


<p align="center">SOLANO COUNTY CALIFORNIA PROBATION DEPARTMENT</p>	<p>POLICY NUMBER: 104</p>	<p>EFFECTIVE DATE: March 25, 2019</p>
	<p>SUPERSEDES: June 5, 2017</p>	
<p>APPROVED BY:</p>  <p align="center">CHIEF PROBATION OFFICER</p>	<p>TITLE: ADULT PROBATION SEX OFFENDER CLASSIFICATION AND SUPERVISION</p>	

1. **Policy** – The Solano County Probation Department shall implement a planned methodology for the assessment, classification, and supervision of clients convicted as sex offenders in order to promote law-abiding behavior and reduce client recidivism.

2. **Definitions** – (*Attachment A*)

3. **Sex Offender Supervision Eligibility**
 - A. For purposes of this policy clients who are on probation for an offense that is statutorily subject to registration as required by Penal Code 290, or has been required to register by the Court for their current offense and/or has been placed on Sex Offender Court Conditions.

 - B. Clients who have been sentenced to a term of probation for failure to register as ordered by the Court and as required by Penal Code 290, where the registration requirement was the result of a conviction that occurred more than 10 years prior to their present failure to register conviction, shall be supervised in accordance with P-100, Adult Probation Case Classification and Supervision and not supervised by the assigned Sex Offender DPO.

4. **Procedures**
 - A. **Sex Offender Assessment**
 - (1) All clients who are convicted as sex offenders as defined by this policy shall be assessed using the Static-99R either as part of a Court Ordered Pre-Sentence Investigation Report, or by the assigned supervision Deputy Probation Officer (DPO) within 5 business days from being assigned the case, or from the client's initial reporting after release from custody. Any DPO who administers the Static-99R must have successfully completed SARATSO certified Static-99R training.

 - (2) All clients who are convicted as sex offenders as defined by this policy shall be assessed using the LS/CMI (See P-100 Attachment B), prior to being assigned to a supervision DPO.

- (3) When as a result of the Assessments or in response to a Court ordered condition, the client is going to be referred for substance abuse treatment (excluding residential placement), the client shall complete the ASUS-R (**Attachment B**) prior to referral or placement in a substance abuse treatment program. The results of the ASUS-R shall guide the appropriate level of treatment.
- (4) Within 5 business days from the initial face-to-face meeting the DPO shall refer all sex offender clients who are subject to registration as required by Penal Code 290, to a CASOMB certified treatment provider for further assessment to include at a minimum completion of the STABLE-2007/ACUTE-2007.

B. Supervision Procedures:

- (1) The DPO shall review the results of the initial Assessments, (Static-99R and/or LS/CMI) and place the client on either SO4, SO3, SO2, or SO1 category of supervision as outlined below:

STATIC-99R Risk Category	Supervision Category	Caseload Goals	Work Units
6 Plus	S04	25	4.2
4 or 5	S03	35	3.0
1 to 3	S02	55	1.9
-1 to 0	S01	95	1.1
-3 to -2	Maintenance	200	0.5

- (2) After the STABLE-2007 is completed and reviewed by the DPO, the DPO may place the client in a different sex offender supervision category than the Static-99R would otherwise recommend if the DPO can illustrate that the client's current dynamic risk factors require a higher or lower level of supervision in order to promote public safety. Prior to placing the client in a different sex offender supervision category, the DPO shall seek approval from a Supervising Deputy Probation Officer (SDPO) and document the client's relevant dynamic risk factors in the Case Management System (CMS) currently CASE.
- (3) In cases where a client placed on sex offender supervision is not able to have a Static-99R completed, (**Attachment C**), the DPO in consultation with their SDPO shall determine the client's Supervision Category. In such cases the client's scores on the LS/CMI along with other relevant information shall be considered. The rationale for the Supervision Category placement shall be documented in the CMS.

