

PROBATION MANDATES

CONTENTS

Acronyms	1	Placement	24
Adult Court.....	2	Juvenile Detention/Commitment Facilities	40
Adult Supervision	6	Mandated Trainings	44
Juvenile Court	13		
Juvenile Supervision.....	22		

ACRONYMS

AB	Assembly Bill	PO	Probation Officer
BIP	Batterer’s Intervention Program	POST	Peace Officer Standards and Training
BSCC	Board of State & Community Corrections	PRCS	Post Release Community Supervision
CSEC	Commercial Sexual Exploitation of Children	SARATSO	State Authorized Risk Assessment Tools for Sex Offenders
DA	District Attorney	SB	Senate Bill
DJJ	Division of Juvenile Justice	STC	BSCC Standards and Training for Corrections
FC	Family Code	STRTP	Short-Term Residential Treatment Placement
MS	Mandatory Supervision	WIC	Welfare & Institutions Code
N/A	Not Applicable	YDF	Youth Detention Facility
ODARA	Ontario Domestic Assault Risk Assessment		
PC	Penal Code		

PROBATION MANDATES

ADULT COURT

Service	Authority	Definition	Mandate-Mandate or Mandate-Discretion	Yolo Implementation (Mandate-Discretion)
Investigation and Recommendation to the Court (Diversion)	1000.1(b) PC	When directed by the Court, the Probation Department shall conduct an investigation (re: eligibility for diversion).... The Probation Department shall report its findings and recommendations to the Court	Mandate-Mandate	N/A
Report for Diversion Consideration	1001.22 PC	The Court shall consult with the prosecutor, the defense counsel, the probation department...to determine whether a defendant may be diverted pursuant to this chapter. The Probation Officer shall submit a report on specified aspects of the defendant's case within 30 judicial days of the Court's order.	Mandate-Mandate	N/A
Appointment for Sentence	1191 PC	The Court shall appoint a time for pronouncement of judgment, which shall be within 20 judicial days after the verdict...the Court shall refer the case to a Probation Officer...	Mandate-Mandate	N/A
Notification of Sentence Proceedings	1191.1 PC	The victims, parents, guardians and or next of kin of any crime... shall be given adequate notice by the Probation Officer of all sentencing proceedings.	Mandate-Mandate	N/A
Victim's Rights	1191.2 PC	The Probation Officer shall also provide the victim with information concerning the victim's right to civil recovery....	Mandate-Mandate	N/A
Conduct and Worktime Credits	1191.3(b) PC	The Probation Officer shall provide a general estimate of the credits to which the defendant may be entitled for previous time served and conduct or work time credits. The Probation Officer shall file this estimate with the court....	Mandate-Mandate	N/A
Pre-Sentence	1203 PC	Pre-sentence investigation, recommendation, pre-plea	Mandate-Mandate	N/A

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PROBATION MANDATES

Investigation		reports, and supplemental reports		
Investigation Report	1203(b)(1) PC	The Court shall immediately refer the matter to a Probation Officer to investigate and report to the Court, at a specified time, upon the circumstances surrounding the crime and the prior history and record of the person...	Mandate-Mandate	N/A
Recommendation Granting or Denying Probation	1203(b)(2)(A) PC	The Probation Officer shall immediately investigate and make a recommendation as to the granting or denying of Probation and the conditions of Probation, if granted	Mandate-Mandate	N/A
Restitution	1203(b)(2)(D) (i-ii) PC	The Probation Officer shall also include in the report his or her recommendation of both the following: The amount the defendant should be required to pay as a restitution fine pursuant to subdivision (b) of Section 1202.4. Whether the court shall require, as a condition of probation, restitution to the victim or to the Restitution Fund and the amount thereof.	Mandate-Mandate	
Report Deadline	1203(b)(2)(E) PC	The report shall be made available to the court and the prosecuting and defense attorneys at least five days...prior to the time fixed for by the court for the hearing.	Mandate-Mandate	N/A
Discussion of Report	1203(c) PC	In cases where the defendant is unrepresented, the Probation Officer who prepares the report must discuss it with the defendant.	Mandate-Mandate	N/A
Misdemeanor Cases	1203(d) PC	If a person is convicted of a misdemeanor, the court may either refer the matter to the probation officer for an investigation and a report or summarily pronounce a conditional sentence. If the person was convicted of an offense that requires that person to register as a sex offender pursuant to Sections 290 to 290.023, inclusive, or if the probation officer recommends that the court, at sentencing, order the offender to register as a sex	Mandate-Mandate	N/A

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PROBATION MANDATES

		offender pursuant to Section 290.006, the court shall refer the matter to the probation officer for the purpose of obtaining a report on the results of the State-Authorized Risk Assessment Tool for Sex Offenders administered pursuant to Sections 290.04 to 290.06, inclusive, if applicable, which the court shall consider.		
Investigation to Determine Restitution for Defendants Ineligible for Probation	1203(g) PC	If a person is not eligible for Probation, the judge shall refer the matter to a Probation Officer for an investigation of all facts relevant to a determination of a restitution fine.... Upon referral, the Probation Officer shall immediately investigate the circumstances surrounding the crime and the prior record and history of the person and make a written report to the court of his or her findings.	Mandate-Mandate	N/A
Sex Offender SARATSO	1203(b)(3) PC	If probation is denied, the clerk of the court shall immediately send a copy of the report to the Department of Corrections and Rehabilitation at the prison or other institution to which the person is delivered.	Mandate-Mandate	N/A
Sex Offender	1203.067 PC	Before Probation may be granted to any person convicted of a (specified felony sex offense), who is eligible for Probation, the court shall ...order the defendant evaluated pursuant to Section 1203.03 or similar evaluation by the County Probation Department.	Mandate-Mandate	N/A
Domestic Violence	1203.097 PC	Pre-sentence investigation for domestic violence cases. Minimum probation 36 month, criminal protective order, notice to victim dispo of the case, booking defendant 1 week of post sentencing, min payment \$500	Mandate-Mandate	Yolo includes the ODARA to determine the mandatory batterer's intervention program
Sentence	1203.2a PC	Sentence in absentia	Mandate-Mandate	N/A
Sentence	1203.3 PC	Early termination, modification, or discharge of	Court Authority	N/A

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PROBATION MANDATES

		sentence		
Sentence	1203.4 PC	Change of plea, setting aside of a verdict	Court Authority	
Proposition 36	1210.1 PC	Possession of Controlled Substance; Probation Exceptions: nonviolent drug possession offense shall receive probation, shall require participation in an appropriate drug treatment program. The Court shall impose appropriate drug training.	Mandate-Mandate	N/A
Weapons in Custody	4502 PC	Weapons in Custody	Mandate-Mandate	N/A
Sex Offender	SB 1128, SB 1178 & Proposition 83	Sex Offender Legislation	Mandate-Mandate	N/A
Sex Offender SARATSO	290.06(a)(6) PC	Each Probation Department shall, prior to sentencing, assess every eligible person as defined in subdivision (c), whether or not a report is prepared pursuant to Section 1203.	Mandate-Mandate	N/A
Sex Offender SARATSO	1203(b)(2)(C) PC	If the person was convicted of an offense that requires him or her to register as a sex offender pursuant to Section 290, the probation officer's report shall include the results of the SARATSO administered pursuant to Sections 290.04 to 290.06, inclusive, if applicable.	Mandate-Mandate	N/A
Court Reports	1203 PC	...convicted of a felony and is eligible for probation, before judgment is pronounced, the court shall immediately refer the matter to a probation officer to investigate and report to the court, at a specified time, upon the circumstances surrounding the crime and the prior history and record of the person, which may be considered either in aggravation or mitigation of the punishment. ...The probation officer shall immediately investigate and make a written report to the court of his or her findings and recommendations, including his or	Mandate-Mandate	N/A

