencing report is to aid judges in determining the appropriate length of a prison sentence and to aid the Department of Corrections in determining the type of facility and program in which to place a defendant, and to aid in determining whether probation is appropriate. States that Pen. Code, § 1203c, requires a probation officer's report on every person sentenced to prison, and that ordering the report before sentencing in probation-ineligible cases will help ensure a well-prepared report. |                                | Pen. Code, § 1203c      |
| Services:<br>Process  | Code Civ. Proc., § 1219.5(a)    | Statute                          | Mandate                             | Mandates the probation officer, in any case in which a contempt consists of the refusal of a minor under the age of 16 years to take the oath or to testify, and before the court imposes the sanctions for the contempt, to prepare and file the report and recommendation as to the appropriateness of the imposition of a sanction. Requires the probation officer, in making the report and recommendations, to consider factors such as the maturity of the minor, the reasons for the minor's refusal to take the oath or to testify, the probability that available sanctions will affect the decision of the minor not to take the oath or not to testify, the potential impact on the minor of his or her testimony, the potential impact on the pending litigation of the minor's unavailability as a witness, and the appropriateness of the various available sanctions in the minor's case.                                                                                                                                                                                                 |                                |                         |
| Services:<br>Process  | Code Civ. Proc., § 1279.5(c)    | Statute                          | Other                               | Mandates the court to deny an application for a name change pursuant to Code Civ. Proc., § 1276, made by a person who is under the jurisdiction of the Department of Corrections, unless that person's parole agent or probation officer grants prior written approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                | Code Civ. Proc., § 1276 |
| Services:<br>Process  | Ed. Code, § 47755(c)            | Statute                          | Other                               | Requires a joint approval by the governing board of the county office of education or the governing board of the school district and the chief probation office of a comprehensive, multi-agency local plan to serve the needs of high-risk youth for the purpose of enhancing educational opportunities and reducing juvenile crime and delinquency.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | COE; School Board; CPO         |                         |
| Services:<br>Process  | Ed. Code, § 47762               | Statute                          | Mandate                             | Mandates the county probation department and the county office of education or school district to identify outcome measures for offenders participating in the High-Risk First-Time Offenders program as established pursuant to Ed. Code, § 47755. Specifies some of the outcome measures to be included.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Prob. Dept.; COE; School Dist. | Ed. Code, § 47755       |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section           | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Collaboration                        | Reference                                                       |
|----------------------|------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-----------------------------------------------------------------|
| Services:<br>Process | Ed. Code, § 47770      | Statute                          | Mandate                             | Mandates the county probation department and the county office of education or school district to identify outcome measures for offenders participating in the Transitioning High-Risk First-Time Offenders program as established pursuant to Ed. Code, § 47765. Specifies some of the outcome measures to be included.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Prob. Dept.;<br>COE; School<br>Dist. | Ed. Code, §<br>47765                                            |
| Services:<br>Process | Ed. Code, § 48246      | Statute                          | Discretionary<br>Mandate            | Permits the probation officer of any county to enter, at any time, into any place of employment for the purpose of examining permits to work or to employ all minors employed in such place of employment, or for the purpose of investigating violations of the provisions of the Lab. Code or of the provisions of Ed. Code, ch. 2 (commencing with § 48200) and ch. 7 (commencing with § 49100) of div 4 of tit. 2. Requires the probation officer to report in writing to the labor commissioner within 48 hours the fact that he or she has good cause to believe that the laws relating to the education of minors are being violated in such place of employment and describing the nature of the violation. Requires the probation officer to report to the labor commissioner within 48 hours in writing if the probation officer was denied entrance to any place of employment. | Labor<br>Commission                  | Ed. Code, §§<br>48200, 49100                                    |
| Services:<br>Process | Ed. Code, § 48260.6(d) | Statute                          | Discretionary                       | Permits the district attorney or the probation officer in any county, which has not established a county school attendance review board, to request the parents or guardians and the truant child to attend a meeting in the district attorney's office or at the probation department, pursuant to Welf. & Inst. Code, § 601.3, to discuss the possible legal consequences of the child's truancy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                      | Welf. & Inst.<br>Code, § 601.3;<br>Ed. Code, §<br>48260.5       |
| Services:<br>Process | Ed. Code, § 48263      | Statute                          | Discretionary                       | Provides that the probation department may receive referrals of habitual student truants or those who are habitually insubordinate or disorderly for services. Mandates the probation officer to direct the pupil or the pupil's parents or guardians, or both, to make use of available community services that can resolve the problem of the truant or insubordinate student. Permits the probation officer to notify the district attorney when the probation officer determines that available community services cannot resolve the problem of the truant or insubordinate student, or if the student or the parents or guardians of the student, or both, have failed to respond to directives of the probation officer or to services provided.                                                                                                                                    | School Dist;<br>SARB                 | Ed. Code, §§<br>48263.5,<br>48260.6                             |
| Services:<br>Process | Ed. Code, § 48263.5    | Statute                          | Discretionary                       | Specifies information that the probation officer may report to the district attorney if the probation officer determines that available community services cannot resolve the truancy or insubordination problem of the student, or if the student or guardians of the student, or both, have failed to respond to directives of the probation officer or to services provided.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | SARB; Dist. Atty                     | Ed. Code, §§<br>48321, 48290;<br>Welf. & Inst.<br>Code, § 601.3 |
| Services:<br>Process | Ed. Code, § 48264      | Statute                          | Discretionary                       | Permits the probation officer, among other specified entities, to arrest or assume temporary custody, during school hours, of any minor subject to compulsory full-time education or to compulsory continuation education found away from his or her home and who is absent from school without valid excuse within the county, city, or city and county, or school district.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                      |                                                                 |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section         | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Collaboration | Reference                                                                      |
|----------------------|----------------------|----------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------------------------------|
| Services:<br>Process | Fam. Code, § 3164    | Statute                          | Other                               | Includes members of the professional staff of the probation department in a category of people who may be mediators. Requires mediators to meet the minimum qualifications required of a counselor of conciliation as provided in Fam. Code, § 1815.                                                                                                                                                                                                                                                                                                                                                                                                                                  |               | Fam. Code, § 1815                                                              |
| Services:<br>Process | Fam. Code, § 7850    | Statute                          | Mandate                             | Mandates the clerk of the court to notify immediately the juvenile probation officer, among other involved parties, any time a petition is filed under Pen. Code, § 7841 ("Child Custody"). Upon receipt of notification, directs the juvenile probation officer to immediately investigate the circumstances of the child and the circumstances that are alleged to bring the child within any of the provisions of Pen. Code, ch. 2 (commencing with § 7820).                                                                                                                                                                                                                       |               | Fam. Code, § 7841 ("Child Custody"); Fam. Code, ch. 2 (commencing with § 7820) |
| Services:<br>Process | Fam. Code, § 7851    | Statute                          | Mandate                             | Mandates the juvenile probation officer, a qualified court investigator, or the county department, when a petition for an order or judgment declaring a child free from the custody and control of either or both parents has been filed, to render to the court a written report of the investigation with a recommendation to the court of the proper disposition to be made in the proceeding in the best interest of the child. Specifies information that is required to be included in the report.                                                                                                                                                                              |               |                                                                                |
| Services:<br>Process | Fam. Code, § 9001    | Statute                          | Mandate                             | Mandates the probation officer, among other entities, to make an investigation of each case of stepparent adoption, and prevents the court from making an order of adoption until after the report and recommendations have been filed and the court has had time to consider them. Specifies that no home study, defined as a physical investigation of the premises where the child is residing, may be required of the petitioner's home in a stepparent adoption unless ordered by the court. Specifies that the agency conducting the investigation or any interested person may request the court to order a home study, or the court may order a home study on its own motion. |               |                                                                                |
| Services:<br>Process | Fam. Code, § 9002    | Statute                          | Discretionary                       | Provides that the probation officer, among others, may defer, waive, or reduce the fee in connection with the stepparent adoption, if its payment would cause economic hardship to the prospective adoptive parent detrimental to the welfare of the adopted child.                                                                                                                                                                                                                                                                                                                                                                                                                   |               | Fam. Code, § 9001                                                              |
| Services:<br>Process | Fam. Code, § 9003    | Statute                          | Other                               | Names the probation officer as one of the entities before whom the consent of either or both birth parents is required to be signed in a stepparent adoption. Provides that if such consent is signed before the probation officer, he or she is mandated to file the consent immediately with the clerk of the court where the adoption petition is filed.                                                                                                                                                                                                                                                                                                                           |               |                                                                                |
| Services:<br>Process | Fam. Code, § 9005(c) | Statute                          | Mandate                             | Mandates the probation officer, among other entities, to file a full report with the court before the hearing of the motion or petition for withdrawal of the consent of the birth parent to the adoption of the child through a stepparent. Mandates the probation officer to appear at such hearing to represent the interests of the child.                                                                                                                                                                                                                                                                                                                                        |               |                                                                                |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                    | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Collaboration | Reference                                                                   |
|----------------------|---------------------------------|----------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------------------------------------------------|
| Services:<br>Process | Health & Saf. Code, § 1567.3(b) | Statute                          | Mandate                             | Requires the probation officer of a county making an out-of-county placement of a ward of the juvenile court as described in Welf. & Inst. Code, § 602, to notify the probation officer of the county in which the community care facility is located within 24 hours of receipt of the ward by the licensed community care facility. Specifies that the notification be made by the end of the subsequent business day if the ward is received on a weekend or a holiday.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               | Welf. & Inst. Code, § 602                                                   |
| Services:<br>Process | Health & Saf. Code, § 11361.5   | Statute                          | Other                               | Subjects the probation department, among other agencies, to a requirement that records of any court, any public or private agency that provides services upon referral under Pen. Code, § 1000.2, or any state agency pertaining to the arrest or conviction of any person for a violation of Health & Saf. Code, § 11357, subd. (b), (c), (d), or (e), or of Health & Saf. Code, § 11360, subd. (b), not be kept beyond two years from the date of the conviction, or from the date of the arrest if there was no conviction, except with respect to a violation of Health & Saf. Code, § 11357, subd. (e), in which case the records should be retained until the offender becomes 18 years of age, at which time the records should be destroyed. Specifies that this records-keeping provision does not apply to records of any arrest not followed by a conviction occurring prior to January 1, 1976.                                                                |               | Pen. Code, § 1000.2; Health & Saf. Code, § 11357(b)–(e)                     |
| Services:<br>Process | Health & Saf. Code, § 11361.5   | Statute                          | Other                               | Provides that any person subject to an arrest or conviction for specified offences may apply to the Department of Justice, following specified procedures provided in Health & Saf. Code, § 11361.5, for destruction of records if two or more years have elapsed since the date of the conviction, or since the date of the arrest if not followed by a conviction. Exempts written transcriptions of oral testimony in court proceedings and published judicial appellate reports from this records-keeping provision. Prevents specified records from being destroyed pursuant to Health & Saf. Code, § 11361.5, subd. (a), if the defendant or a codefendant has filed a civil action against the peace officers or law enforcement jurisdiction that made the arrest or instituted the prosecution, and if the agency that is the custodian of those records has received a certified copy of the civil complaint, until the civil action has finally been resolved . |               | Health & Saf. Code, § 11361.5                                               |
| Services:<br>Process | Pen. Code, § 859a(b)            | Statute                          | Mandate                             | Requires the magistrate, upon the receipt of guilty or nolo contendere in felony cases, to refer the case to the probation officer if eligible for probation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |                                                                             |
| Services:<br>Process | Pen. Code, § 1000.1             | Statute                          | Mandate<br>Discretionary<br>Other   | Directs the prosecuting attorney to advise the defendant and his or her attorney in writing of the prosecuting attorney's determination that ch. 2.5 of the Pen. Code (commencing with § 1000) applies to the defendant, and specifies that such notification include a general explanation of the roles and authorities of the probation department and other agencies. Specifies that the notification include a statement that the court may grant deferred entry of judgment with respect to any crime specified in Pen. Code, § 1000, subd. (a), provided that the defendant pleads guilty to each such charge, waives time for the pronouncement of judgment, successfully completes the program as specified in Pen. Code, § 1000, subd. (c), and upon the positive recommendation of the program authority and the motion of the prosecuting attorney, the court, or the probation department, directs the court to dismiss charges against the defendant.         |               | Ch. 2.5 of Pen. Code (commencing with § 1000); Pen. Code, § 1000(a) and (c) |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section            | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Collaboration                   | Reference               |
|----------------------|-------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|-------------------------|
| Services:<br>Process | Pen. Code, § 1000.1     | Statute                          | Mandate<br>Discretionary<br>Other   | Specifies that the notification include a statement that the prosecuting attorney, the probation department, or the court on its own may make a motion to the court for entry of judgment, and requires the court to render a finding of guilt upon any failure of treatment or condition under the program, or any circumstance specified in Pen. Code, § 1000.3. Provides that the court may refer the case to the probation department if the defendant waives his or her right to a speedy trial or preliminary hearing, and obligates the probation department, when directed by the court, to make an investigation to determine whether the defendant is a person who would benefit from education, treatment, or rehabilitation, and which programs the defendant would benefit from and accept, and also mandates the probation department to report its finding and recommendations to the court. Prohibits the admission of any information or statement made by the defendant to the probation officer during the course of any investigation conducted by the probation department, or with respect to the specific offense charged, made after the granting of deferred entry of judgment, in any proceedings, including a sentencing hearing. |                                 | Pen. Code, § 1000.3     |
| Services:<br>Process | Pen. Code, § 1001.22    | Statute                          | Other                               | Directs the court to consult with the prosecutor, the defense counsel, the probation department, and the appropriate regional center to determine whether a defendant may be placed in a diversion-related treatment and rehabilitation program. Directs the court to order the prosecutor, the probation department, and the regional center to prepare reports on specified aspects of the defendant's case when the court suspects that the defendant may be mentally retarded, and when the defendant consents to the diversion process and waives his or her rights to a speedy trial. Specifies that the probation department submit a report on specified aspects of the defendant's case, within 30 judicial days of the court's order, to the court, to each of the agencies involved in the case, and the defendant.                                                                                                                                                                                                                                                                                                                                                                                                                               | Court; Dist. Atty.; Reg. Center |                         |
| Services:<br>Process | Pen. Code, § 1001.23(c) | Statute                          | Mandate                             | Mandates the probation department, within five judicial days after receiving the regional center's report on the defendant's progress in the diversion program, to submit its report on the defendant's progress in a dual-agency diversion program, with the regional center's report appended, to the court and to the prosecutor.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Reg. Center                     |                         |
| Services:<br>Process | Pen. Code, § 1001.28(a) | Statute                          | Mandate                             | Mandates the probation department to file, every six months, progress reports on the defendant's progress in the diversion program, and to append to its own report a copy of the regional center's assessment of the defendant's progress, in cases where a dual-agency diversion program has been ordered by the court.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Reg. Center                     |                         |
| Services:<br>Process | Pen. Code, § 1001.29(a) | Statute                          | Other                               | Names the probation department as one of the agencies that may, in cases where dual-agency diversion has been ordered, and if it appears that the divertee is not meeting the terms and conditions of his or her diversion program, initiate a hearing to reinstitute the diverted criminal proceedings.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                 |                         |
| Services:<br>Process | Pen. Code, § 1001.52    | Statute                          | Mandate                             | Requires that misdemeanor cases be referred to the probation department if the defendant consents and waives his right to a speedy trial. Requires that the probation department conduct investigation to determine whether the defendant qualifies for diversion under Pen. Code, § 1001.51, subd. (a). Specifies that the probation department report to the court on whether the defendant qualifies for diversion and which treatment or rehabilitative plan would benefit the defendant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                 | Pen. Code, § 1001.51(a) |

Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute

| Subject Area      | Code Section            | Statute/Regulation/Rules | Mandate/Discretionary/Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Collaboration | Reference                              |
|-------------------|-------------------------|--------------------------|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------------------------|
| Services: Process | Pen. Code, § 1001.72    | Statute                  | Mandate                     | Mandates that the case be referred to the probation department if the defendant consents and waives his or her right to a speedy trial. Requires the probation department to conduct an investigation to determine whether the defendant qualifies for diversion and whether he or she would benefit by education, treatment, or rehabilitation and which plan would benefit the defendant. Requires that the probation department report its findings and recommendations to the court, including, if the recommendation includes referral to a community program, the program's willingness to accept the defendant and the manner in which the services the program offers can assist the defendant. Precludes any information or statement made by the defendant to the probation officer during the course of any investigation, and prior to the reporting of the probation department's findings and recommendations to the court, from being admitted in any action or proceeding brought subsequent to the investigation.                                                                                                                                                                               |               |                                        |
| Services: Process | Pen. Code, § 1191       | Statute                  | Mandate                     | Mandates the court to refer a felony case within 20 judicial days after a plea, finding, or verdict of guilty, or after a finding or verdict against the defendant on a plea of a former conviction or acquittal, or once in jeopardy, to the probation officer for the parole eligibility report pursuant Pen. Code, § 1203.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |               | Pen. Code, § 1203                      |
| Services: Process | Pen. Code, § 1191.15(b) | Statute                  | Other                       | Allows the probation officer, among other entities, to view and listen to victim statements that have been sealed until the time set for imposition of judgment and sentence not more than two court days prior to the date set for imposition of judgment and sentence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |                                        |
| Services: Process | Pen. Code, § 1203(a)    | Statute                  | Other                       | Defines <i>probation</i> as the suspension of the imposition or execution of a sentence and the order of conditional and revocable release in the community under the supervision of a probation officer. Defines <i>conditional sentence</i> as the suspension of the imposition or execution of a sentence and the order of revocable release in the community subject to conditions established by the court without the supervision of a probation officer. Makes a legislative declaration that both conditional sentence and probation are authorized whenever probation is authorized in any code as a sentencing option for infractions or misdemeanors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                                        |
| Services: Process | Pen. Code, § 1203(b)    | Statute                  | Mandate                     | Mandates the court to refer the case, before judgment is pronounced, to a probation officer for an investigation and a report regarding the circumstances surrounding the crime and the prior history and record of the person who is convicted of felony and who is eligible for probation, except as provided in Pen. Code, § 1203(j). Requires that the probation officer immediately investigate and make a written report to the court. Specifies that the probation officer's report include recommendations as to whether probation should be granted or denied and the conditions of probation if it is granted; any information gathered by a law enforcement agency relating to the taking of the defendant into custody as a minor for the purpose of determining whether adjudications of commissions of crimes as a juvenile warrant a finding that there are circumstances in aggravation pursuant to Pen. Code, § 1170; a recommendation regarding an amount that the defendant should be required to pay as a restitution fine pursuant to Pen. Code, § 1202.4, subd. (b); and a recommendation whether restitution to the victim or to the Restitution Fund should be a condition of probation. |               | Pen. Code, §§ 1203(j), 1170, 1202.4(b) |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section         | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Collaboration                          | Reference                    |
|----------------------|----------------------|----------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|------------------------------|
| Services:<br>Process | Pen. Code, § 1203(b) | Statute                          | Mandate                             | Requires that the probation report be made available to the court, the prosecution, and defense attorneys at least five days, or upon request of the defendant or prosecuting attorney, nine days, prior to the time set for the hearing of the report, unless waived by written stipulation of the prosecuting and defense attorneys that is filed with the court or an oral stipulation in open court that is made and entered into the minutes of the court. Provides that the report be filed with the court clerk at the time of the hearing to determine the application and suitability of probation in the particular case. States that the court may place the person on probation if it determines that there are circumstances in mitigation of the punishment prescribed by law or that the ends of justice would be served by granting probation to the defendant. |                                        |                              |
| Services:<br>Process | Pen. Code, § 1203(d) | Statute                          | Other                               | States that the court may refer a misdemeanor case that resulted in conviction to the probation officer for an investigation and a report. States that if the case is not referred to the probation officer, the court may consider any information during sentencing that could have been included in a probation report.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                        |                              |
| Services:<br>Process | Pen. Code, § 1203(e) | Statute                          | Other                               | Specifies that probation cannot be granted to any person convicted of committing a serious and violent crime with a deadly weapon, third-strike felony, or specified sex offense; to any public official or police officer who accepted or gave a bribe, embezzled public money, or was guilty of extortion; any person who knowingly furnished or gave away phencyclidine; and any person convicted of other designated serious and violent felonies.                                                                                                                                                                                                                                                                                                                                                                                                                          |                                        |                              |
| Services:<br>Process | Pen. Code, § 1203(g) | Statute                          | Mandate                             | Mandates the judge to refer the case to the probation officer for an investigation of the facts relevant to determination of the amount of a restitution fine pursuant to Pen. Code, § 1202.4, subd. (b), in all cases where such determination is applicable. Requires the probation officer to immediately investigate the circumstances surrounding the crime and the prior record and history of the person and to make a written report, including a recommendation of the amount of the restitution fine, to the court.                                                                                                                                                                                                                                                                                                                                                   |                                        | Pen. Code, § 1202.4(b)       |
| Services:<br>Process | Pen. Code, § 1203(h) | Statute                          | Discretionary                       | Provides that the probation officer may obtain and include in the report a statement of the comments of the victim concerning the offense, unless directed by the court otherwise, if a defendant is convicted of a felony and a probation report is prepared pursuant to Pen. Code, § 1203, subd. (b) or (g).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                        | Pen. Code, § 1203(b) or (g)  |
| Services:<br>Process | Pen. Code, § 1203(i) | Statute                          | Mandate                             | Prohibits release of any probationer to another state unless his or her case has been referred to the administrator of Interstate Probation and Parole Compacts, pursuant to the Uniform Act for Out-of-State Probationer or Parolee Supervision (art. 3 (commencing with § 11175) of ch. 2 of tit. 1 of pt. 4), and the probationer has reimbursed the county that has jurisdiction over the probationer's case the reasonable costs of processing the probationer's request for interstate compact supervision in accordance with Pen. Code, § 1203.1b.                                                                                                                                                                                                                                                                                                                       | Interstate<br>Compact<br>Administrator | Pen. Code, §§ 11175, 1203.1b |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section             | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Collaboration            | Reference                         |
|----------------------|--------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-----------------------------------|
| Services:<br>Process | Pen. Code, § 1203(j)     | Statute                          | Other                               | Specifies that the court may order the defendant to appear before the county financial evaluation officer for a financial evaluation of the defendant's ability to pay restitution, and that such court order can be enforced as a violation of the terms and conditions of probation upon willful failure to pay, or it can be enforced in the same manner as a judgment in a civil action if any balance remains unpaid at the end of the defendant's probationary period.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                          |                                   |
| Services:<br>Process | Pen. Code, § 1203(k)     | Statute                          | Other                               | Specifies that probation cannot be granted to any person who is convicted of a violent felony as defined in Pen. Code, § 667.5, subd. (c), or a serious felony as defined in Pen. Code, § 1192.7, subd. (c), and who was on probation for a felony offense at the time of the commission of the new felony offense.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                          | Pen. Code, §§ 667.5(c), 1192.7(c) |
| Services:<br>Process | Pen. Code, § 1203.016(a) | Statute                          | Other                               | Provides that the board of supervisors of any county may authorize the correctional administrator, which includes a probation officer, to offer a program under which minimum security inmates and low-risk offenders committed to a county correctional facility or granted probation, or inmates participating in a work furlough program, may voluntarily participate in a home detention program during their sentence in lieu of confinement in the county correctional facility or program under the auspices of the probation officer.                                                                                                                                                                                                                                                                                                                                                                                                                                      | Bd. of Sups.             |                                   |
| Services:<br>Process | Pen. Code, § 1203.016(j) | Statute                          | Other                               | Provides that the correctional administrator, with the approval of the board of supervisors, may administer a home detention program pursuant to a written contract with appropriate public or private agencies or entities to provide specified program services. Prohibits any public or private agency, with the exception of the California Department of Corrections or the Department of the Youth Authority as established in Pen. Code, § 3004, from operating a home detention program in any county without a written contract with that county's correctional administrator. Places all privately operated home detention programs under the jurisdiction of, and subject to the terms and conditions of the contract entered into with, the correctional administrator. Specifies provisions that are required to be included in the contract between any privately operated home detention program and the correctional administrator.                                | Bd. of Sups.;<br>CDC; YA | Pen. Code, § 3004                 |
| Services:<br>Process | Pen. Code, § 1203.016(j) | Statute                          |                                     | Mandates the correctional administrator, the board of supervisors, and the designee of the correctional administrator to comply with Gov. Code, § 1090, in the consideration, making, and execution of contracts pursuant to Pen. Code, § 1203.016. Specifies that the failure of the private agency or entity to comply with statutory provisions and requirements or with the standards established by the contract and with the correctional administrator may be sufficient cause to terminate the contract. Mandates the correctional administrator, upon the discovery that a private agency or entity with whom there is a contract is not in compliance, to give 60 days' notice to the director of the private agency or entity that the contract may be cancelled if the specified deficiencies are not corrected, and specifies that shorter notice may be given or the contract may be cancelled without notice whenever a serious threat to public safety is present. | Bd. of Sups.             | Gov. Code, § 1090                 |
| Services:<br>Process | Pen. Code, § 1203.05     | Statute                          | Other                               | Provides guidelines as to how any report of the probation officer filed with the court, including any report arising out of a previous arrest of the person who is the subject of the report, may be inspected or copied.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                          |                                   |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section           | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Collaboration | Reference                    |
|----------------------|------------------------|----------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------------|
| Services:<br>Process | Pen. Code, § 1203.067  | Statute                          | Other                               | Mandates the court to do the following before granting probation to any person convicted of specified molestation or sexual felony: order the defendant evaluated by the probation department pursuant to Pen. Code, § 1203.03; conduct a hearing at the time of sentencing to determine if probation of the defendant would pose a threat to the victim; and order a psychiatrist or psychologist, appointed pursuant to Pen. Code, § 288.1, to include a consideration of the threat to the victim and the defendant's potential for positive response to treatment, when treatment has been ordered as a condition of probation. |               | Pen. Code, §§ 1203.03, 288.1 |
| Services:<br>Process | Pen. Code, § 1203.1(a) | Statute                          | Other                               | Specifies that in the order granting probation, the court may suspend the imposition or execution of the sentence. Provides that the court may imprison the defendant in a county jail for a period not exceeding the maximum time fixed by law in the case in the order granting probation. States that the court may impose either imprisonment in a county jail or a fine, both, or neither in connection with granting probation, and may require bonds for the faithful observance and performance of any or all of the conditions of probation.                                                                               |               |                              |
| Services:<br>Process | Pen. Code, § 1203.1(b) | Statute                          | Other                               | Mandates the court to consider whether the defendant, as a condition of probation, be required to make restitution to the victim or the Restitution Fund. Outlines procedures for handling restitution payments received by the probation department and restitution disbursements to crime victims and prohibits delay of restitution disbursement beyond 180 days from the date the payment is received by the probation department.                                                                                                                                                                                              |               |                              |
| Services:<br>Process | Pen. Code, § 1203.1(c) | Statute                          | Other                               | States that the court may place the probationer in road camp, farm, or other public work instead of in jail in cities or counties where such possibilities exist, and that if the probationer is placed in road camp or other public work, Gov. Code, § 25359, is to be applied to probation, and the court has the same power to require adult probationers to work, as prisoners confined in the county jail are required to work, at public work.                                                                                                                                                                                |               | Gov. Code, § 25359           |
| Services:<br>Process | Pen. Code, § 1203.1(d) | Statute                          | Other                               | States that the court may place the probationer in road camp, farm, or other public work instead of in jail in cities or counties where such possibilities exist, and that if the probationer is placed in road camp or other public work, Gov. Code, § 25359, is to be applied to probation, and the court has the same power to require adult probationers to work, as prisoners confined in the county jail are required to work, at public work.                                                                                                                                                                                |               |                              |
| Services:<br>Process | Pen. Code, § 1203.1(e) | Statute                          | Other                               | Requires the court to consider whether the defendant, as a condition of probation, be required to make restitution to a public agency for the costs of an emergency response pursuant to art. 8 (commencing with § 53150) of ch. 1 of pt. 1 of div. 2 of Gov. Code.                                                                                                                                                                                                                                                                                                                                                                 |               | Gov. Code, § 53150           |
| Services:<br>Process | Pen. Code, § 1203.1(g) | Statute                          | Other                               | Requires the court and the prosecuting attorney to consider whether any defendant who has been convicted of a specified nonviolent or nonserious offense and ordered to participate in community service as a condition of probation shall be required to engage in the removal of graffiti in the performance of the community service.                                                                                                                                                                                                                                                                                            |               |                              |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section              | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Collaboration               | Reference                                       |
|----------------------|---------------------------|----------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------------------------|
| Services:<br>Process | Pen. Code, § 1203.1(j)    | Statute                          | Other                               | Requires the court to place the defendant or probationer in and under the charge of the probation officer of the court, for the period or term fixed for probation, upon the defendant's being released from the county jail in all cases where confinement in a county jail has not been a condition of the grant of probation. Specifies that the probationary period ceases upon the payment of any fine imposed and the fulfillment of all conditions of probation. Requires that probationer's fingerprints be taken and a record of them kept and preserved in counties and cities in which there are facilities for taking fingerprints.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                             |                                                 |
| Services:<br>Process | Pen. Code, § 1203.1abc(d) | Statute                          | Discretionary                       | Authorizes the county probation department, with the exception of the probation department of Los Angeles county, to use the volunteer services of a local college or university in evaluating the effectiveness of the program that is designed to assist convicted felons in obtaining the equivalent of a twelfth-grade education.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Local College or University |                                                 |
| Services:<br>Process | Pen. Code, § 1203.1b(a)   | Statute                          | Mandate<br>Other                    | Mandates the probation officer or probation officer's representative, whether or not probation supervision is ordered by the court, to determine the ability of the defendant to pay all or a portion of the reasonable cost of any probation supervision or a conditional sentence; of conducting any preplea investigation and preparing any preplea report pursuant to Pen. Code, § 1203.7 or § 1203; and of processing a jurisdictional transfer pursuant to § 1203.9 or of processing a request for interstate compact supervision pursuant to any of Pen. Code, §§ 11175–11179. Specifies that the reasonable cost of these services and of probation supervision or a conditional sentence cannot exceed the amount determined to be the actual average cost, and mandates the probation department in each county to develop, and the presiding judge of the superior court to approve, a payment schedule for the reimbursement of the costs of preplea or presentence investigations based on income. Requires the court to order the defendant to appear before a probation officer or probation officer's representative to inquire into the defendant's ability to pay such costs. |                             | Pen. Code, §§ 1203, 1203.7, 1203.9, 11175–11179 |