- (4) Initial Face-to-Face Meeting – The DPO shall have an initial face-to-face meeting with the client within 10 business days after receiving the case file or from the client's initial reporting after release from custody. During this initial meeting, the DPO shall have the client complete the TCUDS-5 (Attachment D), the Client Basic Needs Assessment (Attachment E) and the CMHS (Attachment F). During this initial meeting the DPO shall follow the Initial Face-to-Face Contact Guide (Attachment G).
- (5) Assessment Feedback – Upon completion of all the probation Assessments the DPO shall schedule an appointment to provide the client with feedback on them. Prior to providing client feedback, the DPO shall review the completed Assessments using the Assessment Review Guide (Attachment H), and complete the Assessment Feedback Form (Attachment I) which shall serve as a guide when providing feedback to the client. When providing feedback, the DPO shall as close as possible follow the Assessment Feedback Guide (Attachment J).
- (6) My Change Plan (CP)
- a. All sex offender clients shall have a CP (Attachment K), that addresses the identified client's needs.
 - b. The creation of the CP should be a collaborative effort between the DPO and the client. When developing the initial CP the DPO shall, as close as possible, follow the Change Planning Guide (Attachment L).
 - c. When developing the initial CP, the client's assessed needs, Court ordered treatment, recognition of their self-identified need areas, and personal motivation and capabilities should be taken into consideration.
 - d. When developing and updating the CP, realistic client goals/objectives shall be established along with the incremental achievable steps-activities that need to be taken to reach the goal/objective. Based upon the client's capability and motivation, not all assessed needs may be able to be addressed when developing the initial CP. To assist in the change planning process and in developing the CP, the DPO should review the suggested goals, objectives, and possible activities for each of the client's assessed needs, which are contained in the Adult Probation My Change Plan Guide (Attachment M).
 - e. A separate CP shall be completed for each need area the client is working on, signed by the client and DPO, with the client provided a copy.
 - f. Once a CP is created, the DPO shall normally discuss the client's progress toward achieving the established goals/objectives and steps/activities during each supervision meeting, and provide positive reinforcement and assistance when appropriate.

- g. Unless modified by the Court, all Court ordered conditions shall be enforced and/or completed prior to the completion of the client's supervision term.
- (7) General Face-to-Face Contacts – Upon completion of the CP, the DPO, when meeting with the client, shall follow as close as possible steps contained in the General Face-to-Face Contact Guide (Attachment N).
- (8) Center for Positive Change (CPC) Program Referrals
- a. The DPO may refer the client to any program offered by the CPC utilizing the Adult Probation Criminogenic Needs Interventions and Program Referral Guidelines (Attachment O) and completing the Treatment/Service Referral Form (Attachment P).
 - b. Referral of clients for the purpose of addressing criminogenic needs to programs that are not run by the Department, when there are Department run programs available to address those needs, shall be approved by a SDPO, unless the specific program has been ordered by the Court.
 - c. The DPO shall make every effort to ensure that the client in accordance with their CP, begins treatment as soon as possible.
 - d. Upon confirmation by the program that the referral has been accepted, the DPO shall ensure that the client is aware of the program start date.
 - e. The DPO shall collaborate with the program provider to support the client in starting and successfully completing the program.
- (9) One-on-One Supervision Tools
- a. In addition to referring a client to a formal treatment program(s), DPO's should work with the client to promote positive behavior change during client face-to-face contacts (Attachment N).
 - b. DPO's shall be trained in the use of selected on-on-one supervision tools.
 - c. Based upon the client's Assessments and needs, the DPO shall when appropriate, select the applicable tool or tools to help facilitate the client to address their identified needs.
 - d. The DPO shall refer to the Adult Probation Criminogenic Needs Interventions and Program Referral Guidelines (Attachment O) to help guide them in selecting the appropriate tool(s).

C. Supervision Standards

- (1) Within 30 business days after receiving the case file, the DPO shall normally have completed the client initial contact, provide assessment feedback, and develop the initial CP in accordance with this policy. The above activities shall upon completion, be documented in the CMS.
- (2) Within 40 business days after receiving the case file the DPO shall normally conduct an initial client home visit, and as close as possible, follow the Initial Home Visit Guide (**Attachment Q**).
- (3) After 30 business days from receiving the case file or at the completion of the initial CP, if occurring in less than 30 business days, the DPO shall begin complying with the supervision standards in accordance with this policy.
- (4) The DPO shall adhere to the following contact standards for S04 clients:
 - a. Have a minimum of three (3) face-to-face contacts per month with the client.
 - b. If applicable have a minimum of one (1) collateral contact per month with persons or agencies providing treatment to the client.
 - c. Have a minimum of one (1) collateral contact per month with other individuals and/or agencies that can provide information about the client's activities and adherence to conditions.
 - d. Conduct a home inspection within 5 business days of any change of residence that the DPO has not previously inspected and approved.
 - e. The DPO shall conduct an unscheduled or scheduled home inspection at least once every two (2) months.
- (5) The DPO shall adhere to the following contact standards for S03 clients:
 - a. Have a minimum of two (2) face-to-face contacts per month with the client.
 - b. Have a minimum of one (1) collateral contact per month with persons or agencies providing treatment to the client.
 - c. If applicable have a minimum of one (1) collateral contact per month with other individuals and/or agencies that can provide information about the client's activities and adherence to conditions.
 - d. Conduct a home inspection within 8 business days of any change of residence that the DPO has not previously inspected and approved.