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PROBATION MANDATES

		her recommendations as to the granting or denying of probation and the conditions of probation, if granted.		
Court Investigations (Proposition 63 Prohibition of Firearms Access)	29810(c)(1) PC	The assigned probation officer shall receive the Prohibited Persons Relinquishment Form from the defendant or the defendant’s designee, as applicable, and ensure that the Automated Firearms System has been properly updated to indicate that the defendant has relinquished those firearms.	Mandate-Mandate	Adult Supervision Unit completes the Prohibited Persons Relinquishment Form prior to a BIP referral
Court Investigations (Proposition 63 Prohibition of Firearms Access)	29810(c)(2) PC	Prior to final disposition or sentencing in the case, the assigned probation officer shall report to the court whether the defendant has properly complied with the requirements of this section by relinquishing all firearms identified by the probation officer’s investigation or declared by the defendant on the Prohibited Persons Relinquishment Form, and by timely submitting a completed Prohibited Persons Relinquishment Form. The probation officer shall also report to the Department of Justice on a form to be developed by the department whether the Automated Firearms System has been updated to indicate which firearms have been relinquished by the defendant.	Mandate-Mandate	N/A

ADULT SUPERVISION

Service	Authority	Definition	Mandate-Mandate or Mandate-Discretion	Yolo Implementation (Mandate-Discretion)
Probation Supervision	AB109, AB117, PC	The State of California was mandated by federal court order to reduce its overall Prison population to 137.5%	Mandate-Mandate	N/A

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PROBATION MANDATES

	3450-3465 & PC1170 (h)(5)(b)	of its design capacity to maintain a constitutionally required level of medical and mental health care. In response to the federal mandate, AB 109 (and AB117), or Public Safety Realignment was enacted in October 2011. This law changed the landscape of the California criminal justice system by shifting specific responsibilities from the state to counties. As such, AB 109 created two new offender classifications under the Probation Department’s purview: The Post Release Community Supervision (PRCS) population and the Mandatory Supervision (MS) population. PRCS: offenders are felons released from prison with a committing offense that was non-violent, non-serious, or a non-sex related crime. Prior to AB 109, these individuals were supervised by State Parole upon release from prison. MS: offenders are felons that have been sentenced after AB 109 pursuant to PC 1170(h) for a non-violent, non-serious, and non-sex related offense. Individuals who receive a “split” sentence are required to spend a portion of their sentence in jail and another portion under probation supervision. Individuals on MS supervision are considered to be “incarcerated in the community”.		
Court Order Supervision	1202.7 PC	The legislature finds and declares that the provision of probation services is an essential element in the Administration of the Criminal Justice. The safety of the public, which shall be a primary goal through the enforcement of court-ordered conditions of probation; the nature of the offense; the interests of justice; including punishment, reintegration of the offender into the community and enforcement of conditions of	Mandate-Mandate	N/A

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PROBATION MANDATES

		probation, the loss to the victim; and the needs of the defendant shall be the primary considerations in the granting of probation.		
Supervision Probation Officer Discretion	1202.8 PC	Persons placed on probation by a court shall be under the supervision of the county probation officer who shall determine both the level and type of supervision <u>consistent with court ordered conditions of probation</u>	Mandate-Mandate	N/A
Supervision Unit Monitoring	1203.1(j) PC	...Upon the defendant being released from the county jail under the terms of probation...and in all cases where confinement in the county jail has not been a condition of the grant of probation, the court shall place the defendant or probationer under the charge of the probation officer of the court for the period of fixed term of probation.	Mandate-Mandate	N/A
Supervision	1203.2(a) PC	If any probation officer or peace officer has probable cause to believe that the probationer is violating any term or condition of his or her probation...the officer <u>may</u> , without warrant or other process and at any time until the final disposition..., re-arrest the person and bring him or her before the court....	Mandate-Discretion	POs have discretion whether to arrest or not
Flash Incarceration	1203.35 PC	...the county probation department is authorized to use flash incarceration for any violation of the conditions of probation or mandatory supervision..." Each county probation department shall develop a response matrix... A supervisor shall approve the term of flash incarceration... ...the probation department shall notify the court, public defender, district attorney, and sheriff...	Mandate-Mandate	
Supervision	1203.9 PC	The order of transfer shall contain an order committing the probationer to the care and custody of the probation officer of the receiving county...	Mandate-Mandate	N/A
Domestic Violence	1203.097 PC	The Probation Department shall make an investigation	Mandate-Mandate	N/A

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PROBATION MANDATES

<p>Batterer's Certification</p>	<p>and take into consideration the defendant's age, medical history, employment and service records, educational background, community and family ties, prior incidents of violence, police report, treatment history, if any, demonstrable motivation, and other mitigating factors in determining which batterer's program would be appropriate for the defendant. This information shall be provided to the batterer's program if it is requested. The probation department shall also determine which community programs the defendant would benefit from and which of those programs would accept the defendant. The probation department shall report its findings and recommendations to the court. The court shall advise the defendant that the failure to report to the probation department for the initial investigation, as directed by the court, or the failure to enroll in a specified program, as directed by the court or the probation department, shall result in possible further incarceration. After the court orders the defendant to a batterer's program, the probation department shall conduct an initial assessment of the defendant... The probation department shall attempt to notify the victim regarding the requirements for the defendant's participation in the batterer's program, as well as regarding available victim resources. The court or the probation department shall refer defendants only to batterer's programs that follow standards...The probation department shall design and implement an approval and renewal process for batterer's programs and shall solicit input from criminal justice agencies and domestic violence victim advocacy programs.</p>		
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PROBATION MANDATES

Domestic Violence	1203.099 PC	The counties of Napa, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, and Yolo may offer a program for individuals convicted of domestic violence that does not comply with the requirement of the batterer's program in Sections 1203.097 and 1203.098 if the program meets specified conditions.	Mandate-Discretion	Referrals are made to approved BIP providers based on the ORAS and ODARA results for 10, 26, or 52-week classes.
Intake	1203.12 PC	Probation officer shall furnish to each person who has been released on probation and committed to his care, a written statement of the terms and conditions of his probation... shall report to the court...any violation....	Mandate-Mandate	N/A
Supervision Records	1203.10 PC	If any person shall be released on probation and committed to the care of the probation officer, such officer shall keep a complete and accurate record in a suitable book.	Mandate-Mandate	N/A
Drug Test	1203.1ab	...the defendant shall not use or be under the influence of any controlled substance and shall submit to drug and substance abuse testing as directed by the probation officer.	Mandate-Mandate	N/A
Sex Offender Legislation: SB 1128, SB 1178 & Proposition 83				
Sex Offender	290.6(a)(5) PC	Probation shall conduct SARATSO approved assessments on all sex offenders under its jurisdiction. Initial assessments must be completed prior to termination of probation but no later than January 1, 2010.	Mandate-Mandate	N/A
Sex Offender GPS Supervision	1202.8 PC	Commencing this date, each probation department shall report every two years to the Corrections and Standards Authority regarding the effectiveness of continuous electronic monitoring. Commencing July 1, 2009, every adult male sex offender with a risk assessment score of high must be monitored by continuous electronic monitoring.	Mandate-Mandate	N/A
Sex Offender	1203f PC	High-risk sex offenders must be placed on intensive,	Mandate-Mandate	N/A

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PROBATION MANDATES

		specialized probation supervision and required to report frequently to a probation officer		
DNA Requirements	296 PC	Includes, but is not be limited to, providing a buccal sample plus thumb and palm print impressions to the jail or Probation Department	Mandate-Mandate	N/A
Gang Suppression Unit	13826.5 PC	County probation departments receiving funding under this chapter shall strictly enforce court-ordered conditions of probation for gang members.... Gang violence intensive Supervision unit shall be established.	Mandate-Mandate	N/A
Gang Violence Suppression	13826.5(a) (1-7) PC	<p>County probation departments supported under the Gang Violence Suppression Program may implement the following activities:</p> <p>(1) A Gang Violence Intensive Supervision Unit dealing with gang members may be established.</p> <p>(2) Criteria used to determine which probationer may be assigned to the Gang Violence Intensive Supervision Unit may be approved by the district attorney having a Gang Violence Prosecution Unit described in Section 13826.2.</p> <p>(3) County probation departments are encouraged to inform probationers whose cases are assigned to the intensive supervision unit of what types of behavior are prescribed or forbidden. The counties are encouraged to provide notice in both oral and written form.</p> <p>(4) County probation departments are encouraged to inform probationers whose cases are assigned to the intensive supervision unit, in writing, that all court-ordered conditions of probation will be strictly enforced.</p> <p>(5) County probation departments are encouraged to ensure that deputy probation officers in the intensive supervision unit have reduced probationer caseloads and coordinate their supervision efforts with law</p>	Mandate-Discretion	Yolo does not receive this funding

