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## Investigation Case Assignment

### 507.1 PURPOSE AND SCOPE

The purpose is to define uniform policies to be followed by Field Service Officers and Intake Liaisons with regard to the processing of court orders, assignment of cases, and performance of other functions delegated to case assignments. The policies described herein will also give investigators an understanding of how the case assignment process affects their work.

### 507.2 POLICY

Probation receives orders from the Criminal and Delinquent Courts requesting investigative reports. Reports are ordered for numerous reasons and in various forms. Field Services staff are responsible for processing all orders from the Courts.

### 507.3 ORDERS FROM THE COURT

The Court makes an order to the Probation Department at the time of the offender's conviction or true finding, or if there is an allegation of probation violation (and occasionally at other times). The order is prepared by the Court Clerk and processed by support staff. When the offender is out of custody, a copy is also provided to the offender who is instructed by the court to report to the Probation Department.

#### 507.3.1 DOCUMENTS

Case Assignment Officers process any court referral requesting a report. The name of the referred offender is checked with the PCMS database to determine if the offender is active to a Probation Officer. If the offender is active to supervision and assigned an officer, the case assignment officer may, under certain circumstances, assign the report to the active Probation Officer. If the offender is not in the PCMS database, a new court case is created in PCMS.

### 507.4 SHORT SET CASES

If a referral is significantly short set, or if there has been a delay in the receipt of the order, and that time would cause an excessive workload or inordinate time constraints, the Probation Officer must notify the Supervisor so that corrective action can be taken. When an order is received for a hearing calendared without sufficient time to perform the investigation, the Probation Officer may request a continuance.

If the continuance is not granted, the Probation Officer must complete the report prior to the hearing.

### 507.5 THE OFFENDER

#### 507.5.1 OFFENDER OUT OF CUSTODY

If the offender is out of custody at the time of the order, they are typically directed by the Court to report to Probation after court. If the offender is ordered released from custody, they are usually directed to report immediately upon release, or the following day.

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#### 507.5.2 IF OFFENDER REPORTS IMMEDIATELY

If the offender reports to Probation immediately from custody, and no Probation Officer is assigned, reception staff will advise the offender a Probation Officer will be in contact via telephone to schedule a Probation Interview.

#### 507.5.3 IF OFFENDER FAILS TO CONTACT PROBATION

If the offender fails to contact Probation as directed, it is still the responsibility of the assigned officer to attempt contact with the offender to schedule the interview.

Failure to contact the offender may result in a continuance of the court hearing.

### **507.6 ASSIGNMENT OF CASES**

Case Assignment Officers make assignments by considering numerous factors including workload of the officer and the experience needed to complete the particular type of case.

More complex cases are typically assigned to experienced officers and those with specialty training associated with the charged offenses. Spanish-speaking offenders are assigned to Spanish-speaking officers whenever possible.

#### 507.6.1 NEW STAFF ASSIGNMENTS

When an employee is assigned to Investigations without previous casework experience, the officer will gradually be assigned more complex, and a higher number of cases.

### **507.7 SPECIAL ASSIGNMENTS**

#### 507.7.1 OVERTIME

There are times when the demand from the Court for reports exceeds the investigation staffing resources. The Case Assignment Officers notify the Supervisor when this occurs. The Supervisor will then independently check the logs to verify that an overtime situation exists. If there are only a limited number of excess referrals, the Intake Supervisor may authorize compensatory overtime to officers to complete those reports. However, if the number of Court referrals exceed the number of investigators, and will significantly impact the Service, the Intake Supervisor will evaluate all available options, including the use of ordered overtime. If overtime is ordered, each service has specific procedures in place to assign overtime cases in a fair manner.

Supervisor Approval: Prior to an officer volunteering to take an overtime case, the officer must have permission from their Supervisor. If their Supervisor is out for an extended time, the office duty Supervisor may give that authorization. Once an officer has agreed to take a case for overtime, the officer is obligated to complete the work on that case. It should also be noted that overtime cases are not counted as part of an officer's "Late to Court" statistics. While Probation is committed to provide superior, timely service to the Courts, it is understood that overtime will necessarily have shorter time frames and officers may not be able to complete an investigation within the statutory time limits. Every officer taking an overtime case is expected to make a reasonable effort to submit that report to court within the statutory time limits.

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Only Actual OT hours Claimable: When overtime is authorized by Intake for an investigation, it is only authorized for the amount of time the officer actually works beyond regular working hours. For example, if an officer is assigned an overtime case that takes 12 hours to complete and they do four hours of work on the case during regular working hours and then six hours of work on the case outside of their regular office hours – that officer is entitled to six (6) hours of overtime.

#### 507.7.2 CONFLICT/CONFIDENTIAL CASES

Occasionally there are cases assigned to officers where there is some connection to the offender or other parties in the case that is more than merely professional. This would include (but not be limited to) if the offender is known to the officer, the victim is known to the officer, or if the officer has some first-hand knowledge of the case. In each of these situations, the officer must contact his or her Supervisor and inform them of the conflict. The Supervisor will inform the Division Chief of the conflict. If it is determined that there is some appearance of personal connection, the Division Chief will contact the Intake Supervisor to have the case reassigned. This may entail merely moving the case to another officer, or moving it out of the unit, the office, or perhaps even the County.

There are also situations where the offender is a Probation Department employee, related to a Probation employee, as well as times when a Probation employee is the victim. In these situations, when the relationship becomes known to the assigned Probation Officer, the officer must immediately suspend investigation and contact his/her Supervisor. This would include situations wherein the Intake officer is aware of a Probation Department connection. As outlined above, the Supervisor will consult with the Division Chief who may consult with the DCPO.

If there appears to be a substantial conflict of interest, the case may be assigned out of county as a “confidential” matter. When this decision is made, the Intake Supervisor will be notified as soon as possible. The Intake Supervisor will then contact one of the San Diego contiguous or neighboring counties (on a rotational basis). That county will complete the report with no input as to the recommendation from any San Diego Probation Department employee. However, the Intake Supervisor will typically assign a San Diego Probation Officer to act as a liaison. The liaison, usually a Senior Probation Officer, will help the out-of-county Probation Officer by running local records, local custody data, gathering DA material, etc. The San Diego Probation Officer will also make sure that the case is represented in Court (either by personally appearing or having it covered if in a covered court). If the offender is granted supervision, the case may still be considered confidential.