- e. The DPO shall conduct an unscheduled or scheduled home inspection at least once every three (3) months.
- (6) The DPO shall adhere to the following contact standards S02 clients:
- a. Have a minimum of one (1) face-to-face contact per month with the client.
 - b. Have a minimum of one (1) collateral contact per month with persons or agencies providing treatment to the client.
 - c. If applicable have a minimum of one (1) collateral contact per month with other individuals and/or agencies that can provide information about the client's activities and adherence to conditions.
 - d. Conduct a home inspection within 10 business days of any change of residence that the DPO has not previously inspected and approved.
 - e. The DPO shall conduct an unscheduled or scheduled home inspection at least once every four (4) months.
- (7) The DPO shall adhere to the following contact standards for S01 clients:
- a. Have a minimum of one (1) face-to-face contact per month with the client.
 - b. If applicable have a minimum of one (1) collateral contact per month with other individuals, agencies and/or treatment providers that can provide information about the client's activities and adherence to conditions.
 - c. Conduct a home inspection within 10 business days of any change of residence that the DPO has not previously inspected and approved.
- (8) The DPO shall adhere to the following contact standards for Maintenance clients:
- a. Clients may be placed in the Maintenance category after they have completed treatment and have complied with all of their conditions of probation, and have been approved for reclassification by a SDPO, or scored -3 to -2 on the Static-99R.
 - b. Have a minimum of one face-to-face contact every 60 days with the client.
 - c. Conduct a home inspection within ten (10) calendar days of any change of residence that the DPO has not previously inspected and approved.
- (9) The DPO should increase contact standards when circumstances exist that may increase the client's potential for reoffending to include the following:

- a. When the client has been convicted of sexually assaulting a “stranger” or if it is learned through supervision and/or treatment there is a history of a “stranger” victim. (A victim is considered a stranger if the victim did not know the client 24 hours before the offense. Victims contacted over the Internet are not normally considered strangers unless a meeting was planned for a time less than 24 hours after initial communication).
 - b. When the treatment provider indicates that the client is a fixated pedophile (an individual who is sexually attracted to children and lacks psychosexual maturity).
 - c. When during the course of supervision, it is learned that there is a specific person/persons at risk.
 - d. As a sanction to a violation behavior in accordance with P-108, Response to Non-Compliance.
 - e. As a response to address/control the client’s behavior after a failed maintenance polygraph exam.
- (10) When court-ordered restrictions prohibiting contact between the client and family members exist, family reunification between the client and the victim shall only occur when allowed through the Court Conditions, and after consultation with the treatment provider.

D. Employment

- (1) Each employment situation shall be evaluated to determine the relative risk of the working environment and potential access to victims.

E. Sex Offender Treatment

- (1) The DPO shall contact at a minimum of once a month, the Sex Offender Treatment Provider. During these conversations, the DPO and provider should discuss the client’s progress in treatment and supervision, review the client’s dynamic risk factors, the imposed sex offender conditions, and the client’s category of supervision.
- (2) The DPO should increase the client’s supervision category and impose proper sanctions when high-risk factors related to the client’s sexual assault cycle are identified by the treatment provider or DPO.
- (3) The DPO shall consult with their SDPO prior to seeking a revocation of probation whenever a client is unsatisfactorily terminated from sex offender treatment.

F. Victim Notification

- (1) The DPO should when possible, collaborate with a Victim Advocate to promote the safety of the victim and keep the victim informed to the degree in which the victim so desires.

- (2) All reasonable efforts shall be made to contact victims as soon as possible after receiving the case. Victim contact should be made through a Victim Advocate whenever possible. If the victim is a minor, the DPO should notify the victim's parent(s) or guardian(s) and inform them of the client's placement on probation.
- (3) Victim notification shall require advising the victim of relevant special conditions and the name and telephone number of the supervising DPO.
- (4) The DPO shall document and investigate all reports of incidental contact with the victim to determine if a violation of probation has occurred.