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PROBATION MANDATES

		<p>enforcement and prosecution personnel. The coordination is encouraged to include informing law enforcement and prosecution personnel of the conditions set for probationers and of the strict enforcement procedures to be implemented.</p> <p>(6) Deputy probation officers in the intensive supervision unit are encouraged to coordinate with the district attorney in ensuring that court-ordered conditions of probation are consistently enforced.</p> <p>(7) Intensive supervision unit deputy probation officers are encouraged to coordinate, whenever feasible, with community-based organizations in seeking to ensure that probationers adhere to their court-ordered conditions</p>		
Gang Violence Suppression	13826.5(b) PC	County probation departments may implement the California TEAM (Together Each Achieves More) Sports Camp Program, as described in Article 23.5 (commencing with Section 875) of Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code.	Mandate-Discretion	Yolo doesn't participate in this program
Interstate Compact	11177(2) PC	...That each receiving state assumes the duties of visitation and supervision over probationers or parolees of any sending state and in the exercise of those duties will be governed by the same standards that prevail for its own probationers and parolees.	Mandate-Mandate	N/A
Interstate Compact	11180 PC	Authority: Because it is a Congressionally approved compact, the rules carry the weight of federal law. The new rules were enacted into law and entered into on behalf of the State of California in 2004.	Mandate-Mandate	N/A
Interstate Compact	Rule 2.107	A person who is released from incarceration under furlough, work release, or other pre-parole program is not eligible for transfer under the compact.	Mandate-Mandate	N/A

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PROBATION MANDATES

Interstate Compact	Rule 2.110(a)	No state shall permit an offender who is eligible for transfer under this compact to relocate to another state except as provided by the Compact and these rules.	Mandate-Mandate	N/A
Interstate Compact	Rule 4.101	A receiving state shall supervise an offender transferred under the interstate compact in a manner determined by the <u>receiving state</u> and consistent with the supervision of other similar offenders sentenced in the receiving state.	Mandate-Mandate	N/A

JUVENILE COURT

Service	Authority	Definition	Mandate-Mandate or Mandate-Discretion	Yolo Implementation (Mandate-Discretion)
Truancy Proceedings	601(3) WIC	Upon completion of the meeting authorized by this section, the probation officer or the district attorney, after consultation with the probation officer, may file a petition pursuant to Section 601 if the district attorney or the probation officer determines that available community resources cannot resolve the truancy problem, or if the pupil or the parents or guardians of the pupil, 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.	Mandate-Discretion	Implemented by Yolo County's District Attorney's Office
Booking & Intake	626(d) WIC	Take the minor without unnecessary delay before the probation officer of the county in which the minor was taken into custody, or in which the minor resides, or in which the acts take place or the circumstances exist	Mandate-Mandate	N/A

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PROBATION MANDATES

		which are alleged to bring the minor within the provisions of Section 601 or 602, and deliver the custody of the minor to the probation officer.		
Booking & Intake	627.5 WIC	The Probation Officer shall advise the minor and his/her parents of the minor's rights and shall notify the Judge if counsel is requested.	Mandate-Mandate	N/A
Booking & Intake	627(a-b) WIC	When a minor is taken into custody at a juvenile hall or to any other place of confinement...immediate steps shall be made to notify the minor's parent, guardian, or a responsible relative that such minor is in custody and the place where he is being held. Immediately after being taken to a place of confinement except where physically impossible, no later than one hour after he has been taken into custody, the minor shall be advised and has the right to make at least two telephone calls from the place where he is being held...deprives a minor taken into custody of his right to make such telephone calls is guilty of a misdemeanor.	Mandate-Mandate	N/A
Booking & Intake	628 (a)(1) WIC	The probation officer shall immediately investigate the circumstances of the minor and the facts surrounding his/her being taken into custody and shall immediately release the minor to the custody of his/her parent, legal guardian, or responsible relative unless it can demonstrate upon the evidence before the court that continuance in the home is contrary to the minor's welfare.	Mandate-Mandate	N/A
Booking & Intake	628.1 WIC	The Probation Officer shall release a minor on home supervision if the PO does not believe 24-hour detention is necessary in order to protect the minor of the person and property of another, or to ensure that the minor	Mandate-Mandate	N/A

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PROBATION MANDATES

		does not flee the jurisdiction of the court.		
Booking & Intake	629(a-b) WIC	The probation officer shall require the minor to sign, and may also require his or her 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.	Mandate-Mandate	N/A
Booking & Intake	630 WIC	If the probation officer determines that the minor shall be retained in custody, he or she shall immediately proceed in accordance with Article 16. The probation officer or the prosecuting attorney shall serve the minor with a copy of the petition and notify him or her of the time and place of the detention hearing. The probation officer or the prosecuting attorney shall notify each parent or each guardian of the minor of the time and place of the hearing. Notice pursuant to this subdivision may be given orally and shall not be delivered electronically.	Mandate-Mandate	N/A
Booking & Intake	631(b-c) WIC	Maximum time of detention of minor in absence of petition or criminal complaint; exception; review and approval of decision to detain. The decision to detain a minor for more than 24 hours, when the crime is a nonviolent misdemeanor committed without a weapon, there is no outstanding warrant, and no petition is filed, shall be subject to supervisor review unless the decision was made by a supervisor. If the minor is in custody more than 24 hours and is released with no petition being filed, the PO shall prepare a written explanation and send a copy to the minor's parents.	Mandate-Mandate	N/A
Booking & Intake	650(a) WIC	Proceedings pursuant to Section 601 WIC <u>are commenced</u> by the filing of a petition by the Probation	Mandate-Mandate	N/A

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PROBATION MANDATES

		Officer.		
Booking & Intake	652 WIC	The Probation Officer shall investigate and determine if Juvenile Court proceedings should commence when there is cause to believe a person described in Section 601 or 602 WIC was or is within the county.	Mandate-Mandate	N/A
Booking & Intake	652.5 WIC	When a minor is referred or delivered to probation, pursuant to 626(b) WIC, probation shall investigate and determine which disposition to make and shall initiate a service program when appropriate. The probation officer shall notify the referring officer in writing when no program is initiated.	Mandate-Mandate	N/A
Booking & Intake	653 WIC	Whenever any person applies to the probation officer or the district attorney in accordance with subdivision (e) of Section 601.3, to commence proceedings in the juvenile court, the application shall be in the form of an affidavit alleging that there was or is within the county, or residing therein, a minor within the provisions of Section 601 and setting forth facts in support thereof.	Mandate-Mandate	N/A
Booking & Intake	653.1 WIC	The Probation Officer shall refer an affidavit to the District Attorney when it appears to be relevant to Section 707(b) WIC and the minor was 16 or older at the time of the offense or Section 707(e) WIC and the minor was 14 years of age or older. If the prosecuting attorney decides not to file a petition, he or she may return the affidavit to the probation officer for any other appropriate action.	Mandate-Mandate	N/A
Booking & Intake	653.5 WIC	Application to commence proceedings, affidavits. Whenever any person applies to the probation officer to commence proceedings in the juvenile court, the application shall be in the form of an affidavit alleging that there was or is within the county, or siding therein,	Mandate-Mandate	N/A

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PROBATION MANDATES

		a minor within the provisions of Section 602, or that a minor committed an offense described in Section 602 within the county, and setting for facts in support thereof. The probation officer shall immediately make any investigation the probation officer deems necessary to determine whether proceedings to the juvenile court shall be commenced.		
Booking & Intake	653.7 WIC	Decision not to proceed. The Probation Officer shall endorse any decision not to proceed further on an affidavit and the reasons therefore when 654WIC (informal supervision) is not used, a petition is not filed in 21 days, and no referral is made to the DA. The PO shall notify the applicant of such a decision.	Mandate-Mandate	N/A
Booking & Intake	632 WIC	Detention Hearing; Exception Whenever a minor is taken into custody without a warrant on the belief that he or she has committed a misdemeanor not involving violence, a threat of violence, or possession or use of weapons, if the minor is not currently on probation or parole, he or she shall be brought before a judge or referee of the juvenile court for a detention hearing as soon as possible, but no later than 48 hours after having been taken into custody, after a petition to declare the minor a ward has been filed.	Mandate-Mandate	N/A
Booking & Intake	632(b) WIC	Timeline to appear before judge or referee ...a minor taken into custody (for a misdemeanor not involving violence...or possession or use of weapons) must appear before a judge or referee of the juvenile court for a detention hearing within 48 hours of being taken into custody....	Mandate-Mandate	N/A
Booking & Intake	631(a) WIC	...the minor shall be released within 48 hours after	Mandate-Mandate	N/A