| Services:<br>Process | Pen. Code, § 1203.1b(a)   | Statute                          | Mandate<br>Other                    | Mandates the probation officer to inform the defendant that he or she is entitled to a hearing, which includes the right to counsel, in which the court is required to make a determination of the defendant's ability to pay and the payment amount, and states that the defendant must waive the right to a determination by the court of his or her ability to pay and the payment amount by a knowing and intelligent waiver.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                             |                                                 |
| Services:<br>Process | Pen. Code, § 1203.1b(b)   | Statute                          | Mandate                             | Mandates the probation officer to refer any case, where the defendant fails to waive the right provided in Pen. Code, § 1203.1b, subd. (a), to a determination by the court of the ability to pay and the payment amount, to the court for the scheduling of a hearing to determine the amount of payment and the manner in which the payments should be made. Requires the court to state on the record reasons regarding the court order concerning the defendant's ability to pay if the court's order differs from the determination of the probation officer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                             | Pen. Code, § 1203.1b(a)                         |
| Services:<br>Process | Pen. Code, § 1203.1b(c)   | Statute                          | Other                               | States that the court may hold additional hearings during the probationary or conditional sentencing period to review the defendant's financial ability to pay the amount set by the probation officer or the court.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                             |                                                 |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section             | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Collaboration | Reference                         |
|----------------------|--------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------|
| Services:<br>Process | Pen. Code, § 1203.1b(e)  | Statute                          | Other                               | Defines the term <i>ability to pay</i> as the defendant's overall capability to reimburse various costs, including the cost of presentence investigation and preparation of the preplea or presentence report by the probation officer.                                                                                                                                                                                                                                                                                                                                            |               |                                   |
| Services:<br>Process | Pen. Code, § 1203.1b(f)  | Statute                          | Mandate<br>Other                    | Provides that the defendant at any time during the pendency of the judgment rendered according to the terms of Pen. Code, § 1203.1b, has a right to petition the probation officer or the rendering court for a review of the defendant's financial ability to pay on the grounds of a change of circumstances with regard to the defendant's ability to pay the judgment. Mandates the court and the probation department to inform the defendant about this right at the time judgment is rendered.                                                                              |               | Pen. Code, § 1203.1b              |
| Services:<br>Process | Pen. Code, § 1203.1bb(e) | Statute                          | Other                               | Defines the term <i>ability to pay</i> as the overall capability of the defendant to reimburse the cost, or a portion of the cost, of conducting the presentence investigation, preparing the preplea or presentence report, processing a jurisdictional transfer pursuant to Pen. Code, § 1203.9, processing requests for interstate compact supervision pursuant to Pen. Code, §§ 11175–11179 inclusive, and probation supervision or conditional sentencing. Specifies other additional information that is required to be included in the determination of the ability to pay. |               | Pen. Code, §§ 1203.9, 11175–11179 |
| Services:<br>Process | Pen. Code, § 1203.1bb(f) | Statute                          | Mandate                             | Mandates the probation officer and the court to advise the defendant of the right to petition the probation officer for a review of the defendant's financial ability to pay at the time of rendering of the terms of probation or the judgment.                                                                                                                                                                                                                                                                                                                                   |               |                                   |
| Services:<br>Process | Pen. Code, § 1203.11     | Statute                          | Other                               | Authorizes the probation officer, among other entities, to serve any process regarding the issuance of a temporary restraining order or other protective order against a person committed to the care of the probation or parole officer or parole agent when the person appears for an appointment with the probation officer at his or her office.                                                                                                                                                                                                                               |               |                                   |
| Services:<br>Process | Pen. Code, § 1203.2a     | Statute                          | Discretionary<br>Mandate            | Provides that the probation officer may, upon learning of the defendant's imprisonment, and must, within 30 days after being notified in writing by the defendant or his or her counsel or the warden or duly authorized representative of the prison in which the defendant is confined, report such commitment to the court that released him or her on probation.                                                                                                                                                                                                               |               |                                   |
| Services:<br>Process | Pen. Code, § 1203.4(d)   | Statute                          | Mandate                             | Mandates the probation officer to notify the prosecuting attorney when a petition for relief, pursuant to Pen. Code, § 1203.4, is filed.                                                                                                                                                                                                                                                                                                                                                                                                                                           |               | Pen. Code, § 1203.4               |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section              | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Collaboration                                                     | Reference                          |
|----------------------|---------------------------|----------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|------------------------------------|
| Services:<br>Process | Pen. Code, § 1203.9       | Statute                          | Mandate<br>Other                    | Provides that whenever any person is released on probation, the case may be transferred to any court of the same rank in any other county in which the person resides permanently, meaning the stated intention to remain for the duration of probation. Mandates the probation department and the court to give the matter of investigating such intercounty transfers precedence over all actions or proceedings, with the exception of actions or proceedings to which special precedence is given by law. Specifies that a copy of the transfer order and an order for reimbursement of reasonable costs for processing the transfer to be paid to the sending county in accordance with Pen. Code, § 1203.1b, are required to be transmitted to the court and probation officer of the receiving county within two weeks of the finding by that county that the person does permanently reside in or has permanently moved to that county. |                                                                   | Pen. Code, § 1203.1b               |
| Services:<br>Process | Pen. Code, § 1203c        | Statute                          | Mandate                             | Provides that whenever a person is committed to an institution under the jurisdiction of the Department of Corrections, whether probation has been applied for or not, it is a duty of the probation officer of the county from which the person is committed to send to the Department of Corrections a probation report prepared in the form prescribed by the administrator following consultation with the Board of Corrections, in addition to commitment papers, as may be required by the administrator of the Youth and Adult Corrections Agency.                                                                                                                                                                                                                                                                                                                                                                                       | Bd. of Correct.;<br>Adm. of Youth<br>and Adult<br>Correct. Agency |                                    |
| Services:<br>Process | Pen. Code, § 1203d        | Statute                          | Mandate<br>Other                    | Prevents the court from pronouncing judgment upon any defendant for whom the court has requested a probation report pursuant to Pen. Code, § 1203.10, unless a copy of the probation report has been made available to the court, the prosecuting attorney, and the defendant or defendant's attorney at least two days or, if requested by the defendant, five days prior to the hearing and consideration of the report. Mandates the court to order the probation officer preparing the report to discuss its contents with the defendant who is not represented by an attorney. Provides that the sentence recommendations of the report be available to the victim, or the victim's next of kin if the victim has died, through the district attorney's office, and that the victim or victim's next of kin be informed of the availability of this information through the notice provided pursuant to Pen. Code, § 1191.1.               |                                                                   | Pen. Code, §§ 1203.10, 1191.1      |
| Services:<br>Process | Pen. Code, § 1208.2(a)(1) | Statute                          | Other                               | Provides that this section applies to individuals authorized to participate in a work furlough program pursuant to Pen. Code, § 1208, or to individuals authorized to participate in an electronic home detention program pursuant to Pen. Code, § 1203.016, or to individuals authorized to participate in a county parole program pursuant to art. 3.5 (commencing with Pen. Code, § 3074) of ch. 8 of tit. 1 of pt. 3.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                   | Pen. Code, §§ 1208, 1203.016, 3074 |
| Services:<br>Process | Pen. Code, § 1208.2(c)    | Statute                          | Mandate                             | Prohibits the correctional administrator, including the probation officer or his or her designee, from having access to a person's financial data prior to the granting or denial of a person's participation in, or assignment of a person to, any of the programs governed by this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                   |                                    |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section           | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Collaboration                                           | Reference                    |
|----------------------|------------------------|----------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|------------------------------|
| Services:<br>Process | Pen. Code, § 1208.2(h) | Statute                          | Mandate                             | Mandates the correctional administrator, including the probation officer or his or her designee, to advise the appropriate court whenever the person and the administrator or his or her designee are unable to come to agreement regarding the person's ability to pay, or the amount that is to be paid, or the method and frequency with which payment is to be made.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                         |                              |
| Services:<br>Process | Pen. Code, § 1208.2(i) | Statute                          | Mandate                             | Mandates the correctional administrator, including the probation officer or his or her designee, to furnish the person who is approved for any of the programs to which this section applies with a written statement of the person's rights in regard to the program for which the person has been approved.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                         |                              |
| Services:<br>Process | Pen. Code, § 1208.2(j) | Statute                          | Mandate                             | Mandates the program administrator, including the probation officer or his or her designee, to include the provisions of this section within any contractual agreement with a private agency or entity as described in Pen. Code, §§ 1203.016, 1208.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                         | Pen. Code, §§ 1203.016, 1208 |
| Services:<br>Process | Pen. Code, § 1210.1(a) | Statute                          | Other                               | Entitles any person convicted of a nonviolent drug possession offense to receive probation, except as provided in Pen. Code, § 1210.1, subd. (b). Makes it mandatory for the court to require participation in and completion of an appropriate drug treatment program as a condition of probation, and allows the court to order participation in vocational training, family counseling, literacy training, and/or community service, and prohibits the court from imposing incarceration as an additional condition of probation.                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                         | Pen. Code, § 1210.1(b)       |
| Services:<br>Process | Pen. Code, § 1210.1(b) | Statute                          | Other                               | Specifies which categories of defendants are excluded from Pen. Code, § 1210.1, subd. (a), applicability.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                         | Pen. Code, § 1210(a)         |
| Services:<br>Process | Pen. Code, § 1210.1(d) | Statute                          | Other                               | Outlines procedures for the court dismissal of charges upon successful completion of drug treatment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                         |                              |
| Services:<br>Process | Pen. Code, § 3415      | Statute                          | Mandate                             | Mandates the probation department to notify, no later than the day sentence is pronounced, any woman sentenced to the state prison whose term does not exceed six years on the basis of either the probable release or parole date computed as if the maximum amount of good time credit would be granted, of a community treatment program under which women inmates who have one or more children under the age of six years can be released to a public or private facility in the community suitable to the needs of the mother and the child or children and which will provide the best possible care for the mother and the child. Upon receipt of the woman inmate's notice of her desire to be admitted to such program, requires the probation department or the defendant to transmit such notice to the Department of Corrections and to the appropriate local social services agency that conducts dependency hearings and investigations for child neglect. | Dept. of<br>Correct.; Local<br>Social Service<br>Agency |                              |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Collaboration                                 | Reference                                         |
|----------------------|--------------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|---------------------------------------------------|
| Services:<br>Process | Pen. Code, § 13020             | Statute                          | Other                               | States that the duty of every probation officer dealing with crimes or criminals or with delinquency or delinquents is to install and maintain records needed for the correct reporting of statistical data required by him or her when requested by the attorney general, to report statistical data to the department at those times and in the manner that the attorney general prescribes, and to give to the attorney general or the attorney general's accredited agent access to statistical data for the purpose of carrying out Pen. Code, tit. 3, "Criminal Statistics" (commencing with § 13000).                                                                                                                                                                                                                         | Atty. General                                 | Pen. Code, tit. 3, ch. 2, § 1300 et seq.          |
| Services:<br>Process | Welf. & Inst. Code, § 241.1(a) | Statute                          | Mandate                             | Mandates the county probation department and the child protective services department, pursuant to a jointly developed written protocol described in subd. (b) of this section, to determine initially which status will serve the best interests of the protection of society and the minor who appears to come within the description of both Welf. & Inst. Code, § 300, and Welf. & Inst. Code, § 601 or 602. Mandates the submission of the departments' recommendations to the juvenile court with the petition that is filed on behalf of the minor.                                                                                                                                                                                                                                                                           | Child Protective/<br>Social Services<br>Dept. | Welf. & Inst. Code, §§ 300, 601, 602              |
| Services:<br>Process | Welf. & Inst. Code, § 241.1(b) | Statute                          | Mandate                             | Mandates the probation department and the child protective services department in each county to develop jointly a written protocol to ensure appropriate local coordination in the assessment of a minor described in subd. (a) of this section and the development of recommendations by these departments for consideration by the juvenile court. Specifies the guidelines and provisions to be included in such protocols.                                                                                                                                                                                                                                                                                                                                                                                                      | Child Protective/<br>Social Services<br>Dept. |                                                   |
| Services:<br>Process | Welf. & Inst. Code, § 241.1(c) | Statute                          | Mandate                             | Provides that whenever a minor who is under the jurisdiction of the juvenile court pursuant to Welf. & Inst. Code, § 300, 601, or 602, is alleged to come within the description of Welf. & Inst. Code, § 300, 601, or 602, by another county, the county probation department or child protective services department in the county that has jurisdiction under Welf. & Inst. Code, § 300, 601, or 602, and the probation department or child protective services department in the county alleging the minor to be within one of those sections is mandated to determine initially which status will best serve the best interests of the minor and the protection of society. Specifies that recommendations of both departments are to be presented to the juvenile court in which the petition is filed on behalf of the minor. | Child Protective/<br>Social Services<br>Dept. | Welf. & Inst. Code, §§ 300, 601, 602              |
| Services:<br>Process | Welf. & Inst. Code, § 272(a)   | Statute                          | Other                               | Gives the board of supervisors authority to delegate the probation officer's right of access to state summary criminal history information pursuant to Pen. Code, § 11105, to the county welfare department and to any Indian tribe that has entered into an agreement to perform child welfare services pursuant to Welf. & Inst. Code, § 10553.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Bd. of Sups.                                  | Pen. Code, § 11105; Welf. & Inst. Code, § 10553.1 |
| Services:<br>Process | Welf. & Inst. Code, § 273      | Statute                          | Discretionary                       | Gives the probation officer discretionary authority to employ, within budgetary limitations established by the board of supervisors, such psychiatrists, psychologists, and other clinical experts as are required to assist in determining appropriate treatment of minors within the jurisdiction of the juvenile court and in the implementation of such treatment.                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Bd. of Sups.                                  |                                                   |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Collaboration          | Reference                                 |
|----------------------|--------------------------------|----------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-------------------------------------------|
| Services:<br>Process | Welf. & Inst. Code, § 284      | Statute                          | Mandate                             | Mandates all probation officers to make such special and periodic reports to the Youth Authority as the authority may require and upon forms furnished by the authority.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                        |                                           |
| Services:<br>Process | Welf. & Inst. Code, § 285      | Statute                          | Mandate                             | Mandates all probation officers to make such periodic reports to the Bureau of Criminal Statistics as the bureau may require and upon forms furnished by the bureau, provided that no names or social security numbers are transmitted regarding any proceeding under Welf. & Inst. Code, § 300 or 601.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Bureau of Crim. Stats. | Welf. & Inst. Code, §§ 300, 601           |
| Services:<br>Process | Welf. & Inst. Code, § 307(b)   | Statute                          | Discretionary                       | Provides that a peace or probation officer who takes a minor into temporary custody under the provision of Welf. & Inst. Code, § 305, may thereafter prepare in duplicate a written notice for the parent or parents of the minor to appear with the minor before the probation officer of the county in which the minor was taken into custody. Requires that the notice include a concise statement of the reasons the minor was taken into custody. Mandates the officer to deliver one copy of the notice to the minor and a parent, guardian, or responsible relative of the minor, and gives the officer authority to require the minor and the parent, guardian, or relative to sign a written promise that she or she will appear at the time and place designated in the notice. Mandates the officer to immediately release the minor upon the execution of the promise to appear. Mandates the officer to file one copy of the notice with the probation officer as soon as practicable. |                        | Welf. & Inst. Code, § 305                 |
