

KERN COUNTY SHERIFF'S OFFICE

Detention Bureau Policies and Procedures

TITLE: COUNTY PAROLE **L-100**

EFFECTIVE DATE: 10-15-90 **REVISED:** 07-11-94

APPROVED BY: Detention Bureau Chief Deputy

REFERENCE:

POLICY

In accordance with Penal Code Section 3074 through 3089, sentenced inmates remanded to the Kern County Jail may be eligible for County Parole, the purpose of which is the successful reintegration of the offender into society and to positive citizenship.

Procedure A. Packet for Parole Commissioners

DIRECTIVE #1

Inmates must complete a petition for parole. (Kern County Sheriff's Form #1200). This form will be submitted to the Parole Officer.

The Parole Officer will:

- ! Obtain a copy of the commitment(s) and an updated computer print-out of the requesting inmate. Jail clerks will forward these to the Parole Officer along with the petition.
- ! Complete the bottom of the application with the sentencing judge's name, LAR number, booking number, possible out-date, and one-third date.
- ! Check to see if sentence received is correct, enter commitment number, and enter correct code number on the line of what the inmate was found guilty of (line #13).
- ! With a red pen, (under the third-time date) write in the date that the inmate will meet the Board. This will be the next hearing on/or after the inmate's one- third date.
- ! Write the inmate's name in the daily date book on the date the inmate will meet the board.
- ! Complete form #KC1201 and return it to the inmate.

- ! File application according to hearing date in filing cabinet.

DIRECTIVE #2

The following procedure will be followed for all Lerdo inmates. The Lerdo clerk will forward a copy of the commitment and computer print-out to the Parole Officer.

- ! Check the computer on each petition for any changes in charges, outdate and loss of good time.
- ! On Tuesday, one (1) week prior to the parole hearing, send a form letter (judge's recommendation) to the sentencing judge.
- ! Ensure petitions for the next parole hearing are in alphabetical order by sex and facility location and enter in the computer.
- ! Run resume from computer (program F). Mail a copy to the civilian board member and fax a copy to Adult Probation one (1) week prior to parole hearing.
- ! Run print-out (program C) listing inmate's name, birth date, LAR number, booking number, location, and the date and time inmates will meet the Parole Board.
- ! Deliver one (1) copy to: Lerdo Minimum duty office, clerks, and sergeant, clerk, sergeant and S&E officer at Pre-trial the day before the hearing.
- ! Fax a print-out (program E) containing the same information as above to arrest records requesting current state and federal rap sheets and photographs one (1) week prior to the hearing. (To be received by the Parole Officer on the Monday prior to the parole hearing).
- ! Obtain DMV records on inmates sentenced on traffic violations (DUI'S).
- ! Upon receiving all of the above, attach the rap sheets and form letters to the back of the petition and the photograph to the upper right hand corner of the page of the petition.

PROCEDURE B. Conducting the Parole Hearing**DIRECTIVE #3**

The Parole Hearings will be held at the Pre-trial Squad Room, Female Minimum and Male Minimum facilities. Attorneys may talk to the Parole Board only on the behalf of the inmate, not to represent them. Inmates will be brought in one at a time to meet with the Board.

The Parole Officer will:

- ! Obtain inmate's file from the facility office and take to the parole hearing along with the petition and attachments.
- ! Advise the inmate the following: "This is the time and place for your County Parole hearing. Is there anything you would like to say to the Board at this time?".
- ! Allow the Board members to ask questions of the inmate.
- ! Upon completion of the Board' questioning, advise the inmate the they will be notified of the results.
- ! Request a vote from the Board.
- ! If parole is denied, fill out form #1203 to be given to the inmate at a later time by sending a copy of the form to the facility clerks where the inmate is housed for delivery. At the bottom of the form give a reason why parole was denied.

Procedure C. Release on County Parole**The Parole Officer will:**

- ! Type an order granting parole (form #004). If the inmate is released from Lerdo, strike out the word "jail" on the forms.
- ! At the bottom of the order, type in: "To remain on parole until (the date). Subject to search and testing by any peace officer at any time". Any other requirements will be typed in and (XX) area for AA or NA meetings in required by the Board.
- ! Stamp the Parole Commissioners' names on the face of the order.
- ! Sign the bottom of the form (Parole Officer of the County of Kern).
- ! Have the inmate read the form completely and ask if they understand the contents and if they have any questions, then have them sign the petition.
- ! Give the carbon copy of the form to the inmate.
- ! Give the inmate a form #1204 for each month of their parole.
- ! Stamp the report date of each month in the upper right hand corner of each form and on the last form stamp "Final Report".
- ! Advise the inmate to mail the forms in each month so they are received

by the Parole Officer on or before the due date.