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PROBATION MANDATES

		having been taken into custody unless a petition has been filed.		
Booking & Intake	654 WIC	When 654WIC (informal supervision) is used in lieu of a petition being filed, the Probation Officer shall cause the filing of a petition if the minor has not complied with the program within 60 days.	Mandate-Mandate	N/A
Booking & Intake	777 WIC	A supplemental petition shall be filed by the Probation Officer when a minor is a ward or a probationer and violates a court order.	Mandate-Mandate	N/A
Court Investigations	280 WIC	Duties of probation officers in court; social study of minor; contents. The Probation Officer shall prepare a social study for every (sentencing) disposition. The social study shall include a recommendation. The Probation Officer shall be present in court unless waived by all parties.	Mandate-Mandate	N/A
Court Investigations	281WIC	Investigation; reports. The Probation Officer shall investigate and prepare written reports for cases involving custody, status, or welfare of minors	Mandate-Mandate	N/A
Court Investigations	656.2 WIC	Victim impact statement; victim rights; disclosure of information. The Probation Officer shall include the victim's statement, advise the victim of the dispositional hearing, and provide the victim with information regarding the right to an action for civil damages and restitution fund compensation.	Mandate-Mandate	N/A
Court Investigations	707(b-e) WIC	Fitness hearing. The Probation Officer shall prepare fitness reports	Mandate-Mandate	N/A
Court Investigations	1741 WIC	Case history reports to authority. The Probation Officer shall furnish to the DJJ all background information on a	Mandate-Mandate	N/A

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PROBATION MANDATES

		person so committed.		
Court Investigations	1742 WIC	To supply the DJJ with the juvenile's Individualized Education Plan. To facilitate this process the juvenile court shall assure that the probation officer communicates with appropriate staff at the juvenile court school, county office of education, or special education local planning area.	Mandate-Mandate	N/A
Court Investigations	Rule 5.785 California Rules of Court	Social study reporting timelines. The Probation Officer shall submit the social study and copies of it to the clerk at least 48 hours before dispositional hearing is set to begin.	Mandate-Mandate	N/A
Court Investigations	Prop 21	Felony reporting to Department of Justice	Mandate-Mandate	N/A
Court Investigations	SB 334 & 656.2(c) WIC	Victim notification pursuant to fitness provisions	Mandate-Mandate	N/A
Court Investigations	636(c) & 628(a) WIC	Reasonable efforts to avoid removal from home	Mandate-Mandate	N/A
Court Investigations	636(a)(4) WIC	Procedure for termination of parental rights	Mandate-Mandate	N/A
Court Investigations	628(a) WIC	Minors welfare related to parental custody	Mandate-Mandate	N/A
Court Investigations	636.1(a) WIC	Case plan for minors at risk of entering foster care	Mandate-Mandate	N/A
Informal Probation	654.2	Fifteen days prior to the final conclusion of the program of supervision...the probation officer shall submit to the court a follow up report of the minor's participation in the program.	Mandate-Mandate	N/A
Detention Finding	727 WIC	The Court shall order the care, custody, and control of the minor to be under the supervision of the probation officer....	Mandate-Mandate	N/A
Restitution	729 WIC	Required restitution or community service for the commission of battery (243.5 PC) on a school campus	Mandate-Mandate	N/A
Restitution	729.1 WIC	Required reparation and restitution for offenses against persons on public transit vehicles.... Graffiti abatement	Mandate-Mandate	N/A

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Mandate-Discretion = service mandated but implementation discretionary

PROBATION MANDATES

		or community service.		
Court Order	729.2 (a) WIC	Require school attendance at a school program <i>approved by the probation officer</i>	Mandate-Mandate	N/A
Court Order	729.2(b) WIC	Require the minor's parents or guardians to participate in a counseling or education program	Mandate-Mandate	N/A
Court Order	729.2(c) WIC	Require minor to be at his or her legal residence between the hours of 10:00 p.m. and 6:00 a.m. unless accompanied by parent or guardian	Mandate-Mandate	N/A
Court Order	729.8(a) WIC	Required community service for offenses involving possession, use, sale or other furnishing of controlled substances on school grounds	Mandate-Mandate	N/A
Court Order	729.9 WIC	Required urinalysis for offenses involving unlawful possession, use, sale or other furnishing of controlled substances	Mandate-Mandate	N/A
Court Order	729.10 WIC	Required participation and completion of a certified alcohol and/or drug education program for controlled substance offenses.	Mandate-Mandate	N/A
Victim Notification of Final Disposition	742 WIC	Upon the request of an alleged victim of a crime, the probation officer shall , within 60 days of the final disposition of a case within which a petition has been filed pursuant to Section 602, inform that person by letter of the final disposition of the case. If the court orders that restitution shall be made to the victim of a crime, the amount, terms, and conditions thereof shall be included in the information provided pursuant to this section. In any case in which a petition has been filed..., the probation officer shall inform the victim of the offense, if any, or any victim-offender conferencing program or victim impact class available in the county, and of his or her right...to be informed of the final disposition of the case, including his or her right, if any,	Mandate-Mandate	N/A

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PROBATION MANDATES

		to victim restitution, as permitted by law.		
Restitution Payments	1208.9 (c) PC	Within 30 days of a court making an order to provide restitution to a victim or to the Restitution Fund, the probation officer shall establish an account into which any restitution payments that are not deposited into the Restitution Fund shall be deposited.	Mandate-Mandate	N/A
Abandonment Reports	7805 FC	Freedom from parental custody and control— Abandonment	Mandate-Discretion	Probation completes this report in agreement with the Court and other involved departments
Stepparent Adoptions	8500-8543 FC	Adoptions-8543. "Qualified court investigator" means a superior court investigator with the same minimum qualifications as a probation officer or county welfare worker designated to conduct stepparent adoption investigations in stepparent adoption proceedings to declare a minor free from parental custody and control.	Mandate-Discretion	Probation completes this report in agreement with the Court and other involved departments
Juvenile Court	7851(a) FC	The juvenile Probation Officer... shall 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.	Mandate-Discretion	Probation completes this report in agreement with the Court and other involved departments
Stepparent Adoptions	9001 FC	Except as provided in Section 9000.5, before granting or denying a stepparent adoption request, the court shall review and consider a written investigative report...the court...may assign one of the following to complete the investigation: a probation officer, a qualified court investigator, or the county welfare department, if so authorized by the board of supervisors of the county where the action is pending.	Mandate-Discretion	Probation completes this report in agreement with the Court and other involved departments

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PROBATION MANDATES

JUVENILE SUPERVISION

Service	Authority	Definition	Mandate-Mandate or Mandate-Discretion	Yolo Implementation (Mandate-Discretion)
If a minor is found to be a person described in Section 602 WIC (wardship) and the court does not remove the minor from the physical custody of the parent or guardian, the court <i>must</i> impose specific conditions of probation for the adjudication of specified offenses, which shall be enforced by the probation officer, including:				
Probation Supervision	1202.8 (a) PC	Persons placed on probation by a court shall be under the supervision of the county probation officer who shall determine both the level and type of supervision <u><i>consistent with court ordered conditions of probation.</i></u>	Mandate-Mandate	N/A
Sex Offender SARATSO	1208.9 (b) PC	Commencing January 1, 2009, every person who has been assessed with the State Authorized Risk Assessment Tool for Sex Offenders (SARATSO) pursuant to Sections 290.04 to 290.06, inclusive, and who has a SARATSO risk level of high shall be continuously electronically monitored while on probation....	Mandate-Mandate	N/A
Sex Offender Electronic Monitoring Reporting	1208.9 (d) PC	Beginning January 1, 2009, and every two years thereafter, each probation department shall report to the Corrections Standard Authority all relevant statistics and relevant information regarding the effectiveness of continuous electronic monitoring of offenders	Mandate-Mandate	N/A
DNA Requirements	296 PC	DNA Requirements...buccal swab samples, right thumbprints, and a full palm print impression of each hand, and any blood specimens or other biological samples required pursuant to this chapter for law enforcement identification analysis	Mandate-Mandate	N/A