| Services:<br>Process | Welf. & Inst. Code, § 307(c)   | Statute                          | Discretionary                       | Provides that a peace or probation officer, who takes a minor into temporary custody under the provision of Welf. & Inst. Code, § 305, may thereafter take the minor, without unnecessary delay, before the probation officer of the county in which the minor resides, or in which the acts take place, or in which the circumstances exist that are alleged to bring the minor within the provisions of Welf. & Inst. Code, § 300, and deliver the minor into the custody of the probation officer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                        | Welf. & Inst. Code, §§ 300 & 305          |
| Services:<br>Process | Welf. & Inst. Code, § 307.4(a) | Statute                          | Mandate                             | Mandates any peace or probation officer or social worker who takes a minor within the description of Welf. & Inst. Code, § 300, into temporary custody pursuant to Welf. & Inst. Code, § 305, 306, or 307, to immediately inform the parent, guardian, or responsible relative that the minor has been taken into protective custody and that a written statement is available that explains the parent's or guardian's procedural rights and the preliminary stages of the dependency investigation and hearing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                        | Welf. & Inst. Code, §§ 300, 305, 306, 307 |
| Services:<br>Process | Welf. & Inst. Code, § 307.4(b) | Statute                          | Other                               | Provides that the failure on the part of the peace or probation officer or social worker to notify the parent or guardian that the written information required by Welf. & Inst. Code, § 307.4, subd. (a), is available cannot be construed to permit a new defense to any juvenile or judicial proceeding or to interfere with any rights, or investigations accorded under any other law and is considered to be due to circumstances beyond the control of the officer or social worker, if a good faith attempt was made at notification.                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                        | Welf. & Inst. Code, § 307.4(a)            |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Collaboration | Reference                            |
|----------------------|--------------------------------|----------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------|
| Services:<br>Process | Welf. & Inst. Code, § 310      | Statute                          | Discretionary                       | Gives the probation officer authority to require a minor who was taken into custody pursuant to Welf. & Inst. Code, § 305, or his parent, guardian, or relative, or both, to sign a written promise, as a condition for the release of such minor, that either or both of them will appear before the probation officer at a suitable place designated by the probation officer at a specified time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               | Welf. & Inst. Code, § 305            |
| Services:<br>Process | Welf. & Inst. Code, § 311      | Statute                          | Mandate                             | Mandates the probation officer to immediately file a petition pursuant to Welf. & Inst. Code, § 332, with the clerk of the juvenile court if the probation officer determines that a minor who was taken into custody pursuant to Welf. & Inst. Code, § 305, should be retained in custody. Mandates the probation officer to notify each parent or each guardian of the minor of the time and place of the detention hearing if the whereabouts of each parent or guardian can be ascertained by due diligence. Mandates the probation officer to serve those persons entitled to notice of the hearing under the provisions of Welf. & Inst. Code, § 335, with a copy of the petition and to notify these persons of the time and place of the detention hearing. Provides that the notice may be given orally, and is required to be given orally if it appears that the parent does not read. |               | Welf. & Inst. Code, §§ 332, 305, 335 |
| Services:<br>Process | Welf. & Inst. Code, § 313(a)   | Statute                          | Mandate                             | Mandates a peace or probation officer to release, within 48 hours excluding nonjudicial days and unless a petition to declare him or her a dependent child has been filed within said period, any minor taken into custody, except when such minor willfully misrepresents himself or herself as 18 or more years of age.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |                                      |
| Services:<br>Process | Welf. & Inst. Code, § 313(b)   | Statute                          | Mandate                             | Mandates a peace or probation officer to prepare a written explanation whenever a minor is held in custody for more than six hours and is subsequently released, and no petition is filed, of why the minor was held in custody longer than six hours. Requires that the written explanation be prepared within 72 hours after the minor is released, and that a copy of the written explanation be sent to the parents, guardian, or other person having care or custody of the minor.                                                                                                                                                                                                                                                                                                                                                                                                           |               |                                      |
| Services:<br>Process | Welf. & Inst. Code, § 314      | Statute                          | Mandate                             | Requires a petition or complaint to be filed within 48 hours, excluding nonjudicial days, from the time true age is determined, any time a minor willfully misrepresents himself or herself to be 18 or more years of age when taken into custody by a peace or probation officer, and any time such misrepresentation effects a material delay in investigation. Requires that the minor be immediately released from custody if the petition is not filed within the time prescribed by this section.                                                                                                                                                                                                                                                                                                                                                                                           |               |                                      |
| Services:<br>Process | Welf. & Inst. Code, § 601.3(a) | Statute                          | Discretionary                       | Gives the probation officer or the district attorney, or both, authority to request the parents or guardians and the child who continues to be classified as a truant after review and counseling by the school attendance review board or probation officer to attend a meeting in the district attorney's office or at the probation department to discuss the possible legal consequences of the minor's truancy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Dist. Atty.   |                                      |
| Services:<br>Process | Welf. & Inst. Code, § 601.3(b) | Statute                          | Other                               | Specifies information that is required to be included in the notice of a meeting to be held pursuant to this section as summoned by the probation officer, the district attorney, or both, regarding the possible legal consequences of the minor's truancy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |                                      |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Collaboration | Reference                              |
|----------------------|--------------------------------|----------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------------------------|
| Services:<br>Process | Welf. & Inst. Code, § 601.3(c) | Statute                          | Other                               | Provides that the notice of a meeting, to be held pursuant to this section, as summoned by the probation officer, the district attorney, or both, regarding the possible legal consequences of the minor's truancy must be served at least five days prior to the meeting on each person required to attend the meeting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Dist. Atty.   |                                        |
| Services:<br>Process | Welf. & Inst. Code, § 601.3(d) | Statute                          | Mandate                             | Mandates the probation officer or the district attorney to advise the parents or guardians and the child attending a meeting, held pursuant to this section, as summoned by the probation officer, the district attorney, or both, regarding the possible legal consequences of the minor's truancy, that any statements they make could be used against them in subsequent court proceedings.                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Dist. Atty.   |                                        |
| Services:<br>Process | Welf. & Inst. Code, § 601.3(e) | Statute                          | Discretionary                       | Gives the probation officer or the district attorney after consultation with the probation officer, authority to file a petition pursuant to Welf. & Inst. Code, § 601, after a meeting held pursuant to this section, if the probation officer or the district attorney determines that available community resources cannot resolve the truancy problem, or if the student or student's parents or guardians, or both, have failed to respond to services provided or to the directives of the school, the school attendance review board, the probation officer, or the district attorney.                                                                                                                                                                                                                                                      | Dist. Atty.   | Welf. & Inst. Code, § 601              |
| Services:<br>Process | Welf. & Inst. Code, § 601.3(f) | Statute                          | Discretionary<br>Mandate            | Authorizes the truancy mediation program. Gives the probation officer or the district attorney authority to establish the truancy mediation program. Mandates the probation officer and the district attorney to coordinate their efforts and to cooperate in determining which office is best able to operate a truancy mediation program in their county.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Dist. Atty.   |                                        |
| Services:<br>Process | Welf. & Inst. Code, § 627.5    | Statute                          | Mandate                             | Mandates the probation officer to immediately advise the minor and his or her parent or guardian that anything a minor says can be used against him or her in any case where a minor is taken before a probation officer pursuant to the provisions of Welf. & Inst. Code, § 626, and it is alleged that such minor is a person described in Welf. & Inst. Code, § 601 or 602. Mandates the probation officer to advise such a minor and his or her parent or guardian of the minor's constitutional rights, including the right to remain silent, the right to have counsel present during any interrogation, and the right to have counsel appointed if he or she is unable to afford counsel. Mandates the probation officer to notify the judge of the juvenile court of the minor's or his or her parent's or guardian's request for counsel. |               | Welf. & Inst. Code, §§ 601, 602, 626   |
| Services:<br>Process | Welf. & Inst. Code, § 629(a)   | Statute                          | Discretionary<br>Mandate            | Mandates the probation officer to require the minor, as a condition for his or her release pursuant to Welf. & Inst. Code, § 628.1, and subject to Welf. & Inst. Code, §§ 631 and 632, to sign a written promise to appear before the probation officer at the juvenile hall or other suitable place designated by the probation officer at a specified time. Gives the probation officer discretionary authority to require the minor's parent, guardian, or relative to sign a written promise to appear before the probation officer at the juvenile hall or other suitable place designated by the probation officer at a specified time.                                                                                                                                                                                                      |               | Welf. & Inst. Code, §§ 628.1, 631, 632 |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                 | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Collaboration | Reference                                                                                      |
|----------------------|------------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------------------------------------------------------------------------------|
| Services:<br>Process | Welf. & Inst. Code, § 629.1  | Statute                          | Mandate                             | Mandates the probation officer to retain the minor, who was delivered to him or her pursuant to Welf. & Inst. Code, § 626.6, notwithstanding Welf. & Inst. Code, § 628 or 628.1, and who is 14 years of age or older, in custody until such time that the minor can be brought before a judicial officer of the juvenile court pursuant to Welf. & Inst. Code, § 632.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |               | Welf. & Inst. Code, §§ 626.6, 628, 628.1, 632                                                  |
| Services:<br>Process | Welf. & Inst. Code, § 630(a) | Statute                          | Mandate                             | Mandates the probation officer to immediately proceed in accordance with art. 16 ("Wards – Commencement of Proceedings") of ch. 2 of pt. 1 of div. 2 of Welf. & Inst. Code (commencing with § 650) to cause the filing of a petition pursuant to Welf. & Inst. Code, § 656, with the clerk of the juvenile court if the probation officer determines that the minor should be retained in custody. Mandates the probation officer or the prosecuting attorney to serve such minor with a copy of the petition and notify the minor of the time and place of the detention hearing immediately upon filing the petition with the clerk of the juvenile court if the minor is alleged to be a person described in Welf. & Inst. Code, § 601 or 602. Mandates the probation officer or the prosecuting attorney to notify each parent or each guardian also, if their whereabouts can be ascertained by due diligence, and provides that such notice may be given orally.                                                                                           |               | Welf. & Inst. Code, art. 16 of ch. 2 of pt. 1 of div. 2 ; Welf. & Inst. Code, §§ 656, 601, 602 |
| Services:<br>Process | Welf. & Inst. Code, § 631(a) | Statute                          | Other                               | Requires the release of any minor within 48 hours, excluding nonjudicial days, after having been taken into custody by a peace or probation officer, except when the minor willfully misrepresents himself or herself as 18 or more years of age, and unless within that period of time a petition to declare the minor a ward has been filed pursuant to ch. 2 ("Juvenile Court Law") of pt. 1 of div. 2 of Welf. & Inst. Code or a criminal complaint against the minor has been filed in a court of competent jurisdiction.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               | Welf. & Inst. Code, div. 2 of pt. 1 of ch. 2                                                   |
| Services:<br>Process | Welf. & Inst. Code, § 631(b) | Statute                          | Other                               | Requires the release of any minor within 48 hours, excluding nonjudicial days, after having been taken into custody by a peace or probation officer without a warrant on the belief that the minor has committed a misdemeanor that does not involve violence, the threat of violence, or possession or use of a weapon, except when the minor willfully misrepresents himself or herself as 18 or more years of age, and unless a petition has been filed to declare the minor a ward of the court and the minor has been ordered detained by a judge of referee of the juvenile court pursuant to Welf. & Inst. Code, § 635. Makes any decision to detain such minor more than 24 hours a subject of written review and approval by a probation officer who is a supervisor in all cases as soon as possible after it is known that the minor will be detained more than 24 hours. Specifies that a decision to detain the minor more than 24 hours is not subject to review and approval if such decision is made by a probation officer who is a supervisor. |               | Welf. & Inst. Code, § 635                                                                      |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Collaboration | Reference                                            |
|----------------------|--------------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------------------------------------|
| Services:<br>Process | Welf. & Inst. Code, § 631(c)   | Statute                          | Mandate                             | Mandates the probation officer to prepare a written explanation of why the minor was held in custody for more than 24 hours if a minor has been held in custody for more than 24 hours by the probation officer and is subsequently released and no petition is filed. Requires that the written explanation be prepared within 72 hours after the minor is released from custody and filed in the record of the case. Requires that a copy of the written explanation be sent to the parents, guardian, or other person having care or custody of the minor.                                                                                                                                  |               |                                                      |
| Services:<br>Process | Welf. & Inst. Code, § 635      | Statute                          | Mandate                             | Mandates the probation officer to submit a written report to the court containing specified information if the probation officer has reason to believe that the minor is at risk of entering foster care placement as defined by Welf. & Inst. Code, § 11402.                                                                                                                                                                                                                                                                                                                                                                                                                                  |               | Welf. & Inst. Code, § 11402                          |
| Services:<br>Process | Welf. & Inst. Code, § 636(c)   | Statute                          | Other                               | Specifies documentation that the probation officer is mandated to submit to the court when he or she is recommending that the minor be detained.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |                                                      |
| Services:<br>Process | Welf. & Inst. Code, § 636.1(a) | Statute                          | Mandate                             | Mandates the probation officer to complete a case plan, whenever a minor is detained pursuant to Welf. & Inst. Code, § 636, following a finding by the court that continuance in the home is contrary to the minor's welfare and the minor is at risk of entering foster care, within 30 calendar days of initial removal of a minor or by the date of the disposition hearing, whichever occurs first.                                                                                                                                                                                                                                                                                        |               | Welf. & Inst. Code, § 636                            |
| Services:<br>Process | Welf. & Inst. Code, § 652      | Statute                          | Mandate                             | Mandates the probation officer, whenever he or she has cause to believe that there was or is within the county, or residing in the county, a person within the provision of Welf. & Inst. Code, § 601 or 602, to immediately make an investigation to determine whether proceedings in the juvenile court should be commenced and whether reasonable efforts, as described in par. (5) of Welf. & Inst. Code, § 727.4, subd. (d), have been made to prevent or eliminate the need for removal of the minor from his or her home. Does not require an investigation by the probation officer if a minor is delivered or referred to an agency pursuant to Welf. & Inst. Code, § 626, subd. (b). |               | Welf. & Inst. Code, §§ 601, 602, 727.4(d)(5), 626(b) |
| Services:<br>Process | Welf. & Inst. Code, § 653      | Statute                          | Mandate                             | Mandates the probation officer, whenever any person applies to the probation officer or the district attorney to commence proceedings in the juvenile court in accordance with Welf. & Inst. Code, § 601.3, subd. (e), to investigate immediately whether proceedings in the juvenile court should be commenced.                                                                                                                                                                                                                                                                                                                                                                               | Dist. Atty.   | Welf. & Inst. Code, § 601.3(e)                       |
| Services:<br>Process | Welf. & Inst. Code, § 653.5(c) | Statute                          | Other                               | Specifies the cases in which the probation officer is required, notwithstanding subd. (b) of this section, to cause the affidavit to be taken within 48 hours to the prosecuting attorney.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Dist. Atty.   |                                                      |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Collaboration                 | Reference                                                                         |
|----------------------|--------------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|-----------------------------------------------------------------------------------|
| Services:<br>Process | Welf. & Inst. Code, § 654(a)   | Statute                          | Other                               | Authorizes the probation officer, with consent of the minor and the minor's parent or guardian, to maintain and operate sheltered-care facilities, or to contract with private or public agencies to provide these services, in lieu of filing a petition to declare a minor a dependent child of the court. Requires that placement of the minor pursuant to this section be limited to a maximum of 90 days, and requires that the counseling services be extended to the sheltered minor and minor's family during this period of diversion services. Specifies that the minor and his or her parents may be required to make full or partial reimbursement for the services rendered during the diversion process. Provides that referrals for sheltered-care diversion may be made by the minor, his or her family, schools, any law enforcement agency, or any other private or public social service agency.                                                                                                                                                                                                                  |                               |                                                                                   |