- ! If the parolee has to attend Narcotics or Alcoholics Anonymous, fill out a form letter and make a copy for each month on parole.
- ! Explain to the inmate that this has to be completed and signed at each meeting attended by the secretary of the meeting and mailed in each month with form #1204.
- ! Type across the top of an 11" x 14" envelope the name of the parolee in the left corner, the date paroled in the middle, and the date parole expires in the right hand corner.
- ! Place the parole packet and the order granting parole in the envelope and place in the file cabinet.
- ! Ensure all form #1204's received are logged and placed into this envelope.
- ! Type out form #1101 and place in black binder in the desk.
- ! Log each monthly form #1204 received and the date it was received on form #1101. Log all out-of-town trips and meetings on the back of form #1101. Also log all this information in the computer.
- ! On a 3 x 5 card, stamp "Kern County Parole Department" in the upper right corner and "Parole Note" in the bottom left corner. Type the parolee's name, LAR number and birth date in the upper left corner. Type parolee's place of birth under "Parole Department".
- ! Send the 3 x 5 card to the data entry operators at Pre- trial for placement in the file box.
- ! Print the new active parole list (program B) and send to the data entry operators' office. Keep two (2) copies for the parole office and fax a copy to the communications center.
- ! Upon completion of parole, have the data entry operator remove the 3 x 5 card from the file box and route it to the parole office. Remove the parolee's name from the list in the DEO'S office and the parole office.

Procedure D. WRP inmates placed on County Parole

- ! Inmates released from custody into the work release program, not by court order, will spend a term on County Parole.
- ! Upon completion of the work release program an inmate with more than

10 days remaining on the balance of a sentence will be placed on County Parole for six (6) months.

- ! The parole officer will submit the inmate's petition and WRP file to the Parole Board at least one week prior to the termination of the work release commitment for the Board's approval.
- ! Once approved by the Board and after completion of WRP the inmate will be placed on active parole status and parole rules and regulations will be in effect.
- ! The same procedures will be followed by personnel that are in effect for regular parole.

Procedure E. Revoking Parole

- ! If the parolee is arrested, the data entry operators will pull the 3 x 5 card out of the file box, fill out a hold form and give the form to the Shift Supervisor for their signature. The Shift Supervisor will place the 3 x 5 card and the hold form in the parole box. The parolee will meet the Parole Board within fifteen (15) days of the arrest. If parole is revoked, the parole officer will type three copies of Form #003 (Order Revoking Parole). One copy will be placed in the parole file, one to the inmate and one in the office file.
- ! If the parolee is arrested on an active parole warrant they will meet the Board within fifteen (15) days of the arrest. If parole is revoked the parole officer will figure and type the outdate at the bottom of the order revoking parole. One copy will be placed in the parole file, one to the inmate and one in the office file.
- ! If the parolee fails to report per the conditions of parole, the parole officer will send a failure to report letter to the parolee. This notification will be logged on Form #1101 in the binder.
- ! A parole compliance officer will make periodic checks on parolees to assure rules and regulations are being followed. With the approval of the Board, parolees who are in failure of parole may be taken into custody by the compliance officer. If this occurs, the parolees will be taken before the Board within fifteen (15) days of the arrest and if violated the proper paperwork will be completed.
- ! If the parolee has not reported in two or three months, and has not responded to the failure to report letter the parole officer will submit the information to the Parole Board. Upon the approval of the board the parole officer will type three copies of form #003 (Order Revoking Parole). The revocation number is at the front of the daily log book. Issue the number next in order and enter that number and the new name in the book.

- ! At the bottom of form #003, type in what charge the inmate was originally sentenced for, the sentencing judge, number of days sentenced to, date of sentence, date of parole, days served, amount of work time earned, court credits, time remaining on sentence and why the parolee is being revoked. (If the inmate is arrested on open charges, this is completed after the revocation hearing.)
- ! The original Order Revoking Parole and a complete warrant descriptive sheet will be forwarded to County Warrants if issuance of a warrant is necessary. Active warrants can be found under foreign warrants in CLETS.