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PROBATION MANDATES

Juvenile Justice Commission	225-232 WIC	Duties of Juvenile Justice Commission	Mandate-Mandate	N/A
Juvenile Justice Commission	229, 229.5, 230 WIC	The legislative charge to the Juvenile Justice Commission is to “inquire into the administration of the juvenile court law in the county” The Juvenile Justice Commission carries out that mandate through: The inspection of the Jail, YDF, Ranch and group homes; the investigation of group home violations of licensing or other applicable regulations; reporting investigative findings to the Presiding Judge of the Juvenile Court, Chief Probation Officer of State Department of Social Services. Staff support is provided to the Juvenile Justice Commission for meetings and reports related to the inspection of county facilities, the inquires into the operation of group homes, and generally, ensuring the safety and well-being of minors placed in county facilities and group homes.	Mandate-Mandate	N/A
Delinquency Prevention Commission	233 WIC	The Board of Supervisors, by ordinance provides for the establishment, support and maintenance of a delinquency prevention commission... The Board of Supervisors <i>may</i> direct any county department to provide necessary staff service to the commission.	Mandate-Discretion	Joint Juvenile Justice and Delinquency Prevention Commission supported by Probation
Home Supervision	840 WIC	Each County Probation Department shall have a program of home supervision... Home supervision is a program in which persons who would otherwise be detained in juvenile hall are permitted to remain in their homes...under the supervision of a Deputy Probation Officer...	Mandate-Mandate	N/A
Home Supervision	841 WIC	Staff shall have a caseload of no more than 10 minors. If electronic surveillance is used, the caseload shall be no more than 15 minors.	Mandate-Mandate	N/A

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PROBATION MANDATES

Home Supervision	628.1 WIC	Probation Officer shall release a minor on home supervision if the Probation Officer does not believe 24-hour secure detention is necessary in order 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 .	Mandate-Mandate	N/A
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PLACEMENT

Service	Authority	Definition	Mandate-Mandate or Mandate-Discretion	Yolo Implementation (Mandate-Discretion)
Placement Supervision	727 WIC	<p>(a)(1) If a minor or nonminor is adjudged a ward of the court on the ground that he or she is a person described by Section 601 or 602, the court may make any reasonable orders for the care, supervision, custody, conduct, maintenance, and support of the minor or nonminor, including medical treatment, subject to further order of the court.</p> <p>(2) In the discretion of the court, a ward may be ordered to be on probation without supervision of the probation officer. The court, in so ordering, may impose on the ward any and all reasonable conditions of behavior as may be appropriate under this disposition. A minor or nonminor who has been adjudged a ward of the court on the basis of the commission of any of the offenses described in subdivision (b) or paragraph (2) of subdivision (d) of Section 707, Section 459 of the Penal Code, or subdivision (a) of Section 11350 of the Health</p>	Mandate-Mandate	N/A

Mandate-Mandate = service provided as mandated

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PROBATION MANDATES

		<p>and Safety Code, shall not be eligible for probation without supervision of the probation officer. A minor or nonminor who has been adjudged a ward of the court on the basis of the commission of any offense involving the sale or possession for sale of a controlled substance, except misdemeanor offenses involving marijuana, as specified in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, or of an offense in violation of Section 32625 of the Penal Code, shall be eligible for probation without supervision of the probation officer only when the court determines that the interests of justice would best be served and states reasons on the record for that determination.</p> <p>(3) In all other cases, the court shall order the care, custody, and control of the minor or nonminor to be under the supervision of the probation officer.</p> <p>(4) It is the responsibility, pursuant to Section 672(a)(2)(B) of Title 42 of the United States Code, of the probation agency to determine the appropriate placement for the ward once the court issues a placement order. In determination of the appropriate placement for the ward, the probation officer shall consider any recommendations of the child and family. The probation agency may place the minor or nonminor in any of the following:</p> <p>(A) The approved home of a relative or the approved home of a nonrelative, extended family member, as defined in Section 362.7. If a decision has been made to place the minor in the home of a relative, the court may authorize the relative to give legal consent for the minor's medical, surgical, and dental care and education</p>		
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PROBATION MANDATES

		<p>as if the relative caregiver were the custodial parent of the minor.</p> <p>(B) A foster home, the approved home of a resource family as defined in Section 16519.5, or a home or facility in accordance with the federal Indian Child Welfare Act (25 U.S.C. Sec. 1901 et seq.).</p> <p>(C) A suitable licensed community care facility, as identified by the probation officer, except a runaway and homeless youth shelter licensed by the State Department of Social Services pursuant to Section 1502.35 of the Health and Safety Code.</p> <p>(D) A foster family agency, as defined in subdivision (g) of Section 11400 and paragraph (4) of subdivision (a) of Section 1502 of the Health and Safety Code, in a suitable certified family home or with a resource family.</p> <p>(E) A minor or nonminor dependent may be placed in a group home or short-term residential therapeutic program as defined in subdivision (ad) of Section 11400 and paragraph (18) of subdivision (a) of Section 1502 of the Health and Safety Code. The placing agency shall also comply with requirements set forth in paragraph (9) of subdivision (e) of Section 361.2, which includes, but is not limited to, authorization, limitation on length of stay, extensions, and additional requirements related to minors. For youth 13 years of age and older, the chief probation officer of the county probation department, or his or her designee, shall approve the placement if it is longer than 12 months, and no less frequently than every 12 months thereafter.</p> <p>(F)(i) Every minor adjudged a ward of the juvenile court shall be entitled to participate in age-appropriate</p>		
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Mandate-Mandate = service provided as mandated

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PROBATION MANDATES

		<p>extracurricular, enrichment, and social activities. A state or local regulation or policy shall not prevent, or create barriers to, participation in those activities. Each state and local entity shall ensure that private agencies that provide foster care services to wards have policies consistent with this section and that those agencies promote and protect the ability of wards to participate in age-appropriate extracurricular, enrichment, and social activities. A short-term residential therapeutic program or a group home administrator, a facility manager, or his or her responsible designee, and a caregiver, as defined in paragraph (1) of subdivision (a) of Section 362.04, shall use a reasonable and prudent parent standard, as defined in paragraph (2) of subdivision (a) of Section 362.04, in determining whether to give permission for a minor residing in foster care to participate in extracurricular, enrichment, and social activities. A short-term residential therapeutic program or a group home administrator, a facility manager, or his or her responsible designee, and a caregiver shall take reasonable steps to determine the appropriateness of the activity taking into consideration the minor's age, maturity, and developmental level. For every minor placed in a setting described in subparagraphs (A) through (E), inclusive, age-appropriate extracurricular, enrichment, and social activities shall include access to computer technology and the Internet.</p> <p>(ii) A short-term residential therapeutic program or a group home administrator, facility manager, or his or her responsible designee, is encouraged to consult with</p>		
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Mandate-Discretion = service mandated but implementation discretionary

PROBATION MANDATES

		<p>social work or treatment staff members who are most familiar with the minor at the group home in applying and using the reasonable and prudent parent standard.</p> <p>(G) For nonminors, an approved supervised independent living setting as defined in Section 11400, including a residential housing unit certified by a licensed transitional housing placement provider.</p> <p>(5) The minor or nonminor shall be released from juvenile detention upon an order being entered under paragraph (3), unless the court determines that a delay in the release from detention is reasonable pursuant to Section 737.</p> <p>(b)(1) To facilitate coordination and cooperation among agencies, the court may, at any time after a petition has been filed, after giving notice and an opportunity to be heard, join in the juvenile court proceedings any agency that the court determines has failed to meet a legal obligation to provide services to a minor, for whom a petition has been filed under Section 601 or 602, to a nonminor, as described in Section 303, or to a nonminor dependent, as defined in subdivision (v) of Section 11400. In any proceeding in which an agency is joined, the court shall not impose duties upon the agency beyond those mandated by law. The purpose of joinder under this section is to ensure the delivery and coordination of legally mandated services to the minor. The joinder shall not be maintained for any other purpose. Nothing in this section shall prohibit agencies that have received notice of the hearing on joinder from meeting prior to the hearing to coordinate services.</p> <p>(2) The court has no authority to order services unless it</p>		
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Mandate-Mandate = service provided as mandated