| Services:<br>Process | Welf. & Inst. Code, § 654(b)   | Statute                          | Other                               | Authorizes the probation officer, with consent of the minor and the minor's parent or guardian, to maintain and operate crisis resolution homes, or to contract with private or public agencies to provide these services, in lieu of filing a petition to declare a minor a dependent child of the court. Requires that residence at these facilities be limited to 20 days, and requires that individual and family counseling services be extended to the sheltered minor and minor's family during this period of diversion services. Specifies that the failure to resolve the crisis within the 20-day period may result in the minor's referral to a sheltered-care facility for a period not to exceed 90 days. Provides that referrals for crisis resolution homes are required to be accepted from the minor, his or her family, schools, any law enforcement agency, or any other private or public social service agency. Provides that the minor, his or her parents, or both, may be required to reimburse the county for the cost of services rendered at a rate to be determined by the county board of supervisors. | Public or Private<br>Agencies |                                                                                   |
| Services:<br>Process | Welf. & Inst. Code, § 654(c)   | Statute                          | Other                               | Authorizes the probation officer, with consent of the minor and the minor's parent or guardian, to maintain and operate counseling and educational centers, or to contract with private or public agencies whose purpose is to provide vocational training or skills, in lieu of filing a petition to declare a minor a dependent child of the court. Provides that the center may be operated separately or in conjunction with crisis resolution homes by the probation officer. Authorizes the probation officer to make referrals to the appropriate existing private or public agencies offering similar services when available.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Public or Private<br>Agencies |                                                                                   |
| Services:<br>Process | Welf. & Inst. Code, § 654.1(a) | Statute                          | Discretionary<br>Mandate            | Authorizes the probation officer, in lieu of requesting that a petition be filed by the prosecuting attorney to declare the minor a ward of the court under Welf. & Inst. Code, § 602, to proceed in accordance with Welf. & Inst. Code, § 654, and delineate a program of supervision for the minor in any case in which a minor has been charged with a violation of Veh. Code, § 23140 or 23152. Mandates the probation officer to cause the citation for a violation of Veh. Code, § 23140 or 23152, to be heard and disposed of by the judge, referee, or traffic hearing officer pursuant to Welf. & Inst. Code, §§ 257, 258, as a condition of any program of supervision.                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                               | Welf. & Inst.<br>Code, §§ 602,<br>654, 257, 258;<br>Veh. Code, §§<br>23140, 23152 |
| Services:<br>Process | Welf. & Inst. Code, § 660.5(a) | Statute                          | Other                               | Names the chief probation officer as one of the members of a committee, in any county upon approval by the board of supervisors, that can vote to participate in the Expedited Youth Accountability Program.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Bd. of Sups.                  |                                                                                   |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Collaboration | Reference                                                              |
|----------------------|--------------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------------------------------------------------------|
| Services:<br>Process | Welf. & Inst. Code, § 660.5(d) | Statute                          | Mandate                             | Mandates the probation or peace officer, when releasing a minor who is not detained for any misdemeanor or felony offense and who is not cited to Informal Juvenile and Traffic Court pursuant of Pen. Code, § 256, pars. (1)–(15), & § 853.6a, to issue a citation and obtain a written promise to appear in juvenile court or to record the minor's refusal to sign the promise to appear and serve a notice to appear in juvenile court.                                                                                                                                                                                                                                                                                                                                                                                                                                          |               | Welf. & Inst. Code §§ 658, 659, 660; Pen. Code, §§ 256(1)–(15), 853.6a |
| Services:<br>Process | Welf. & Inst. Code, § 660.5(i) | Statute                          | Mandate                             | Mandates the probation officer to inform the minor and his or her parent or guardian, in the event that the probation officer places a minor on informal probation or cites the minor to Informal Juvenile and Traffic Court or elects some other lawful disposition not requiring the hearing set forth in subd. (b), and no later than 72 hours, excluding nonjudicial days and holidays, prior to the hearing, that a court appearance is not required.                                                                                                                                                                                                                                                                                                                                                                                                                           |               |                                                                        |
| Services:<br>Process | Welf. & Inst. Code, § 676(e)   | Statute                          | Discretionary                       | Authorizes the probation officer or any party involved in the case under this section to petition the juvenile court to prohibit disclosure of any file or record to the public.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |               |                                                                        |
| Services:<br>Process | Welf. & Inst. Code, § 727.4(a) | Statute                          | Mandate                             | Mandates the probation officer to mail or personally serve a notice of any hearing pursuant to Welf. & Inst. Code, § 727, 727.2, or 727.3, to the minor and the minor's parent or guardian or any other specified provider of care to the minor, including a statement regarding the nature of the status review or permanency planning hearing; a statement regarding any change in the custody or status of the minor being recommended by the probation department; and a statement informing the foster parents, relative caregivers, or preadoptive parents that he or she may attend all hearings or may submit any information he or she deems relevant to the court in writing. Mandates the probation department to mail or serve such notice not earlier than 30 days nor later than 15 days preceding the date of the hearing and to file proof of notice with the court. |               | Welf. & Inst. Code, §§ 727, 727.2, 727.3                               |
| Services:<br>Process | Welf. & Inst. Code, § 727.4(b) | Statute                          | Mandate                             | Mandates the probation officer to file a social study report with the court pursuant to the requirements listed in § 706.5 after the hearing during which the court orders that the care, custody, and control of the minor be under the supervision of the probation officer for placement pursuant to Welf. & Inst. Code, § 727, subd. (a), and at least 10 calendar days prior to each status review and permanency planning hearing.                                                                                                                                                                                                                                                                                                                                                                                                                                             |               | Welf. & Inst. Code, §§ 706.5, 727(a)                                   |
| Services:<br>Process | Welf. & Inst. Code, § 727.4(c) | Statute                          | Mandate                             | Mandates the probation officer to inform the minor, the minor's parent or guardian, and all counsel of record that a copy of the social study prepared for the status review and permanency hearing will be available 10 days prior to the hearing and may be obtained from the probation officer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                                                                        |
| Services:<br>Process | Welf. & Inst. Code, § 731.3(a) | Statute                          | Other                               | Requires any minor, who is 15 years of age or older and who is found to have committed a firearms-related offense described in par. (1) of Ed. Code, § 48915, subd. (c), at school or a school activity off school grounds, to complete six months of intensive probation supervision in the minor's county of origin, including participation in an aftercare program, after completion of the Turning Point Academy.                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               | Ed. Code, § 48915(c)(1)                                                |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Collaboration | Reference                                           |
|----------------------|--------------------------------|----------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------------------------|
| Services:<br>Process | Welf. & Inst. Code, § 731.3(c) | Statute                          | Mandate                             | Mandates the probation officer to assess the minor who is 15 years of age or older prior to a referral to the Turning Point Academy. Mandates the probation officer to perform a social study and assess the minor's mental health status and to make a determination whether the criteria enumerated in Welf. & Inst. Code, § 731.3, subd. (b), apply.                                                                                                                                                                                                                                                                                                                                                                                                                        |               | Welf. & Inst. Code, § 731.3(b)                      |
| Services:<br>Process | Welf. & Inst. Code, § 731.3(f) | Statute                          | Discretionary<br>Mandate            | Provides that the probation officer of the county in which the minor is adjudged a ward of the court may temporarily remove the minor from the facility or program if the probation officer determines that the Turning Point Academy is an unsuitable placement for the minor. Mandates the probation officer to promptly inform the court of the minor's removal, and requires that the probation officer return the minor to the court for a hearing to review the suitability of continued confinement at the academy.                                                                                                                                                                                                                                                     |               |                                                     |
| Services:<br>Process | Welf. & Inst. Code, § 731.3(g) | Statute                          | Other                               | Places the individually designed, comprehensive, and intensive programs that are part of the aftercare program of the Turning Point Academy under probation supervision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |                                                     |
| Services:<br>Process | Welf. & Inst. Code, § 739(a)   | Statute                          | Discretionary<br>Mandate            | Gives the probation officer authority, whenever any person is taken into temporary custody under Welf. & Inst. Code art. 15 (commencing with § 625) who is in need of medical, surgical, dental, or other remedial care, and upon the recommendation of the attending physician, surgeon, or attending dentist, to authorize the performance of such care. Mandates the probation officer to notify the parent, guardian, or person standing in loco parentis of the person that medical, surgical, dental, or other remedial care is needed, before care is provided. Specifies that in cases where the parent, guardian, or person standing in loco parentis objects, such care can be given only upon order of the court.                                                   |               | Welf. & Inst. Code, art. 15 (commencing with § 625) |
| Services:<br>Process | Welf. & Inst. Code, § 739(d)   | Statute                          | Discretionary<br>Mandate            | Gives the probation officer authority, whenever it appears that a minor otherwise within subd. (a), (b), or (c) requires immediate emergency, medical, surgical, or other remedial care in an emergency situation, to authorize the performance of such care. Gives the probation officer authority, if the minor needs foot or ankle care within the scope of practice of podiatric medicine, and after obtaining the advice and concurrence of a physician and surgeon, to authorize such care to be provided by a podiatrist. Mandates the probation officer to make reasonable efforts to obtain the consent of, or to notify, the parent, guardian, or person standing in loco parentis prior to authorizing emergency medical, surgical, dental, or other remedial care. |               |                                                     |
| Services:<br>Process | Welf. & Inst. Code, § 776      | Statute                          | Other                               | Provides that no order changing, modifying, or setting aside a previous order of the juvenile court can be made either in chambers or otherwise, unless prior notice of the application therefore has been given by the judge or the clerk of the court to the probation officer, among others.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |                                                     |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                   | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Collaboration                                           | Reference                 |
|----------------------|--------------------------------|----------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|---------------------------|
| Services:<br>Process | Welf. & Inst. Code, § 781(a)   | Statute                          | Discretionary                       | Authorizes the county probation officer or the person to petition the court, in any case in which a petition has been filed with a juvenile court to commence proceedings to adjudge a person a ward of the court and at any time after the person has reached the age of 18 years, to petition the court for sealing of the records under specified circumstances, including records of arrest in the custody of the juvenile court, probation officer, and any other specified agencies that the petitioner alleges in his or her petition to have custody of the records.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                         |                           |
| Services:<br>Process | Welf. & Inst. Code, § 781.5(a) | Statute                          | Mandate                             | Provides that a determination of factual innocence cannot be made pursuant to this subdivision unless the law enforcement agency and probation officer, with the concurrence of the district attorney, determine that no reasonable cause exists to believe that the minor committed the offense for which the arrest was made or the citation was issued. Mandates the probation officer and the law enforcement agency having jurisdiction over the offense to notify the Department of Justice and any other law enforcement agency or probation officer that arrested or cited the minor or participated in the arrest or citing of the minor for an offense for which the minor has been found factually innocent under this subdivision of the sealing of the minor's records and the reason for the sealing of the minor's records. Mandates the probation officer and other specified entities so notified to seal records of the arrest or citation and the notice of sealing for three years from the date of the arrest or citation and thereafter destroy those records and the notice of sealing. | Law Enforcement Agencies; Dist. Atty.; Dept. of Justice |                           |
| Services:<br>Process | Welf. & Inst. Code, § 781.5(a) | Statute                          | Mandate                             | Mandates the Justice Department and the probation officer and the law enforcement agency having jurisdiction over the offense to request the destruction of any records of the arrest or citation that they have given to any local, state, or federal agency or to any other person or entity.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Law Enforcement Agencies; Just. Dept.                   |                           |
| Services:<br>Process | Welf. & Inst. Code, § 781.5(a) | Statute                          | Discretionary                       | Provides that a minor may request in writing that the law enforcement agency and probation officer having jurisdiction over the offense destroy their records of the arrest or citation in any case where a minor has been cited to appear before a probation officer, has been taken before a probation officer pursuant to Welf. & Inst. Code, § 626, or has been taken before any officer of a law enforcement agency and no accusatory pleading or petition to adjudge the minor a ward of the court has been filed. Requires the probation officer and the law enforcement agency having jurisdiction over the offense, and upon a determination that the minor is factually innocent and with concurrence of the district attorney, to seal their records with respect to the minor and the request for relief under this section for three years from the date of the arrest or citation and thereafter destroy the records and the request.                                                                                                                                                            | Law Enforcement Agencies; Dist. Atty.                   | Welf. & Inst. Code, § 626 |
| Services:<br>Process | Welf. & Inst. Code, § 781.5(b) | Statute                          | Other                               | Requires the request for relief under subd. (a) to be deemed denied if the law enforcement agency, probation officer, and district attorney do not respond to the request by accepting or denying the request within 60 days after the running of the statute of limitation for the offense for which the minor was cited or arrested or within 60 days after receipt of the petition in cases where the statute of limitations has previously elapsed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Law Enforcement Agencies; Dist. Atty.                   |                           |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                    | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Collaboration            | Reference                        |
|----------------------|---------------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|----------------------------------|
| Services:<br>Process | Welf. & Inst. Code, § 781.5(f)  | Statute                          | Mandate                             | Mandates the probation officer and law enforcement agency having jurisdiction over the offense or the court to issue a written declaration to the minor, in any case where a minor who has been arrested or cited is granted relief pursuant to this section, stating that it is the determination of the law enforcement agency and probation officer having jurisdiction over the offense or the court that the minor is factually innocent of the charges for which the minor was arrested or cited and that the minor is thereby exonerated.                                                                                                           | Law Enforcement Agencies |                                  |
| Services:<br>Process | Welf. & Inst. Code, § 781.5(h)  | Statute                          | Mandate                             | Mandates the probation officer and law enforcement agency having jurisdiction over the offense or the sealing and destruction of the arrest and citation records pursuant to this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Law Enforcement Agencies |                                  |
| Services:<br>Process | Welf. & Inst. Code, § 785(a)    | Statute                          | Other                               | Gives any parent, minor, or other person having an interest in the minor authority through a probation officer or the prosecuting attorney, in any case where a minor is a ward of the juvenile court and the wardship did not result in the minor's commitment to the Youth Authority and the minor is found to be a fit and proper subject to be dealt with under the juvenile court law with respect to a subsequent allegation of criminal conduct, to petition the court in the same action in which the minor was found to be a ward of the juvenile court for a hearing for an order to terminate or modify the jurisdiction of the juvenile court. | Dist. Atty.              |                                  |
| Services:<br>Process | Welf. & Inst. Code, § 795       | Statute                          | Other                               | Designates the county probation officer or a person designated by the county probation officer to serve as the program administrator for juveniles granted deferred entry of judgment in each county. Specifies that the program administrator is responsible for developing, supervising, and monitoring treatment programs and otherwise overseeing the placement and supervision of minors granted probation pursuant to the provision of ch. 2 ("Juvenile Court Law") of div. 2 of Welf. & Inst. Code.                                                                                                                                                 |                          |                                  |
| Services:<br>Process | Welf. & Inst. Code, § 826.5(a)  | Statute                          | Discretionary<br>Other              | Includes the probation officer in a list of entities who may destroy, at any time before a person reaches the age when his or her records are required to be destroyed, all specified records and papers pertaining to that person if such records and papers are microfilmed or photocopied prior to destruction. Specifies that exhibits are required to be destroyed as provided under Pen. Code, §§ 1418, 1418.5, 1419.                                                                                                                                                                                                                                |                          | Pen. Code, §§ 1418, 1418.5, 1419 |
| Services:<br>Process | Welf. & Inst. Code, § 827(b)(3) | Statute                          | Mandate                             | Mandates the probation or the parole officer having jurisdiction over the minor returned to a school district other than the one from which the minor was removed as a result of the court's finding described in subd. (b) of this section to notify the superintendent of the last district of attendance about the minor's return.                                                                                                                                                                                                                                                                                                                      |                          |                                  |
| Services:<br>Process | Welf. & Inst. Code, § 840       | Statute                          | Other                               | Establishes in each county probation department a program of home supervision to which minors are referred pursuant to Welf. & Inst. Code, § 628.1. Defines the home supervision program.                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                          | Welf. & Inst. Code, § 628.1      |

**Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute**

| Subject Area         | Code Section                              | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Collaboration                                            | Reference                       |
|----------------------|-------------------------------------------|----------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|---------------------------------|
| Services:<br>Process | Welf. & Inst. Code, § 841                 | Statute                          | Other                               | Specifies that the duties of a deputy probation officer, probation aide, community worker, or volunteer assigned to home supervision and under the supervision of a deputy probation officer are to ensure the minor's appearance at probation officer interviews and court hearings and to ensure that the minor obeys the conditions of his or her release and commits no public offenses pending final disposition of his or her case. Mandates a deputy probation officer, probation aide, or community worker assigned to home supervision to have a caseload of no more than 10 minors, or no more than 15 minors if the county probation department employs a method of home supervision including electronic surveillance. Requires that a minor be assigned to a deputy probation officer, probation aide, community worker, or volunteer who resides in the same community as the minor, whenever possible. |                                                          |                                 |
| Services:<br>Process | Welf. & Inst. Code, § 842                 | Statute                          | Other                               | Defines a probation volunteer as a person who donates personal services to the probation department and probationers without compensation. Defines a probation aide or a community worker, who may receive compensation for his or her services. Provides that probation aides, community workers, and volunteers cannot qualify for peace officer status pursuant to Pen. Code, § 830.5.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                          | Pen. Code, § 830.5              |
| Services:<br>Process | Welf. & Inst. Code, § 16500.5(d)          | Statute                          | Discretionary                       | Authorizes the probation officer or a county welfare department social worker, pursuant to an appropriate court order, to return a dependent minor or ward of the court removed from the home pursuant to Welf. & Inst. Code, § 361, to his or her home with appropriate interagency family preservation program services.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                          | Welf. & Inst. Code, § 361       |
| Services:<br>Process | Welf. & Inst. Code, § 16521               | Statute                          | Other                               | Mandates the State Department of Social Services, in consultation with representatives of local probation departments, foster care providers, and other interested parties, to review federal and state statutes, federal requirements, and state regulations pertaining to the placement of children whose board and care is funded through the Aid to Families with Dependent Children–Foster Care program. Mandates the State Department of Social Services to develop, by January 1, 1995, regulations identifying specific initial and ongoing placement activities that must be performed by the probation department to ensure that the needs of wards in placement whose board and care is funded through the Aid to Families with Dependent Children–Foster Care program are met.                                                                                                                            | State Dept. of Social Services;<br>Foster Care Providers |                                 |
|                      | Health & Saf. Code, § 1567.3(a)           | Statute                          | Other                               | Prevents any licensed community care facility from receiving a ward of the juvenile court as described in Welf. & Inst. Code, § 602, until the probation officer of the county in which the community care facility is located has received written notice of the placement, pursuant to Welf. & Inst. Code, § 740, and other specified information about the ward.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                          | Welf. & Inst. Code, §§ 602, 740 |
|                      | <i>Charles S. v. Super. Ct. of LA Co.</i> | 32 Cal. 3d 741                   |                                     | The initial determination of whether to institute informal probation or to file court proceedings is at the discretion of the probation officer and may not be delegated to the prosecuting attorney. (Citing also <i>Raymond B. v. Super. Ct.</i> (1980) 102 Cal.App.3d 372, 375; and <i>Marvin F. v. Super. Ct.</i> (1977) 75 Cal.App.3d 281, 288.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                          |                                 |

Probation Services Task Force  
Laws and Mandates Chart: Sorted by Statute

| Subject Area | Code Section                                                                  | Statute/<br>Regulation/<br>Rules | Mandate/<br>Discretionary/<br>Other | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                | Collaboration | Reference |
|--------------|-------------------------------------------------------------------------------|----------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------|
|              | <i>In re Arron C.</i>                                                         | 59 Cal. App.<br>4th 1365         |                                     | The juvenile probation office is, in effect, an arm of the juvenile court. In a general-law county, probation officers are appointed by and serve at the pleasure of the juvenile court judge. Probation officers are not "adjuncts of the law enforcement team"; they are more like the court employees (identified in Evans) who have "no stake in the outcome of particular criminal prosecutions." (Citing <i>Arizona v. Evans</i> (1995) 514 U.S. 1). |               |           |
|              | <i>People v. Super. Ct. of LA Co. (Robin Hubbard, Real Party in Interest)</i> | 230 Cal.<br>App. 3d 287          |                                     | Mandates the administrator of the Electronic Monitoring Program (EMP) program to make the determination whether a person meets the criteria to participate in the program. The administrator is not required to permit participation; the sentencing judge has only the right to restrict or deny a defendant's participation, but no authority to direct or order placement of a defendant in the EMP program.                                            |               |           |

# **APPENDIX I**

## **Sample Standards and Guidelines**

Note: These sample standards and guidelines are numbered according to the corresponding recommendation

# SAMPLE STANDARDS AND GUIDELINES

## *RECOMMENDATION #4*

Probation departments should develop and annually review mission statements with clearly defined goals and objectives.

### *Subject*

Mission/Goals/Objectives

### *Authority*

Probation Committee

### *Purpose*

To provide a direction/path a Probation department intends to follow in carrying out both mandated and discretionary services.

### *Definitions*

- Mission – An overall statement of a Probation department’s purpose/function.
- Goals – The intended outcomes of the services/programs provided by a Probation department.
- Objectives – The measurable activities of a Probation department that fulfill the mission and goal statements.

### *Directive*

The Chief Probation Officer in each county will annually review and modify, as appropriate, the departments’ mission statement and align the goals and objectives to the mission statement. This review will be carried out at the same time each year, preferably before presenting a proposed budget. This review will solicit the input of those staff in the department whom are charged with the responsibility of meeting the goals and carrying out the stated objectives. The department administrators and managers will consider how these goals and objectives impact other partner agencies and stakeholders and will attempt to design them in a way that enhances agency cooperation.

### *Commentary*

On a yearly basis new legislation is passed, new case law is made and new theories backed by research on crime and delinquency are espoused. As a matter of good agency practice it is important that a department's mission is reviewed on an annual basis in order to stay current with a changing world. Also, as revenue sources change, increase and diminish, and grants from Federal and State sources are made available it impacts the way a department can meet its mission through its goals and objectives. Thus, it is important to review and modify, as may be appropriate, the goals and objectives of a department to take into account these changes and to conform them to the mission statement. These items effectively assist the department in managing its programs but also communicate to its constituents and the public the reason it exists.

## *RECOMMENDATION #5*

Probation departments should incorporate measurable outcomes in developing goals and objectives.

### *Subject*

Service/Program Outcomes

### *Authority*

Probation Committee

### *Purpose*

To provide a measurement by which departments can demonstrate the success of its services/programs.

### *Definitions*

Outcome – A tangible demonstration of success generally through the increase or decrease of a specific measurable activity.

### *Directive*

The Chief Probation Officer and those s/he designates will develop outcome measures for each service/program operated by the department. These outcomes will measure, in a tangible way, and demonstrate when collected the effectiveness of the service/program and preferably will express a positive rather than negative outcome. This will enable the agency to make decisions about those services/programs that need to be eliminated, modified, and expanded.

### *Commentary*

Outcome measures, when developed in a thoughtful and meaningful way, provide an agency with tangible results as to the effectiveness of the departments' services/programs. They demonstrate the departments' success or failure at meeting the goals and objectives established for the department. They help to point department efforts toward modification of a service/program as necessary. They also can focus attention on those services/programs that need to be eliminated because they are not effective at reaching the departments goals and objectives, or those services/programs that might be expanded due to success. Outcomes also provide a clear demonstration to other departments that might benefit from the same service/program, what they might expect if they implemented the program/service.

## *RECOMMENDATION #6*

Probation Departments should develop a common statewide language to facilitate communication, delivery of services, and comparisons across jurisdictions.

### *Subject*

Language

### *Authority*

Probation Committee

### *Purpose*

To provide that oral or written communications regarding matters of Probation operation are universally understood among those who work in the judicial system.

### *Definitions*

Language – Words spoken or written common to persons in the judicial system that allow a uniform understanding of the meaning and reasons for a given action/service/program.

### *Directive*

Probation department personnel will develop and use a language that is free from technical terms, acronyms and other words that do not have a common understanding within the judicial system. When services/programs are describe in writing or spoken about the terms used will be those that have common definitions within the judicial system or in the probation system.

### *Commentary*

In order for the expeditious and orderly discharge of a departments' responsibilities it is critical that there be commonly spoken and written terms within the Probation service. This not only allows for the effective exchange of information between Probation departments, but also the same understanding of the services/programs, operated by the departments, by collateral agencies and the public at large. It provides the mechanism for departments to keep the community informed of its operations. Without a common language the effective implementation of new legislation, case law, strategic plans, services/programs cannot occur.

## *RECOMMENDATION #8*

Probation departments should develop assessment and classification systems and tools as part of an effective case management strategy.

### *Subject*

Assessment/Classification Systems

### *Authority*

Probation Committee

### *Purpose*

To provide tools that will allow Probation departments to effectively manage those whom the department is charged to provide service.

### *Definitions*

- Assessment – An instrument designed to evaluate a clients risks and/or needs that must be taken into consideration when working with the client and/or placing them or referring them to a service/program if successful outcomes are going to be obtained.
- Classification – A tool typically used by a Probation department to efficiently manage the number of clients in the most effective manner within the resources available to the department.

### *Directive*

Each Probation department, within the state, will implement an assessment tool that will evaluate the risks an offender presents to the community and the needs the offender has, that if met will provide a stronger probability of success in establishing and maintaining a mainstream lifestyle. The assessment tool will allow for the effective transfer of the information to partner agencies as well as transfer from county to county.

Each Probation department will establish a classification system that will allow the grouping of offenders in the most expeditious manner to allow for the effective use of department resources.

### *Commentary*

There are a finite amount of resources available for Probation departments to carryout their mission, goals and objectives. In order to effectively use these resources it is incumbent upon the departments to implement strategies that manage the workload in an efficient manner. Assessments allow offenders to be evaluated for the risks they present to the public and the probability of successfully completing a treatment/services plan. These tools point probation officers and institutional staff in the direction of the services/programs that will be needed for an offender and the type of supervision/monitoring necessary for the offender. The assessment lends validity, structure and consistency to a department's recommendation to the courts, referral to partner agencies and the acceptance of the work done by

probation departments by the public at large. It also allows for the allocation of limited resources and when necessary to target the most serious, violent and chronic offenders.