Procedure F. Parole to Other Jurisdictions

- ! An inmate wanted in another jurisdiction can be paroled to that agency. An inmate can be parole to another state if proper extradition procedures have been followed. (Extradition Procedure C-245)
- ! The Parole Officer will type a copy of the Order Granting Parole to the outside jurisdiction and have the inmate sign it. Give the carbon copy to the parolee and maintain the original copy in the file.

Attachment #1. Organization/Rules and Regulation**I. ORGANIZATION**

- A. The Board of Parole Commissioners of the County of Kern, State of California, shall for the purpose of convenience and ease of operation, have a secretary or Parole Officer, whose duty it shall be to accept applications for release on Parole, investigate and prepare a statement of facts in each instance for submission to the Commission.
- B. It shall be the further duty of the secretary to keep a minute book, in which shall be recorded the minutes of each meeting of the Commission and the business transacted thereat.
- C. There shall be a secretary or Parole Officer and any such assistants as the commission shall deem necessary.

II. JURISDICTION

- A. The board shall act at regularly called meetings at which two-thirds of the members are present and shall make and establish rules and regulations in writing stating the reasons therefore under which and prisoner who is confined in, or committed to, any county jail, work furlough facility, industrial farm, industrial road camp, any city jail, work furlough facility, industrial farm, or industrial road camp under a judgement of imprisonment or as a condition of probation for any criminal offense, unless the court, at the time of committing, has ordered that such prisoner, confined as a condition of probation upon conviction of a felony, not be granted parole.

III. PROCEDURE

- A. The Board of Parole Commissioners hereby express their policy to be that, except in unusual cases where the interest of justice demands a departure from the declared policy, an application for parole will not be considered except under the following stated conditions:
 - 1. No application for parole shall be considered unless submitted on the regular form now in effect, and signed by the applicant, and the questions thereon answered to the best of their knowledge.
 - 2. No application for parole shall be considered where the maximum sentence imposed is less than sixty (60) days total.
 - 3. No application for parole shall be considered where there has been placed against such prospective applicant any "Hold" or "Detainer" unless, and in the event, request is made by the jurisdiction originally placing the "Hold" that, for cause, subject be paroled into their custody.

In the event such "Hold" is out of the office of the State Bureau of

Parole and request is made that subject be paroled into their custody for return to State Prison as a Parole Violator, the requirement of one-third time shall be waived and request considered; release being discretionary with the Commission.

4. No application for parole shall be considered where applicant, through disciplinary proceedings, has been imposed the loss of "good" or "work" time.
 5. No application for parole shall be considered when presented by any inmate who, having on a previous occasion been granted parole, subsequently violates his parole, unless such action is authorized by the Board.
 6. No application for parole shall be considered when presented by any inmate who presently is serving a commitment for an escape, work release violation, or in an electronic monitoring failure.
 7. An applicant shall be permitted to appear and speak on their behalf at the meeting at which their application is considered by the Board. The services of an attorney-at-law shall not be required in any instance.
 8. All applications for parole submitted to the Commission shall be considered in the light of circumstances in connection with each case as shown in the Statement of Facts accompanying each application and such other information coming to the attention of the Board, such statement being presented to the Board with every application.
 9. For good cause shown (to be determined by the Parole Officer or one or more members of the Board of Parole Commissioners), a parole may be considered when requested by any government agency allied with law enforcement or Health, Education, and Welfare.
 10. The Board shall notify the sentencing judge of an inmate's application for parole (Penal Code Section 3078). The sentencing judge may make a recommendation regarding such application and the Board shall give careful consideration to such recommendation.
- B. An application for parole may be submitted at any time subsequent to commitment, but except for unusual circumstances or conditions, shall not be considered by the Board until after the expiration of one-third of the full sentence.
- C. In those instances where, through the Jail Physician or Quarantine Officer, parole is requested on physical grounds, either for the well-being of the inmate or the protection of others, an application may be considered, upon such showing, at anytime.
- D. In those cases where two or more consecutive sentences have been imposed,

an application may be considered after having served one-third of the maximum sentence imposed for both sentences or in the interest of justice.