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PROBATION MANDATES

		<p>has been determined through the administrative process of an agency that has been joined as a party, that the minor, nonminor, or nonminor dependent is eligible for those services. With respect to mental health assessment, treatment, and case management services pursuant to an individualized education program developed pursuant to Article 2 (commencing with Section 56320) of Chapter 4 of Part 30 of Division 4 of Title 2 of the Education Code, the court's determination shall be limited to whether the agency has complied with that chapter.</p> <p>(3) For the purposes of this subdivision, “agency” means any governmental agency or any private service provider or individual that receives federal, state, or local governmental funding or reimbursement for providing services directly to a child, nonminor, or nonminor dependent.</p> <p>(c) If a minor has been adjudged a ward of the court on the ground that he or she is a person described in Section 601 or 602, and the court finds that notice has been given in accordance with Section 661, and if the court orders that a parent or guardian shall retain custody of that minor either subject to or without the supervision of the probation officer, the parent or guardian may be required to participate with that minor in a counseling or education program, including, but not limited to, parent education and parenting programs operated by community colleges, school districts, or other appropriate agencies designated by the court.</p> <p>(d) The juvenile court may direct any reasonable orders to the parents and guardians of the minor who is the</p>		
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Mandate-Mandate = service provided as mandated

Mandate-Discretion = service mandated but implementation discretionary

PROBATION MANDATES

		<p>subject of any proceedings under this chapter as the court deems necessary and proper to carry out subdivisions (a), (b), and (c), including orders to appear before a county financial evaluation officer, to ensure the minor's regular school attendance, and to make reasonable efforts to obtain appropriate educational services necessary to meet the needs of the minor.</p> <p>If counseling or other treatment services are ordered for the minor, the parent, guardian, or foster parent shall be ordered to participate in those services, unless participation by the parent, guardian, or foster parent is deemed by the court to be inappropriate or potentially detrimental to the minor.</p> <p>(e) The court may, after receipt of relevant testimony and other evidence from the parties, affirm or reject the placement determination. If the court rejects the placement determination, the court may instruct the probation department to determine an alternative placement for the ward, or the court may modify the placement order to an alternative placement recommended by a party to the case after the court has received the probation department's assessment of that recommendation and other relevant evidence from the parties.</p>		
<p>Placement Supervision</p>	<p>282 WIC</p>	<p>At any time the judge of the juvenile court may, and upon the request of the county board of supervisors shall, require the probation officer to examine into and report to the court upon the qualifications and management of any society, association, or corporation, other than a state institution, which applies for or receives custody of any ward or dependent child of the</p>	<p>Mandate-Mandate</p>	<p>N/A</p>

Mandate-Mandate = service provided as mandated

Mandate-Discretion = service mandated but implementation discretionary

PROBATION MANDATES

		juvenile court. No probation officer, however, shall , under authority of this section, enter any institution without its consent. If such consent is refused, commitments to that institution shall not be made.		
Placement Supervision	367 WIC	<p>(a) Whenever a person has been adjudged a dependent child of the juvenile court and has been committed or otherwise disposed of as provided in this chapter for the care of dependent children of the juvenile court, the court may order that the dependent child be detained in a suitable place designated as the court deems fit until the execution of the order of commitment or of other disposition.</p> <p>(b) In any case in which a child is detained for more than 15 days pending the execution of the order of commitment or of any other disposition, the court shall periodically review the case to determine whether the delay is reasonable. These periodic reviews shall be held at least every 15 days, commencing from the time the child was initially detained pending the execution of the order of commitment or of any other disposition, and during the course of each review the court shall inquire regarding the action taken by the social worker to carry out its order, the reasons for the delay, and the effect of the delay upon the child.</p>	Mandate-Mandate	N/A
Placement Supervision	366 WIC	(a)(1) The status of every dependent child in foster care shall be reviewed periodically as determined by the court but no less frequently than once every six months, as calculated from the date of the original dispositional hearing, until the hearing described in Section 366.26 is completed. The court shall consider the safety of the child and shall determine all of the following:	Mandate-Mandate	N/A

Mandate-Mandate = service provided as mandated

Mandate-Discretion = service mandated but implementation discretionary

PROBATION MANDATES

		<p>(A) The continuing necessity for and appropriateness of the placement.</p> <p>(B) The extent of the agency's compliance with the case plan in making reasonable efforts, or, in the case of a child 16 years of age or older with another planned permanent living arrangement, the ongoing and intensive efforts, to return the child to a safe home and to complete any steps necessary to finalize the permanent placement of the child, including efforts to maintain relationships between a child who is 10 years of age or older and who has been in an out-of-home placement for six months or longer, and individuals other than the child's siblings who are important to the child, consistent with the child's best interests. Where it is known or there is reason to know that the child is an Indian child, as defined by Section 224.1, the court shall also determine whether the agency has made active efforts, as defined in Section 224.1 and as described in Section 361.7, to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family.</p> <p>(C) Whether there should be any limitation on the right of the parent, guardian, or Indian custodian to make educational decisions or developmental services decisions for the child. That limitation shall be specifically addressed in the court order and may not exceed those necessary to protect the child. Whenever the court specifically limits the right of the parent, guardian, or Indian custodian to make educational decisions or developmental services decisions for the child, the court shall at the same time appoint a</p>		
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Mandate-Discretion = service mandated but implementation discretionary

PROBATION MANDATES

	<p>responsible adult to make educational decisions or developmental services decisions for the child pursuant to Section 361.</p> <p>(D)(i) Whether the child has other siblings under the court's jurisdiction, and, if any siblings exist, all of the following:</p> <p>(I) The nature of the relationship between the child and his or her siblings.</p> <p>(II) The appropriateness of developing or maintaining the sibling relationships pursuant to Section 16002.</p> <p>(III) If the siblings are not placed together in the same home, why the siblings are not placed together and what efforts are being made to place the siblings together, or why those efforts are not appropriate.</p> <p>(IV) If the siblings are not placed together, all of the following:</p> <p>(ia) The frequency and nature of the visits between the siblings.</p> <p>(ib) If there are visits between the siblings, whether the visits are supervised or unsupervised. If the visits are supervised, a discussion of the reasons why the visits are supervised, and what needs to be accomplished in order for the visits to be unsupervised.</p> <p>(ic) If there are visits between the siblings, a description of the location and length of the visits.</p> <p>(id) Any plan to increase visitation between the siblings.</p> <p>(V) The impact of the sibling relationships on the child's placement and planning for legal permanence.</p> <p>(VI) The continuing need to suspend sibling interaction, if applicable, pursuant to subdivision (c) of Section 16002.</p>		
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PROBATION MANDATES

		<p>(ii) The factors the court may consider in making a determination regarding the nature of the child's sibling relationships may include, but are not limited to, whether the siblings were raised together in the same home, whether the siblings have shared significant common experiences or have existing close and strong bonds, whether either sibling expresses a desire to visit or live with his or her sibling, as applicable, and whether ongoing contact is in the child's best emotional interests.</p> <p>(E) The extent of progress that has been made toward alleviating or mitigating the causes necessitating placement in foster care.</p> <p>(F) If the review hearing is the last review hearing to be held before the child attains 18 years of age, the court shall conduct the hearing pursuant to Section 366.31 or 366.32.</p> <p>(2) The court shall project a likely date by which the child may be returned to and safely maintained in the home or placed for adoption, tribal customary adoption in the case of an Indian child, legal guardianship, placed with a fit and willing relative, or in another planned permanent living arrangement.</p> <p>(b) Subsequent to the hearing, periodic reviews of each child in foster care shall be conducted pursuant to the requirements of Sections 366.3 and 16503.</p> <p>(c) If the child has been placed out of state, each review described in subdivision (a) and any reviews conducted pursuant to Sections 366.3 and 16503 shall also address whether the out-of-state placement continues to be the most appropriate placement selection and in the best interests of the child.</p>		
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PROBATION MANDATES