Classification of the offenders permits a department to appropriately assign and allocate resources. It helps to move resources to critical areas and in the larger picture allows a department to plan for its budgetary needs.

## *RECOMMENDATION #9*

Probation departments should establish a graduated continuum of services and sanctions to respond to the needs of each offender.

### *Subject*

Graduated Sanctions

### *Authority*

Probation Committee

### *Purpose*

To provide a number of services within a range of services so as to differentially treat and manage offenders based on the risk and needs the offender presents.

### *Definitions*

- Continuum – A series of programs to assist offenders set out in a sequence that progress from less serious to most serious or from less intrusive to most intrusive.
- Sanctions – A series of interventions designed to hold offenders accountable for their actions and provide a service/program that will assist the offender to conform to socially acceptable behavior.

### *Directive*

Each Probation department, within its financial resources, will develop a continuum of services/programs that allows for prevention, intervention, suppression and incapacitation based on the risk and needs of each offender. The continuum will encourage both public safety, reconciliation and rehabilitation. The sanctions will be designed to target from the lowest level offender to the most serious offender. The sanctions may permit multiple interventions at a level and allow movement up and down the continuum to meet the offender's responses. The sanction needs to help the offender build on his/her strengths rather than their flaws. Sanctions will differentiate based on gender when appropriate.

### *Commentary*

Each offender presents a unique set of challenges. Once assessed for risk and needs it becomes necessary to apply the right set of sanctions to get the optimal outcome in changing the offenders lifestyle to that which will be acceptable to society in general, while at the same time protecting the public from the possible effects of continued offenses by the offender. In order for this to occur, there must be an ability to apply the proper set of sanctions from an array of sanctions that get to the levels of prevention, intervention, suppression and incapacitation necessary for each offender. These services, to be effective, must be tailored to each individual offender. Probation departments need to always be updating sanctions to conform to new theories and research regarding sanctions and expand sanctions when financial resources allow.

## *RECOMMENDATION #10*

Prevention and early intervention efforts in appropriate case should be an essential component of effective and meaningful probation services.

### *Subject*

Prevention and Intervention

### *Authority*

Probation Committee

### *Purpose*

To establish Probation departments have responsibility for providing prevention and intervention services to youth and adults at-risk of unlawful behavior, and those who have exhibited delinquent and unlawful behavior.

### *Definitions*

- Prevention – The act of keeping a person from becoming involved in unlawful behavior.
- Intervention – The act of interceding into offender's affairs in order to curtail future unlawful behavior.

### *Directive*

Probation departments will develop services/programs to deal with youngsters and adults whose behavior suggests the person is at-risk of unlawful behavior. Preventive services will be provided when at-risk behavior is identified either by the Probation department's employees or when identified by partner agencies. The services/programs, when appropriate, will provide these services in a gender specific manner.

Intervention services/programs will be made available at the lowest level of a person's entrance into the Probation system in order to curtail as quickly as possible further penetration into the system.

These services/programs will be strength based and designed to keep families intact. The services/programs will be provided as soon as possible after delinquent/unlawful behavior is discovered, and be a graduated response depending on the level of prevention/intervention necessary.

### *Commentary*

Effective Probation services need to be able to identify and respond to a person's potential unlawful or unlawful behavior at the lowest level. It is common knowledge that it is easier to affect change when a behavior is at its formative stages rather than waiting until it is well integrated into ones behavior. Furthermore, it is financially more efficient to effect change when the lowest level of service can be used. Therefore, it is important Probation departments work providing effective prevention and intervention

services/programs to curtail as much as possible the need for more complex, intrusive and expensive services/programs.

## *RECOMMENDATION #12*

Probation departments should adopt workload standards rather than caseload ratios.

### *Subject*

Workload Standards

### *Authority*

Probation Committee

### *Purpose*

To provide a means of assigning work that assures an equitable distribution of work to Probation department employees so they can provide effective service to those offenders on there caseload.

### *Definitions*

- Caseload – The number of offenders a given employee is assigned to work.
- Workload – The amount of work a given employee has assigned to them.

### *Directive*

The Chief Probation Officer and the administrative/management staff will undertake a study to determine the maximum amount of work can be accomplished by probation officer in a month or other appropriate interval of time. A study will be conducted once every five years to define the various work assignments and the average amount of time it takes a predetermined level of worker to complete the assignments. Calculated into this study will be the amount of hours, on average, an employee works a month taking into account training assignments, leave time and other circumstances that reduce the hours that an employee has available to them to work on assignments. These variables, when factored together, will determine the size of caseload an employee can efficiently and effectively manage. Depending on the amount of change that occurs from outside a department, i.e. new legislative mandates, types of programs initiated and the amount of change in the experience of the workforce, this study may need to be done more frequently.

### *Commentary*

Because of the numerous types of assignments and the varied types of offenders, and the risk and needs the offenders present there is a critical need to develop workload standards so that effective management of offenders can take place given the number of employees available to a Probation department. Without a workload standard, cases are assigned by numbers rather than need and the end result is that offenders may not get the attention they need. An example of the problem can be illustrated by allowing an officers to be assigned a caseload of 100 clients and not taking into account the level of need. One officer could have clients who have committed misdemeanor crimes, come from intact families, are attending school or have a job and another officer have the same number, but the clients have committed felonies, are from dysfunctional families, present psychological issues and fail to attend school or are

unemployable. Even though each officer has an equal number of clients the workload is entirely different. Thus it is far more equitable distribution of work using a workload standard than caseload standard. Having a workload standard also allows for the appropriate prediction of needed employees when making budget proposals. The following factors support workload measures:

- Workload standards ensure employees are not asked to work beyond appropriate work hours;
- Workload standards would provide for non-client activities to be built into an employees work schedule;
- Workload standards would ensure that employees would receive credit for all job-related functions;
- Workload standards would ensure an equal distribution of work for employees;
- Workload standards would provide a management tool for making objective case assignment decisions;
- Workload standards would provide budget justification for needed resources;
- Workload standards would provide more control over a department's direction and planning.

### *RECOMMENDATION # 13*

Probation should work with courts, schools, parents, and education agencies to ensure that adult and juvenile probationers are provided with appropriate general, special, and vocational educational services.

#### *Subject*

Education

#### *Authority*

Probation Committee, Welfare and Institutions Code, and Education Code.

#### *Definitions*

Education Agency – An established center of learning including, schools within governmentally approved school districts which include kindergarten through 12th grade, court schools, continuation schools, private schools (parochial as well as non-denominational) adult schools, technical/vocational training schools and programs.

#### *Directive*

The Chief Probation Officer, using those training programs at his/her disposal and where necessary constituting special training programs, will see to it that probation officers responsible for supervising juvenile and adult probationers are instructed regarding the educational rights/entitlements these probationers can use to benefit their educational progress. This will be done in a method so that probation officers, where necessary, can instruct those probationers or their parents/guardians regarding these rights/entitlements or act as an advocate for the probationer with the education agencies with which the probationer may be involved. Additionally this will include probation officers keeping the courts informed of a probationer's educational problems/plans/accomplishments and recommending appropriate conditions of probation that will effectively support and further an offender's educational pursuits.

#### *Commentary*

There is a very close link that those persons that succeed in and complete school are more apt to be successful at life and less prone to go against the norms of society. Therefore, it follows that a prime focus for probation officers is a probationer's education. Ensuring that a probationer receives the services they are entitled to within the school system is paramount to their success. Probation officers need to be trained in the rights and services a probationer is entitled to in order to properly investigate, report to those that must know, monitor, and advocate on behalf of those on their caseload. All of this is critical whether a probationer is living in the community or confined to an institution.

#### *RECOMMENDATION #14*

Juvenile detention reforms should be developed and implemented to ensure that juveniles are appropriately detained and to reduce overcrowding in detention facilities.

#### *Subject*

Juvenile Detention

#### *Authority*

Probation Committee, and Board of Corrections.

#### *Purpose*

To establish criteria that ensure juveniles are appropriately detained in detention facilities that are not crowded by implementing practices that keep this tenet in place.

#### *Definitions*

- Detention – The status of being confined in a locked juvenile facility until processed by a juvenile court for release into the community or other appropriate program.
- Detention Facility – A place, usually know as a Juvenile Hall, established within a defined geographic area to house juveniles who are awaiting processing through juvenile court.
- Overcrowding – The state of a detention facility where more juveniles are detained than is provided by the rated capacity, the beds available or that programs can manage.
- Rated Capacity – The number of minors who can safely be housed in a juvenile facility based on the rooms, beds and programs available to the juveniles.

#### *Directive*

Each Probation department, through its Chief Probation Officer, will undertake to insure that minors detained in a Probation operated detention facility are appropriately detained. This will be accomplished by the development of an assessment that sets a criteria for the establishing when detention is and is not necessary. Once established the Chief Probation Officer will also implement services/programs that facilitate keeping inappropriate minors out of the detention facility and using services and programs to make sure the there is not a disproportionate race or ethnic group represented in the detained population. Probation departments must develop in a collaborative model with its stakeholders consensus regarding the purpose of detention, a risk based detention criteria for detention decisions, identify barriers to release in order to address these barriers in a constructive method and to make the processing of cases through the system as efficient and effective as possible. Standards as set forth by the Board of Corrections will be adhered to so that crowding does not occur and minors detained are offered all the services and programs they are entitled to during their period of confinement.

### *Commentary*

It is often said “out of sight out of mind.” This cannot happen when it comes to those juveniles detained, waiting to be processed by the juvenile court. Detention in a juvenile detention facility can have long lasting effects on a minor and must be approached with care in order to ensure a child is not injured by the experience. Therefore, it is important that constant vigilance be maintained over juvenile detention facilities to ensure they are properly managed and conform to acceptable standards and correctional theories. To do this there must be the concerted efforts of the community and partner agencies to oversee that only those that absolutely need detention are held in these facilities. There needs to be close vigilance that when one race and/or ethnic group is over represented in the facility steps are taken to study and provide services/programs that will discontinue this practice. Furthermore, to protect and make sure that those in detention have a positive experience it is necessary they are offered the services and programs they are entitled to by law or administrative code.

### *RECOMMENDATION #15*

Probation departments should consider an approach to probation that balances offender accountability, victim restoration, competency development and community collaboration.

#### *Subject*

Integrated Services

#### *Authority*

Probation Committee

#### *Purpose*

To establish a balanced approach to Probation services

#### *Definitions*

- Accountability – The act of being held answerable for acts committed against the community.
- Restoration – The act of returning something to its former state.
- Competency – The development of skills, knowledge and experience.
- Collaboration – The act of working with another, to cooperate in a joint goal.

#### *Directive*

Each Probation department will undertake to use a continuum of sanctions to appropriately hold offenders accountable for his/her acts, restore the loss as nearly as possible for victims of crime, to assist each offender in their quest to develop skills, knowledge and experience in order to succeed in society and to do so in a collaborative method engaging stakeholders in the process.

#### *Commentary*

An integrated and holistic approach to the providing for the public safety and the rehabilitation of the offender is the key to the Probation system succeeding with offenders. Leaving out any of these keys only causes an incomplete effort, one that may fail in the long run. This balance approach will bring the entire community into the ultimate success of the probationer.

# **APPENDIX J**

## **Research Functions and Resources**

# RESEARCH FUNCTIONS AND RESOURCES

This document on research functions, and the pros and cons of different research methodologies was developed by researchers at the Administrative Office of the Courts, Center for Families, Children and the Courts (CFCC). The list of project types is not exhaustive, but an attempt to define common types of research projects. The research projects discussed range from some that are relatively low-cost and general in nature to some that are extremely costly and provide information highly specific to certain programs and populations. Each project type also has advantages and disadvantages.

The project proposals in the next sections of this document use these project types to provide readers with a better understanding of (a) the types of questions the proposed project would address, (b) the pros and cons, and (c) the resources that would be required to conduct it.

Table 1 lists these project types, approximately in order, from least to most labor- and/or resource-intensive. It also provides detailed information about each project type, as a reference. Two notes when reviewing the information in the table:

- Project type categories are not necessarily mutually exclusive. For example, a policy study might include a qualitative study, a population survey, or a management survey.
- Different project types address different kinds of questions and provide different types of information. Therefore, multiple project types are often conducted together. For example, a full program evaluation often includes both a process evaluation and an impact evaluation component.
- All proposed projects should incorporate elements that would examine issues critical to California court operations, such as race and ethnicity, rural and urban issues, gender, large and small county/court issues.

The range of research projects suggested include the following (full descriptions can be found in Table 1):

- **Annotated bibliographies, literature reviews, and meta-analyses.** Review and synthesis of existing research literature. Require relatively few resources and are an important way of examining evidence and promoting best practices and the development of evidence-based programs. However, findings can be inconclusive if relatively little research or comparable research exists or if findings in the literature are contradictory.

- **Analysis of extant data:** Analysis of existing and/or publicly available datasets that contain information on a population or a program. Does not require original data collection, which is very resource-intensive. However, appropriate data sources or data elements often do not exist or they may be difficult to access or link together.
- **Policy study:** Analyzes the effects of existing or proposed legislation, rules, or standards. Usually incorporates elements of other study types. Often conducted quickly, and information necessary for the analysis may not exist.
- **Qualitative study:** Uses qualitative methods, such as case studies, observation, focus groups, or interviews. Often useful to conduct when population studied will be hard to contact and can provide explanations for results found during quantitative analyses. Generally involves the study of small samples, so findings can only be considered preliminary and may not be representative of the entire population.
- **Program process evaluation:** Qualitative study that describes program implementation and operation. Provides important details about specific operations of a program, services provided, caseload, number of cases served, and/or successes or barriers. Important to conduct when program will be replicated. Does not address questions about the effects or cost impact of a program.
- **Data systems or technology projects:** Technical assistance or consultation in setting up a computerized or electronic data collection system for a program, court division, or other service. Can help promote the collection of common data elements that will make possible the comparison of data from different programs. Usually requires involvement of many stakeholders and can be prohibitively expensive to implement.
- **Evaluative toolkits:** Development of standardized methods for program evaluation, assessment and classification, or data collection. Helps promote collection of common data elements, provides programs with resources for self-study. Can be difficult to develop methodology or data elements that are appropriate to multiple program types, may require extensive technical assistance for a program to implement.
- **Management surveys:** Surveys directed at the administrators or staff of programs. Provides information about types of services offered and/or estimates of size of population served. Relies on program staff estimates and does not provide information about the actual operations of a service or the flow of cases through a program.
- **Survey or data collection on a population:** Survey or data collection on a population – either of a sample or the entire population. Provides important information for programs about the population they serve and whether they are meeting the needs of that population. Requires pilot-testing, and can be difficult and expensive to design and conduct. Surveying the entire population (census) can be prohibitively expensive and is likely to result in substantial amount of missing data.
- **Program impact evaluation:** Quantitative analysis of the impact of a program on a population, system, or service. Provides important information about program impact. Often expensive and time-consuming to conduct appropriately.

