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## Maintaining Case Records

### 352.1 PURPOSE AND SCOPE

The purpose for keeping a case file is to provide a record of actions taken by the Probation Officer, to review the offender's compliance with the orders of the Court, and to provide pertinent information to assist staff in the absence of the assigned officer.

### 352.2 APPLICABILITY

This policy shall be applicable to all Field Service employees.

### 352.3 OVERVIEW

Penal Code §1203.10 requires that the Probation Officer "...shall keep a complete and accurate record...of the history of the case in court ... and of the names and acts of the Probation Officer in connection with said case..." It further requires the Probation Officer to record other facts relating to the offender and his/her circumstances during the term of supervision and to specify in that record what the result of supervision was.

PC§1203.10 also specifies that the supervision record is part of the records of the Court and may be inspected by the Court at any time. The Probation Officer is authorized by PC§1203.10 to destroy the record of an adult offender five years after supervision terminates in a case.

The Welfare and Institutions Code §389 authorizes Probation Officers to destroy a juvenile record five years after the Court has ordered the sealing of the record.

### 352.4 POLICY REGARDING MAINTAINING ELECTRONIC CASE FILE

It is Probation policy that the mandate in PC1203.10, and the purposes specified above, be implemented by all Adult and Juvenile Field Services staff in accordance with service procedures. The San Diego County Probation Department uses the Probation Case Management System (PCMS) as its electronic case file. While specific service procedures govern the type of data to be entered, and the person responsible for entering the data, the following applies to all Probation Department employees.

#### 352.4.1 HEARINGS

PCMS contains the ability to track all hearings for each individual case. The sub-level node for the first hearing date is entered by non-sworn staff at case opening and includes the type of hearing. If a continuance or other future hearing is ordered by the Court, the assigned sworn officer must complete the new entry. The date, time, Court, Department, Judge, Defense Attorney, and Hearing Type should all be entered.

#### 352.4.2 VICTIMS

In all cases where a victim has been identified, officers will input the victim information into PCMS, including name, address and phone number if available. When an address is known, a victim letter must be sent. Prudent efforts must be made to find an address if one is unknown. A phone call

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should also be made in most cases if a phone number is known. Contact must be inputted into PCMS. When a victim letter is sent, officers must choose a type (standard or custom), and enter a date when the letter was mailed. When a phone call is made, officers must click on the "Phone Call to Victim Made" check-off box, and put in a date when contact is made.

When losses are reported by a victim, that data should also be entered into the appropriate fields located at the bottom of the victim screen. If there has been a claim submitted to the Victim Compensation Board, that data must be entered in the appropriate data field as well.

When the Court orders a restitution amount, the amount and date the restitution was ordered must also be inputted into the appropriate data field.

#### **352.4.3 CONTACTS**

Supervision officers will enter routine notes and day to day contacts into Contacts in the PCMS database. The entries must contain chronologically dated information generated by case contacts. Contacts are to be entered into PCMS any time an offender is seen, heard from, or is the subject of a collateral contact.

Contacts are an integral part of Probation casework, written because of legal requirements per PC 1203 (including face to face, phone contacts, etc.) and to document activity with the offender and others connected to the case for case history and statistical reporting purposes.

#### **352.4.4 DRUG TESTS**

Every time a urine sample is collected an entry must be correctly entered in PCMS.

#### **352.4.5 DOCUMENTS**

All probation staff share the responsibility for the electronic creation and storage of documents. Note that court summaries, court orders, or other supervision orders are to be scanned into the data base by Support Staff at all points of the process.

### **352.5 POLICY REGARDING MAINTAINING PHYSICAL CASE FILE**

All Probation staff share responsibility for maintaining case files. This begins with initial creation of the file via court order for investigation, continues through transfer to supervision, compliance monitoring, and closing the case.

Proper document placement and purging files of unnecessary materials will ensure that staff who handle the case throughout the supervision process are able to readily locate pertinent documents as needed.

#### **352.5.1 PLACEMENT OF DOCUMENTS**

Documents in the case file should be filed under the appropriate dividers chronologically (most recent on top).

### **352.6 POLICY FOR PURGING DOCUMENTS IN CASE FILES**

Case files should be purged of unneeded material each time the case is transferred from one officer to another, from one level to another, or each time the case is handled by Support Staff for

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activating, closing, and any court action that changes the status of supervision. No paper notes are to be filed in the case file with the exception of any contact report the Supervision Supervisor may request for case reviews.