		<p>(d)(1) A review described in subdivision (a) and any reviews conducted pursuant to Sections 366.3 and 16503 shall not result in a placement of a child outside the United States prior to a judicial finding that the placement is in the best interest of the child, except as required by federal law or treaty.</p> <p>(2) The party or agency requesting placement of the child outside the United States shall carry the burden of proof and must show, by clear and convincing evidence, that a placement outside the United States is in the best interest of the child.</p> <p>(3) In determining the best interest of the child, the court shall consider, but not be limited to, the following factors:</p> <ul style="list-style-type: none"> (A) Placement with a relative. (B) Placement of siblings in the same home. (C) Amount and nature of any contact between the child and the potential guardian or caretaker. (D) Physical and medical needs of the dependent child. (E) Psychological and emotional needs of the dependent child. (F) Social, cultural, and educational needs of the dependent child. (G) Specific desires of any dependent child who is 12 years of age or older. <p>(4) If the court finds that a placement outside the United States is, by clear and convincing evidence, in the best interest of the child, the court may issue an order authorizing the social worker or placing agency to make a placement outside the United States. A child subject to this subdivision shall not leave the United States prior</p>		
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PROBATION MANDATES

		<p>to the issuance of the order described in this paragraph.</p> <p>(5) For purposes of this subdivision, “outside the United States” shall not include the lands of any federally recognized American Indian tribe or Alaskan Natives.</p> <p>(6) This section shall not apply to the placement of a dependent child with a parent.</p> <p>(e) A child may not be placed in an out-of-state group home, or remain in an out-of-state group home, unless the group home is in compliance with Section 7911.1 of the Family Code.</p> <p>(f) The status review of every nonminor dependent, as defined in subdivision (v) of Section 11400, shall be conducted pursuant to the requirements of Sections 366.3, 366.31, or 366.32, and 16503 until dependency jurisdiction is terminated pursuant to Section 391.</p>		
Placement Supervision	628 WIC	<p>If the probation officer has reason to believe that a child in custody is at risk of entering foster care placement, Probation must make reasonable efforts to prevent or eliminate the need for removal of the child from his or her home and determine what reasonable efforts were made, if any. If the minor is detained and the probation officer has reason to believe that the minor is at risk of removal the probation officer shall conduct, within 30 days, an investigation in order to identify and locate all grandparents, adult siblings, and other relatives of the child. The probation officer shall provide to all adult relatives within 30 days of the date on which the child is detained, written notification and shall also, whenever appropriate, provide oral notification, in person or by telephone, that the child has been removed from the custody of his or her parent or his or her guardian and</p>	Mandate-Mandate	N/A

Mandate-Mandate = service provided as mandated

Mandate-Discretion = service mandated but implementation discretionary

PROBATION MANDATES

		explain the various options to participate in the care and placement of the child and support for the child’s family.		
Placement Supervision	636.1 WIC	When a minor is detained 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, the probation officer shall , within 30 calendar days of initial removal, or by the date of the disposition hearing, whichever occurs first, complete a case plan.	Mandate-Mandate	N/A
Placement Supervision	706 WIC	After finding that a minor is a person described in Section 601 or 602, the court shall receive in evidence the social study of the minor made by the probation officer.	Mandate-Mandate	N/A
Placement Supervision	706.5 WIC	If placement in foster care is recommended by the probation officer or the minor is already in foster care placement the social study prepared by the probation officer and received into evidence at disposition shall include a case plan. At each status review hearing the social study shall include an updated case plan and information about the safety of the child, the continuing necessity for and appropriateness of the placement, the extent of the Probation’s compliance with the case plan in making reasonable efforts to safely return the child to the child’s home or to complete whatever steps are necessary to finalize the permanent placement of the child, the extent of progress that has been made by the child and/or family toward alleviating or mitigating the causes necessitating placement in foster care, the likely date by which the child may be returned to and safely maintained in the home or placed for adoption, appointed a legal guardian, or permanently placed with	Mandate-Mandate	N/A

Mandate-Mandate = service provided as mandated

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PROBATION MANDATES

		a fit or will relative, or referred to another planned permanent living arrangement, whether the minor has been or will be referred to educational services and if the minor is receiving educational services or if the minor has exceptional needs, and if the parent or guardian is unwilling or unable to participate in making educational or developmental services decision for their child.		
Placement Supervision	706.6 WIC	In the development of the case plan, the probation agency shall consider and document any recommendations of the child and family team.	Mandate-Mandate	N/A
Placement Supervision	729.9 WIC	If the minor's offense involved a controlled substance, the Court, when recommended by the Probation Officer, shall require, as a condition of probation, that the minor not use or be under the influence of a controlled substance and submit to substance abuse testing as directed by the Probation Officer. The Court order directs the minor to abstain from the use of alcohol or controlled substances, and to submit to and cooperate with random urinalysis testing as arranged and directed by the Probation Officer.	Mandate-Mandate	N/A
Placement Supervision	727(b) (1-3) WIC	A minor may be placed in a suitable family home that has been temporarily certified by the Probation Officer.	Mandate-Mandate	N/A
Placement Supervision	740 (b)(1) WIC	Before placing a ward outside of the county, the Probation Officer shall send written notice of the placement, including name and record of the ward, to the Probation Officer of the receiving county. When said placement is terminated, the officer in charge of the case shall send notice thereof to any person or agency receiving notification of the placement.	Mandate-Mandate	N/A
Placement	4096(h) WIC	An assessment by a qualified individual shall be required	Mandate-Mandate	N/A

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PROBATION MANDATES

Supervision		prior to any placement of a foster care child into an STRTP other than emergency placement, as a condition of Title IV-E funding.		
Placement Supervision	4906.6 WIC	Each county child welfare agency, probation department, and mental health plan, in consultation with the interagency leadership team shall offer at least six months of aftercare services to children discharged from and STRTP.	Mandate-Mandate	N/A
Placement Supervision	16501.1 WIC	A child and family team meeting shall be convened by the county placing agency for the purpose of identifying the supports and services needed to achieve permanency and enable the child to be placed in the least restrictive family setting.	Mandate-Mandate	N/A
Placement Supervision	16501.35 WIC	Probation departments shall develop and implement policies and procedures that require probation officers to identify children receiving child welfare services who are, or at risk of becoming, victims of commercial sexual exploitation, document individuals identified in the statewide child welfare system, determine appropriate services, and receive relevant training in the identification, documentation, and determination of appropriate services for any child identified or at risk of becoming a victim of commercial sexual exploitation	Mandate-Mandate	N/A
Placement Supervision	16516.5 WIC	Notwithstanding any other provision of law or regulation, all foster children placed in group homes by county welfare departments (dependency) or county probation departments (delinquency) shall be visited at least monthly by a county social worker or probation officer.	Mandate-Mandate	N/A
Placement Supervision	16519.5 WIC	County child welfare agencies shall implement a unified, family friendly, and child centered resource family	Mandate-Mandate	N/A

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PROBATION MANDATES

	approval process.		
Court Orders	<p>Direct the minor’s actions in a number of cases. The Court order directs that the minor is committed to the care and custody of the Probation Officer for suitable placement; the minor shall be detained in Juvenile Hall pending delivery (to suitable placement); and the minor shall obey all laws, rules and regulations of the Probation Officer... The probation officer must direct, arrange, or approve participation in programs and monitor the minor’s compliance with all Court orders.</p> <p>Examples of directives from the Court’s minute order are as follows:</p> <p>Minors shall submit his person, property, residence and automobile to Search and Seizure...with or without a warrant, by Probation Officer; minor shall not own or possess any dangerous or deadly weapons...; The minor shall not contact or communicate with, either directly or indirectly (the victim; minor ordered to participate in ...hours of Community Service as arranged, directed and approved by the PO...monitored by the PO for completion; minor shall totally abstain from the use of or possession of alcohol, controlled substances...; PO shall establish a schedule of regular monthly payments and the minor shall comply therewith, as monitored and confirmed by the PO; the minor shall not leave...(jurisdiction) without prior approval of the PO; minor shall not associate with person, known, or reasonably know...to be involved in Gang activities, including person specifically identified by the PO; the minor shall not wear clothing...symbolic of gang membership;</p>		

JUVENILE DETENTION/COMMITMENT FACILITIES

Service	Authority	Definition	Mandate-Mandate or Mandate-Discretion	Yolo Implementation (Mandate-Discretion)
Judicial Inspection	209(a) WIC	The Judge of the Juvenile Court... Board of Corrections shall annually inspect the Juvenile Hall.	Mandate-Mandate	N/A
Juvenile Detention Facilities	850 WIC	The Board of Supervisors in every county shall provide and maintain, at the expense of the county...a suitable house or place for the detention of wards and	Mandate-Mandate	N/A