- E. An application for parole must be received by the Parole Officer two (2) weeks prior to the scheduled hearing. Any application received late, if eligible, will be scheduled for the following hearing.
- F. Due to emergency situations, pregnancy, overcrowding, mandated court litigation and interest of justice, a departure from the above listed policies may be necessary. Any departure will have approval of the facility Commander and Bureau Assistant Sheriff.

IV. RULES AND REGULATIONS FOR PAROLEES

- A. The Board of Parole Commissioners hereby express their policy to be that except in unusual cases where the interest of justice demands a departure from the declared policy, a parolee will obey the following stated conditions:
 - 1. That they report to the Board of Parole Commissioners or the Parole Officer at least once a month, either in person or by mail, as instructed, and at such other times as may be required of them; and that they keep the Parole Officer advised as to their whereabouts.
 - 2. That they do not leave the County of Kern without the written permission of the Board or the Parole Officer.
 - 3. That they make every reasonable effort to keep in constant employment.
 - 4. That they wholly abstain from the use of narcotics or intoxicants in any form.
 - 5. That they do not associate with known criminals.
 - 6. That they obey all laws and conducts themselves in every respect as a law-abiding citizen.
 - 7. That during their parole, they do not visit or communicate with an inmate of any jail, road camp, or industrial farm without the written permission of the Board or Parole Officer.
 - 8. That they abide by any other rule, regulation or condition the Board of Parole Commissioners may deem advisable to impose.
 - 9. If parole is revoked, parolee will lose previously earned good time.
 - 10. Remainder of time can be run consecutive to a new charge by the sentencing judge to the new offense at the judge's discretion.
 - 11. Subject shall be under the control of the Board of Parole Commissioners

for a minimum of six (6) months, but not more than two (2) years.

- 12. Subject shall be required to attend Narcotics or Alcoholics Anonymous meetings at the discretion of the Board.
- 13. Must submit to a urine, breath, or blood test upon the request by the Parole Officer or any Peace Officer.

The above rules and regulations have been adopted, as amended, by the Board of Parole Commissioners, County of Kern, State of California, as of the 4th day of October, 1990, pursuant to and in accordance with the authority vested under Article 3.5 of Part 3 of Title 1 of the Penal Code of the State of California; which Article sets forth the organization of the Commission and empowers said Commission to formulate any such rules and regulations as in it's opinion are advisable.

PAROLE COMMISSIONER

PAROLE COMMISSIONER

PAROLE COMMISSIONER

KERN COUNTY SHERIFF'S OFFICE

Detentions Bureau Policies and Procedures

TITLE: PAROLE VIOLATION HOLDS **L-200**

EFFECTIVE DATE: 06-30-90

REVISED: 11-01-02

APPROVED BY: Detentions Bureau Chief Deputy

REFERENCE: P.C. 3056, 6253(b); W&I 1767.3, 3151

POLICY

It is the policy of the Kern County Sheriff's Office Detentions Bureau that inmates being held on the following charges be released to the California Department of Corrections within a reasonable amount of time as set forth in this procedure:

- P.C 3056 - Violation of State Parole
- W&I 3151 - Revocation of Outpatient Status for C.R.C.
- W&I 1767.3 - California Youth Authority Parole Violation
- P.C. 6253(b) - Return to Custody

It will be the responsibility of State Parole and the California Youth Authority to provide transportation to California Department of Corrections for the above mentioned parolees.

DIRECTIVE #1

Once an inmate held on these charges has no open Kern County cases, their names will be placed on a State Parole Notification List. This is true even if the inmate has out-of-county holds as the Parole Hold takes precedence. However, this does not preclude State Parole from authorizing the release of the inmate to another jurisdiction.

DIRECTIVE #2

If the inmate is booked on an out-of-county warrant and has a parole hold, or the inmate is booked on a parole hold and acquires an out-of-county warrant as a hold, clerical staff will send a pick-up teletype to the warrant holding agency. The pick-up teletype will include the fact that the inmate has a parole hold. If the inmate is picked up by the other county within the allotted time period, the parole hold will accompany the inmate in an envelope addressed to the out-of-county agency with the notation, "This is a hold", and will accompany any other paperwork and/or property.

Procedure State Parole Notification List**The Classification Officer will:**

- Review inmate records on a daily basis, for those that are eligible to be placed on the State Parole Notification List. Type any special transportation arrangements on the list by the inmate's name.
- Upon request, print a list of all names on the State Parole Notification list and notify the local State Parole liaison.