Table 1. Types of Research Projects

| Type of Project                      | Description                                                                                                                                                                                                                                                                 | Questions Addressed                                                                               | Advantages                                                                                                                                                                                       | Limitations                                                                                                                                                                                                                                                                        | Resources or Expertise Required                                                                                                                                                                                                                              |
|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Annotated Bibliography</b>        | Review of existing literature on a topic.<br>Contains a brief description and critical examination of each study.                                                                                                                                                           | What does existing research tell us about a population, program, or other area?                   | Inexpensive<br>Provides extensive background material.<br>Multiple or contradictory viewpoints are incorporated.<br>Does not rely on the collection of new data.<br>Simple for others to review. | Possible lack of information about a topic.<br>May not contain narrative summary or recommendations.                                                                                                                                                                               | Staff time for literature search, article review, and writing.<br>Access to searchable database.<br>Access to library resources.<br>Expertise in interpreting statistics and research findings.                                                              |
| <b>Literature Review (Narrative)</b> | Review of existing research literature available on a topic area. Final product is generally a full narrative report, sometimes containing a summary or recommendation.<br>Often conducted as a first step in more extensive research projects such as program evaluations. | What does existing research tell us about a population, program, or other area?                   | Inexpensive<br>Provides extensive background material.<br>Multiple or contradictory viewpoints are considered.<br>Does not rely on the collection of new data.                                   | Possible lack of information about a topic.<br>Can be difficult to develop recommendations if existing evidence is contradictory or if little research has been done in an area.<br>Final report may be cumbersome for a lay audience to review.                                   | Staff time for literature search, article review, and writing.<br>Access to searchable database.<br>Access to library resources.<br>Expertise in interpreting and synthesizing statistics and research findings.                                             |
| <b>Meta-Analysis</b>                 | Statistical analysis of a large set of analysis results from existing studies.<br>Like a narrative literature review, examines existing research, but more quantitative in nature.                                                                                          | What does existing research and data analysis tell us about a population, program, or other area? | More critically examines the means by which conclusions of a study were reached.<br>Does not require new data collection.<br>Examines and incorporates multiple study findings.                  | Existing analyses on a topic may be unavailable.<br>May require more expertise than a narrative literature review.<br>Relies on existing studies reporting consistent information necessary for coding.<br>May lead to clearer recommendations than a narrative literature review. | Staff time for analysis, review, and writing.<br>Statistical expertise.<br>Access to searchable database.<br>Access to library resources.<br>Expertise in interpreting and synthesizing statistics and research findings.<br>Purchase of existing databases. |

| Type of Project                | Description                                                                                                                                                                                                                                                                                                                                                                                                          | Questions Addressed                                                                                                                   | Advantages                                                                                                                                                              | Limitations                                                                                                                                                                                                                                                 | Resources or Expertise Required                                                                                                                                                                              |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Analysis Of Extant Data</b> | <p>Researcher analyzes data available from an existing (usually public use) data set. This type of project might include for example, an analysis of Census data.</p> <p>A more complex analysis might involve the linking of multiple existing data sets.</p>                                                                                                                                                       | <p>Can answer questions about a particular topic area based on an analysis of existing data.</p>                                      | <p>Does not rely on the collection of new data.</p> <p>Less expensive than collection of new data.</p> <p>Allows flexibility in determining an analysis to perform.</p> | <p>Findings are limited by information available in existing dataset(s).</p> <p>Can be very difficult to link existing datasets because of lack of common identifiers.</p> <p>If data are not publicly available, can be costly or difficult to access.</p> | <p>Staff time for data analysis and writing.</p> <p>Statistical analysis software package.</p> <p>Technical expertise in manipulating datasets.</p> <p>Statistical expertise.</p> <p>Access to datasets.</p> |
| <b>Policy Study</b>            | <p>Examination of proposed or existing policy or procedure, effects of legislation or proposed legislation or effects of rules or standards.</p> <p>May incorporate qualitative and/or quantitative analysis.</p> <p>Could incorporate stakeholder interviews, analysis of new or existing data, statement of financial impact, etc.</p> <p>Nearly always done in conjunction with one of the other study types.</p> | <p>What will be the impact of a proposed policy or procedure?</p> <p>What has the impact been of an existing policy or procedure?</p> | <p>May not require data collection.</p> <p>Answers questions about specific policies</p>                                                                                | <p>If necessary, may require data collection.</p> <p>May not anticipate all eventual impacts of a policy or procedure.</p> <p>Analyses of proposed policies often must be conducted under strict time constraints.</p>                                      | <p>Staff time for analysis – dependent on type of analysis.</p> <p>Expertise in type of analysis required.</p> <p>Expertise in presenting recommendations to legislative audience, for example.</p>          |

| Type of Project                               | Description                                                                                                                                                                                                                   | Questions Addressed                                                                                                                                                                                                               | Advantages                                                                                                                                                                                                                            | Limitations                                                                                                                                                                                                                                                                           | Resources or Expertise Required                                                                                                                                                                        |
|-----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Qualitative Study</b>                      | <p>May include a variety of studies, such as case studies, focus groups, in-person interviews, or the collection of other types of qualitative data.</p> <p>Can be conducted to examine service models or track caseflow.</p> | <p>What are the perspectives of stakeholders on a particular topic?</p> <p>What happens to a small sample of cases that use a service?</p>                                                                                        | <p>Data and findings may be richer than report on quantitative data analysis.</p> <p>Findings can be compelling, particularly to a lay audience.</p> <p>Good for conducting research of court users or hard-to-track populations.</p> | <p>Harder to interpret findings.</p> <p>Generally, findings are not statistically significant and therefore, cannot be generalized.</p>                                                                                                                                               | <p>Expertise in the study technique utilized.</p> <p>Staff time in conducting (for example) program visits, interviews, and writing.</p> <p>Familiarity with program design, functions, and goals.</p> |
| <b>Program Process (Formative) Evaluation</b> | <p>Qualitative study of program operations. Often incorporates multiple qualitative study techniques and may include the collection of data on service utilization.</p>                                                       | <p>How is a program being implemented?</p> <p>How does a particular program operate?</p> <p>How many clients does a program serve? What services do they receive?</p> <p>Identifies program operation barriers and successes.</p> | <p>Can provide excellent information on program operations.</p> <p>Provides helpful information for program replication.</p>                                                                                                          | <p>May provide preliminary indicators, but does not allow the researcher to address questions about program impact or cost-effectiveness.</p>                                                                                                                                         | <p>Staff time for program visits, meetings, interviews, and writing.</p> <p>Familiarity with program design, functions, and goals.</p> <p>Skill in conducting interviews.</p>                          |
| <b>Data System or Technology Project</b>      | <p>Technical assistance or consultation to an agency or court (for example) in setting up a computerized or electronic data collection system for a program, court division, or other service.</p>                            | <p>What core data should be collected about a program, court, or service in order to determine necessary information about a population using that service?</p>                                                                   | <p>Provides technical assistance that contributes to program operations.</p> <p>Can contribute to the availability of data for research purposes.</p>                                                                                 | <p>Research findings may not result.</p> <p>Difficulties in implementation.</p> <p>Typically extremely expensive to implement a data system.</p> <p>Usually involves a large number of stakeholders.</p> <p>Requires a great deal of technical knowledge and stakeholder support.</p> | <p>Understanding of data system operations.</p> <p>Understanding of what questions specific variables will allow you to address.</p> <p>Data analysis expertise.</p>                                   |

| Type of Project           | Description                                                                                                            | Questions Addressed                                                                                                                                                                                                                  | Advantages                                                                                                                                                                                                                                              | Limitations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Resources or Expertise Required                                                                                                                                                                                                                                                |
|---------------------------|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Evaluative Toolkit</b> | Development of off-the-shelf means for programs to evaluate themselves.                                                | <p>What is the impact of a program on a population or a system?</p> <p>Is a program cost-effective?</p> <p>How many clients does a program serve? What services do they receive?</p> <p>What are program barriers and successes?</p> | <p>Provides individual programs with the ability to evaluate themselves.</p> <p>Encourages the use of uniform definitions of operations and outcomes. This allows analysis across programs.</p> <p>Does not require staff time for evaluation work.</p> | <p>Could require technical assistance for programs to use properly.</p> <p>Probably requires some pre-testing by research staff to ensure applicability.</p> <p>Standard outcome measures may be too broad or too narrow for specific programs.</p>                                                                                                                                                                                                                                                                                                                                                     | <p>Expertise in research methods.</p> <p>Staff time for background work to create research design, possibly pilot-test data collection procedures, etc.</p> <p>Familiarity with program design, functions, and goals.</p> <p>Training and consultation for programs using.</p> |
| <b>Management Survey</b>  | Survey or data collection of program management regarding the delivery of a service. Collects descriptive information. | <p>What are the key features of a program?</p> <p>What types of services does a program offer?</p> <p>Approximately how many clients does a program serve?</p>                                                                       | <p>Can provide standardized information about programs.</p> <p>Can be less labor-intensive for researchers than evaluative or qualitative study of the program.</p> <p>Limited fieldwork required.</p> <p>Typically inexpensive.</p>                    | <p>Does not provide information from the perspective of program participants.</p> <p>Information collected may not be as rich as information collected during a qualitative study.</p> <p>Data collected generally cannot be used, on their own, for evaluative purposes.</p> <p>Can be difficult to standardize definitions of terms so they are broadly applicable.</p> <p>Often conduct management surveys – can use up good will of program staff.</p> <p>Relies on estimates from program managers.</p> <p>Does not provide information about how the services fit together or caseload works.</p> | <p>Data collection and analysis expertise.</p> <p>Time for background work, such as designing and field-testing survey instruments.</p> <p>Familiarity with program design, functions, and goals.</p>                                                                          |

| Type of Project                                  | Description                                                                                                                                                                                                                                          | Questions Addressed                                                                                                                                                                                                                  | Advantages                                                                                                                                                                                                                                                                                  | Limitations                                                                                                                                                                                                                                                                                                                                                                                                                                       | Resources or Expertise Required                                                                                                                                                                                                                                                                              |
|--------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Survey or Data Collection on a Population</b> | <p>Survey or data collection on a population and/or a population using a particular service. Collects descriptive information.</p> <p>Usually administered to a sample of the population, but can be administered to a full population (census).</p> | <p>What are the characteristics of a population?</p> <p>What is a population's assessment of a service they receive?</p> <p>What types of services does a population receive?</p> <p>What are the service needs of a population?</p> | <p>Can provide extensive information about a population, and if that group is surveyed, provides valuable information from their perspective.</p> <p>Can address questions about need for services.</p> <p>Collects information about whether programs meet needs of population served.</p> | <p>Can be very resource-intensive, particularly if follow-up interviews are incorporated.</p> <p>Generally requires collecting at least some new data.</p> <p>Potentially long timeframe for data collection and analysis.</p> <p>Conducting a census requires substantial time and financial resources.</p> <p>Results from a census may also contain a substantial amount of missing data.</p> <p>Effort spent designing survey instrument.</p> | <p>Data collection and analysis expertise.</p> <p>Financial resources to support fieldwork.</p> <p>Time for background work, such as designing and field-testing survey instruments.</p>                                                                                                                     |
| <b>Program Impact (Summative) Evaluation</b>     | <p>Quantitative analysis of data collected on the impact of a program on a system or population.</p> <p>Typically combines multiple types of studies.</p>                                                                                            | <p>What is the impact of a program on a population or a system?</p> <p>Is a program cost-effective?</p>                                                                                                                              | <p>Allows the researcher to assess the impact of a particular program.</p> <p>Can address questions about cost-effectiveness.</p> <p>Provide good information for someone designing a program.</p>                                                                                          | <p>Can be very costly, particularly if follow-up interviews are incorporated.</p> <p>Can be difficult to design.</p> <p>Generally would require the collection of at least some new data.</p> <p>Difficulties collecting necessary data.</p>                                                                                                                                                                                                      | <p>Expertise in research methods, data collection, and analysis.</p> <p>Staff time for data collection, analysis, and writing.</p> <p>Staff time for background work such as creating research design, pilot-testing data collection, etc.</p> <p>Familiarity with program design, functions, and goals.</p> |

# **APPENDIX K**

**Administrative Office of the Courts  
and  
California State Association of Counties  
Acknowledgments**

**JUDICIAL COUNCIL OF CALIFORNIA  
ADMINISTRATIVE OFFICE OF THE COURTS**

HON. RONALD M. GEORGE  
*Chief Justice of California  
Chair, Judicial Council of California*

WILLIAM C. VICKREY  
*Administrative Director of the Courts*

RONALD G. OVERHOLT  
*Chief Deputy Director*

MICHAEL BERGEISEN  
*General Counsel*

DIANE NUNN  
*Director, Center for Families, Children & the Courts*

Special thanks are extended to the following Administrative Office of the Courts staff members and consultants for their contributions to the task force and the production of this report:

Lesley Allen, Christopher Almanzor, Suzanne Bean, LaRon Doty, Jun Faraon, Frank Gahub, Sue Hansen, Tina Hansen, Evelyn Ho, Alexa Hirst, Mark Jacobson, Melanie Jones, William Kasley, Beth Kassiola, Peter Kiefer, Dag MacLeod, Carolyn McGovern, Stephen Nash, Maureen O'Neil, John O'Neill, Alex Ponce de Leon, Richard Schaufler, Francis Shahadeh, Corby Sturges, Karen Sundermier, Jenny Tang, Alla Vorobets, Jennifer Walter, Joshua Weinstein, Don Will, Jeff Winnick, and Judy Ziajka

**CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC)**

HON. TIM SMITH  
CSAC President  
*Supervisor, Sonoma County*

HON. PAUL STEIN  
CSAC First Vice-President  
*Supervisor, Calaveras County*

HON. GREG COX  
CSAC Second Vice-President  
*Supervisor, San Diego County*

HON. MURIEL P. JOHNSON  
CSAC Immediate Past President  
*Supervisor, Sacramento County*

HON. JOHN TAVAGLIONE  
CSAC Treasurer  
*Supervisor, Riverside County*

STEVEN C. SZALAY  
*CSAC Executive Director*