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PROBATION MANDATES

		dependent children of the juvenile court and of persons alleged to come within the jurisdiction of the juvenile court. Such house or place shall be known as the juvenile hall		
Juvenile Detention Facilities	851 WIC	The juvenile hall shall not be in, or connected with, any jail, or prison, and shall not be deemed to be, nor treated as, a penal institution	Mandate-Mandate	N/A
Juvenile Hall Management	852 WIC	The Juvenile Hall shall be under the management and control of the Probation Officer	Mandate-Mandate	N/A
Superintendent of Juvenile Hall	853 WIC	The board of supervisors shall provide for a suitable superintendent to have charge of the juvenile hall, and for such other employees as may be needed for its efficient management, and shall provide for payment, out of the general fund of the county, of suitable salaries for such superintendent and other employees.	Mandate-Mandate	N/A
Employee Appointment	854 WIC	The superintendent and other employees of the juvenile hall shall be appointed by the probation officer, pursuant to a civil service or merit system, and may be removed, for cause, pursuant to such system.	Mandate-Mandate	N/A
Facility Expenses	855 WIC	The Probation Officer shall keep a classified list of expenses for the operation of the Juvenile Hall and shall file a copy with the Board of Supervisors.	Mandate-Mandate	N/A
Medical Treatment Notification	739 WIC	The Probation Officer shall notify parents of the minor of any needed (medical) care before it is provided, when the minor is in custody.	Mandate-Mandate	N/A
Reporting	284, 285 WIC	All Probation Officers shall make such special and periodic reports to the Youth Authority.... All Probation Officers shall make periodic reports to the Attorney General.	Mandate-Mandate	N/A
Minimum Standards	4266 Title XV, CCR	The State Board of Corrections shall adopt minimum standards for the operation and maintenance of Juvenile	Mandate-Mandate	N/A

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PROBATION MANDATES

		Halls for the confinement of minors.		
Staffing	4279 Title XV, CCR	Administrative regulation prescribes staffing levels; each Juvenile Hall shall have a minimum staffing level of one staff member for every 10 minors during waking hours and one staff member for 30 minors during sleep hours.	Mandate-Mandate	N/A
Title XV, CCR Administrative Regulations prescribes minimum standards of:				
4285		Education	Mandate-Mandate	N/A
4286		Recreation and Exercise		
4291		Counseling and casework services		
4294		Behavior control		
4295		Discipline		
4300		Medical and dental services		
4301		Food and Nutrition		
4302		Clothing, bedding and linen services		
4304		Access to legal services		
Section 1343, Title XV, CCR				
<p>The Board of Corrections shall establish the maximum capacity of a juvenile facility based on statute and applicable regulations. When the number of minors detained in a living unit of a juvenile facility exceeds its maximum capacity for more than fifteen (15) calendar days in a month, the facility administrator shall provide a crowding report to the Board in a format provided by the Board. The Executive Director of the Board of Corrections shall review the juvenile facility’s report and initiate a process to make a preliminary determination if the facility is suitable for the continued confinement of minors. If the Executive Director determines that the facility is unsuitable for the confinement of minors, the recommendation shall be reviewed by the Board of Corrections at the next scheduled meeting. Notice of the Board’s findings and/or actions shall be public record and, at a minimum, will be provided to the facility administrator, presiding juvenile court judge, chairperson of the board of supervisors and juvenile justice commission within ten working days of the Board meeting.</p>				
Commitment Facilities	880 WIC	In order to provide appropriate facilities for the housing of wards of the juvenile court in the counties of their residence or in adjacent counties so that those wards may be kept under direct supervision of the court, and in order to more advantageously apply the salutary effect of a safe and supportive home and family environment	Mandate-Discretion	N/A to Yolo County

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PROBATION MANDATES

		upon them, and also in order to secure a better classification and segregation of those wards according to their capacities, interests, and responsiveness to control and responsibility, and to give better opportunity for reform and encouragement of self-discipline in those wards, juvenile ranches or camps <u>may</u> be established, as provided in this article.		
Commitment Facilities	881 WIC	The...commitment facility... <u>may</u> be established in conjunction with the probation department.	Mandate-Discretion	N/A to Yolo County
Commitment Facilities	882 WIC	Juvenile ranches, camps or forestry camps <u>shall</u> be in the charge of a superintendent or director and may be established in conjunction with the probation department, or in any manner determined by the county board of supervisors.	Mandate-Mandate	N/A
Commitment Facilities	885 WIC	The Board of Corrections <u>shall</u> adopt and prescribe the minimum standards of construction, operation, programs of education and training, and qualifications for personnel for juvenile ranches, camps or forestry camps....	Mandate-Mandate	N/A
Commitment Facilities	886.5 WIC	The legislature reaffirms its belief that juvenile ranches, camps, forestry camps and other residential treatment facilities should be small enough to provide individualized guidance and treatment for juvenile offenders which enables them to return to their families and communities as productive and law-abiding citizens.	Mandate-Discretion	N/A to Yolo County
Commitment Facilities	881.5 WIC	The County <u>shall</u> contribute to the Department of the Youth Authority an amount equal to the actual cost (housing costs) if the county ranch's capacity is reduced and the county increases its commitments.	Mandate-Mandate	N/A

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PROBATION MANDATES

MANDATED TRAININGS

Position	Mandated Training
Deputy Probation Officer (new)	<ul style="list-style-type: none"> • 189-hour Probation Officer Core Course or approved transfer academy must be completed within the first year of appointment (per Title 15, Section 173 CCR) • 40-hour PC 832 Arrest and Search & Seizure course must be completed within the first three months of appointment (per PC 830/PC 832) • Minimum 100 additional hours of training which includes but is not limited to: crisis intervention, risk assessment tool, firearms/Taser/OC spray, law updates and assignment-specific training
Deputy Probation Officer (annually)	<ul style="list-style-type: none"> • Minimum of 40 hours of STC (BSCC-Standards and Training for Corrections) certified training which includes but is not limited to: weaponless defense tactics, law updates, crisis-intervention/de-escalation (SB 11), CPR/First Aid, case management/supervision, risk assessment tools, working with clients with mental illness, trauma-informed care, implicit bias, cultural competency, CSEC (Commercial Sexual Exploitation of Children) and various other assignment-specific courses (per BSCC and Title 15)
Detention Officer (new)	<ul style="list-style-type: none"> • 168-hour Juvenile Corrections Officer Core Course or approved transfer academy must be completed within the first year of appointment (per Title 15, section 176 CCR) • 40-hour PC 832 Arrest and Search & Seizure course must be completed within the first three months of appointment (per PC 832) • Minimum 40 additional hours of staff orientation and training which includes, but is not limited to: de-escalation techniques, supervision techniques, safety and care of youth, policy review, prevention of sexual misconduct, suicide prevention, behavioral modification options and weaponless defense tactics (per BSCC, Title 15 Section 1322)
Detention Officer (annually)	<ul style="list-style-type: none"> • Minimum of 24 hours of STC certified training which includes but is not limited to annual certification in weaponless defense tactics, medical/mental health for juvenile and jail facilities, suicide prevention, implicit bias, cultural competency, CPR/First Aid, trauma-informed care, working with LGBTQI youth, behavioral modification options, de-escalation and other assignment-specific courses (per BSCC and

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PROBATION MANDATES

	Title 15)
Supervisors (new)	<ul style="list-style-type: none"> 80-hour Supervisory Core Course must be completed by all sworn supervisors within one year of appointment (per Title 15, Section 181 CCR)
Supervisors (annually)	<ul style="list-style-type: none"> Minimum of 40 hours of STC certified training; topics covered vary by assignment and division
Managers/Administrators (new)	<ul style="list-style-type: none"> 80-hour Manager/Administrator Core Course must be completed by all sworn managers within one year of appointment (per Title 15, Section 182 CCR)
Managers/Administrators (annually)	<ul style="list-style-type: none"> Minimum of 40 hours of STC certified training; topics covered vary by assignment and division
Armed Peace Officers	<ul style="list-style-type: none"> For an officer to be armed, they must complete a PC 832 introductory firearms course which is a minimum of 24 hours and is approved by POST (Peace Officer Standards and Training) and must meet all requirements under PC 832 and department policy 310. Armed officers are required to be current in weaponless defense tactics training and must qualify quarterly with the department's Range Master.

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