G. Polygraph

- (1) Polygraph examinations shall be conducted in order to gauge the client's overall risk, compliance, and progress in both treatment and supervision. The polygraph should not be administered as an investigative tool in order to identify specific victims.
- (2) Polygraph examinations shall be performed by a licensed examiner who meets the standards set by CASOMB.
- (3) All clients who are involved in sex offender treatment shall submit to a maintenance polygraph examination at the minimum of one (1) examination every twelve (12) months. Refusal to submit to the examination may result in a violation of probation.
- (4) Indications of deception during any polygraph examination shall not be the basis for a warrant for violation of probation.
- (5) Deceptive results or violation activity that surface before, during, or after a polygraph examination shall be addressed immediately through a thorough investigation and appropriate action.
- (6) The results of all polygraph examinations shall be available to both the DPO and the treatment provider.

H. Computer Internet Access – All clients to whom the Court has ordered restrictions on computer use or access shall be monitored as follows:

- (1) The DPO shall consider the risk of the client, the circumstances of the client's criminal history computer knowledge, and the recommendations of the treatment provider when evaluating the appropriateness of the client's computer or internet access. If it is determined by the DPO and treatment provider that the client should not have a computer and/or internet access devices, the DPO shall request the Court to impose a condition disallowing the client computer and/or internet access.

- (2) The DPO shall establish the ownership of all computers and internet access devices that the client could potentially access in the home, and solicit the cooperation of the other residents with the requirement for their search when necessary.
- (3) The DPO shall follow any Department search and seizure protocols when establishing ownership of all computer and internet access devices that the client could potentially access in the home.
- (4) Computer monitoring software may be installed on any computer the client has been authorized to use. If the client has authorized computer or internet access at his/her place of employment, the DPO may discuss with the employer any concerns they may have prior to the installing of computer monitoring software approved by the Department on the client's computer.
- (5) If the DPO has reasonable suspicion that the client is using the computer or internet access device (which they were authorized to use) in a fashion that violates a specific condition of probation or violates any criminal law, the DPO shall inform the Court of the client's violation activity.
- (6) The DPO may confiscate any client computer when encountering any unauthorized computer or internet access device use by the client during the routine performance of his/her supervision duties, and inform the Court of the client's violation activity.

I. Registration

- (1) Every client released on probation who is required to register as a sex offender, pursuant to Section 290, shall provide proof of registration to their DPO within 6 business days of release on probation. The 6-day period for providing proof of registration may be extended only upon determination by the DPO that unusual circumstances exist relating to the availability of local law enforcement registration capabilities that preclude the client's ability to meet the deadline.
- (2) Every client released on probation who is required to register as a sex offender pursuant to Section 290 shall provide their DPO with proof of any change or update to their registration information, within five (5) working days as long as they are required to be under probation supervision.
- (3) The DPO shall inform the client of their registration requirement no less than six (6) days prior to the date in which proof of registration or proof of any change or update to registration information is to be provided to the DPO.

J. Reassessments and Reclassifications

- (1) All clients who are being supervised on S04, S03, S02 or S01 shall have their case reassessed a minimum of every twelve (12) months for possible reclassification to a lower supervision category. In such cases, a reclassification to a lower supervision category shall be no more than one level lower for a minimum of six (6) months, at which time the client may be lowered an additional level.
- (2) When case circumstances change that could result in a change in the client's present supervision category or assessed needs, a Reassessment shall normally be completed prior to the 12 month Reassessment.
- (3) At the discretion of the DPO and upon approval by a SDPO, a client may be overridden and reclassified to a higher or lower level of supervision without a reassessment. The reason for the reclassification shall be recorded in the CMS. In such cases a reclassification to a lower supervision category shall be no more than one level lower for a minimum of 6 months at which time the client may be lowered an additional level.

K. Discharge Discussion – Beginning 2 months prior to the date a client is projected to end their probation supervision, the DPO shall discuss with the client ways for them to be successful and remain crime free. The Carey Guide entitled Reentry may be helpful in this process. The results of this discussion shall be summarized in the CMS.

L. Missed Appointments

- (1) The DPO shall reschedule and conduct any missed supervision appointments no later than 10 business days from the originally scheduled appointment. If the client misses the rescheduled appointment, the DPO shall reschedule and conduct an appointment no later than 10 business days from the second missed appointment. The DPO shall be proactive and make reasonable efforts to locate the client.
- (2) All efforts to locate a client including field work, phone calls, collateral contacts, DMV checks, CLETS inquiries, etc. shall be documented in the CMS.
- (3) The DPO shall consult with their SDPO on whether or not to initiate a violation if efforts to contact the client are unsuccessful, or if the client fails to keep the third scheduled appointment.

5. Exceptions Any exceptions to the provisions set forth in this policy shall require prior written approval from the Chief Probation Officer.