

Adult and Juvenile Probation Records Retention Procedures

802.1 PURPOSE AND SCOPE

To set forth the guidelines and procedures for retention of adult and juvenile probation records of permanent value. This policy applies to the custodian of records, all deputy probation officers and designated staff.

802.2 AUTHORITY AND REFERENCES

- Administrative Directive;
- Executive Committee;
- Riverside County Board Of Supervisors Policy A-43, County Records Management and Archives Policy.

802.3 POLICY

It is the policy of this department to retain records based on best practices. County Policy, and state and federal law. The department shall also safeguard records against unauthorized access.

802.4 PROCEDURE

(a) File Access and Security

1. All generated reports including, but not limited to, memorandums, supplementals, ex-parte, violations, reviews, and all letters critical to a case shall be maintained in the Juvenile Adult Management Systems (JAMS) and/or the probation file.
2. Riverside County Probation Department employees shall not access, view or distribute, or allow anyone else to access, view or distribute any record, file or report, whether hard copy or electronic file format, except in accordance with department policy and with a legitimate law enforcement or business purpose or as otherwise permissible by law.
3. Records shall be kept in a centralized location under control to ensure security of the records. Security of active files/records is the responsibility of the designated probation staff.

(b) Record Retention Schedules

1. If not specifically described in this policy, offender records shall be retained and purged based on the Riverside County Probation Department Records Retention Schedule, the Riverside County Board of Supervisors Policy A-43 County Records Management and Archives Policy. All records retention and/or destruction shall be in compliance with Government code 26205.1.

(c) Adult Inactive Records

Riverside County Probation Department

Policy Manual

Adult and Juvenile Probation Records Retention Procedures

1. Inactive adult probation records will be maintained 40 years in microfilm and/or electronic format.
 2. Records will be microfilmed and/or electronically saved within 90 days of termination and after the probation file is purged. The following documents shall be included in the microfilm and/or electronic record:
 - (a) All probation reports, memorandums, violation memorandums, ex-partes, progress reports
 - (b) Psychological evaluations, mental health evaluations
 - (c) Progress reports, certificates and correspondence to and from treatment programs/providers, therapists, community service agencies
 - (d) Diagnostic evaluations
 - (e) Manual rap sheets
 - (f) Copy of latest court case print for misdemeanors only
 - (g) Social Security Card and birth certificate
 - (h) Victim statement of loss response
 - (i) Documents obtained from other county or state agencies (e.g. CDCR Pre-Release Packet, Courtesy Supervision)
 - (j) Proxy forms (if available/screen print if electronic)
 - (k) Crime report(s) if no R&S was written
 - (l) Case Plan Report (COMPAS)
 - (m) Most recent offender registration form (e.g. sex, gang, arson)
 - (n) PRCS Waiver of Hearing Agreement of Violations or Sanctions
 - (o) PRCS documents created by probation that are not filed with the court (e.g. Notice of Flash Incarceration, Additional Conditions, Booking Authorization Form, Release Hold Authorization)
- (d) Adult Active Records
1. Adult probation files will contain the following:
 - (a) All probation reports, memorandums, violation memorandums, ex-partes, progress reports, and police reports when no probation report was prepared
 - (b) Copy of most recent case print for each case (old case prints should be destroyed)
 - (c) Client information sheet
 - (d) Social history page
 - (e) Adult field card
 - (f) Psychological evaluations, mental health evaluations

Riverside County Probation Department

Policy Manual


Adult and Juvenile Probation Records Retention Procedures

- (g) Social Security card and birth certificate
 - (h) Progress reports and correspondence to and from treatment programs/providers, therapists, community service agencies
 - (i) Diagnostic evaluations
 - (j) Victim statement of loss letters
 - (k) Appointment letters
 - (l) Drug test results
 - (m) Copies of registrations cards pursuant to 290 PC, 11590 H&S, 457.1 PC and 186.30 PC
 - (n) Releases of information
 - (o) Copy of signed terms and conditions/further instructions
 - (p) Interstate compact forms/correspondence
 - (q) Correspondence to and from other agencies, (e.g. CDCR Intake Packet ICOTS), courtesy supervision requests/acceptance, notification from RSO on custody failure to appear
 - (r) Verification of employment/school enrollment
 - (s) Any documentation needed as discovery in violation of probation proceedings (Vickers)
 - (t) Copies of monthly report form(s) until entered properly in JAMS
 - (u) Copies of subpoenas
 - (v) CII, FBI, out of state records and manual rap sheet
 - (w) Proxy forms (if available/screen print if electronic)
 - (x) Case Plan Report (COMPAS)
 - (y) PRCS Waiver of Hearing Agreement of Violations or Sanctions
 - (z) PRCS documents created by probation that are not filed with the court (e.g. Notice of Flash Incarceration, Additional Conditions, Booking Authorization Form, Release Hold Authorization)
- (e) Adult Warrants
1. All felony cases in warrant status for five (5) years and misdemeanor cases in warrant status for three (3) years shall be purged and microfilmed and/or converted to electronic format. Due to warrant status and the possibility that certain discovery may be needed for any future Vickers hearing, a duplicate file may need to be created at a later date.
 2. The following documents shall be included in the microfilm and/or electronic record if they exist:

Riverside County Probation Department

Policy Manual

Adult and Juvenile Probation Records Retention Procedures

- (a) All probation reports, memorandums, violation memorandums, ex-partes, progress reports, police reports when no probation report was prepared
 - (b) Psychological evaluations, mental health evaluations
 - (c) Progress reports, certificates and correspondence to and from treatment programs/providers, therapists, community service agencies
 - (d) Diagnostic evaluations
 - (e) Victim statement of loss letters
 - (f) Appointment letters, including correspondence returned by postal service;
 - (g) Social Security card and birth certificate
 - (h) Drug test results
 - (i) Copies of registration cards pursuant to 290 PC, 11590 H&S, 457.1 PC and 186.30 PC
 - (j) Release of information
 - (k) Copy of signed terms and conditions/further instructions
 - (l) Interstate compact forms/correspondence
 - (m) Correspondence to and from other agencies, (e.g. courtesy supervision requests/acceptance, notification from RSO on custody failure to appear, etc.)
 - (n) Any documentation needed as discovery in violation of probation proceedings (Vickers)
 - (o) Client Information Sheet
 - (p) Manual rap sheets
 - (q) Copy of latest oral recommendation form pertaining to the violation (if completed)
 - (r) Copy of most recent case print(s)
 - (s) Case Plan Reports (COMPAS)
 - (t) Proxy forms (screen print if electronic)
 - (u) Documents obtained from other county or state agencies (e.g. CDCR Pre-Release Packet, ICOTS, Courtesy Supervision)
 - (v) PRCS Waiver of Hearing Agreement of Violations or Sanctions
 - (w) PRCS documents created by probation that are not filed with the court (e.g. Notice of Flash Incarceration, Additional Conditions, Booking Authorization Form, Release Hold Authorization)
- (f) Juvenile Inactive Records
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Riverside County Probation Department

Policy Manual

Adult and Juvenile Probation Records Retention Procedures

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
3. Records will be microfilmed and/ or electronically saved within 90 days of termination and after the probation file is purged. The following documents shall be included in the microfilm and/or electronic record:
- (a) Face sheet if the information is not included in the probation officer's report
 - (b) Chronos
 - (c) Most recent juvenile probation case plan
 - (d) Progress reports, certificates and correspondence to and from treatment programs/providers, therapists, community service agencies
 - (e) Most recent field card
 - (f) Ex-parte for termination of wardship (only ex-parte saved)
 - (g) Division of Juvenile Justice discharge order (if applicable)
 - (h) Social Security card and birth certificate
 - (i) All minute orders
 - (j) Petitions
 - (k) In chronological order with most recent dates on top: All probation reports, memorandums, detention control hearing reports, notice of hearings and progress reports
 - (l) Warrants of Arrest (signed by judge)
 - (m) Psychological, diagnostic and mental health evaluations
 - (n) Extradition/voluntary return form (if applicable)
- (g) Juvenile Active Records
- 1. All juvenile files are considered active until supervision is terminated or probation services have expired. All juvenile cases in warrant status remain active until the warrant is recalled/quashed or the case is terminated.
 - 2. Juvenile probation files will contain the following:
 - (a) All probation reports, memorandums, notice of hearings, ex-partes, progress reports, police reports, case plans
 - (b) Copy of all minute orders
 - (c) Progress reports, certificates and correspondence to and from treatment programs/providers, therapists, community service agencies
 - (d) Updated juvenile field card

Riverside County Probation Department

Policy Manual

Adult and Juvenile Probation Records Retention Procedures

- (e) Psychological and mental health evaluations
 - (f) All Individualized Education Plan (I.E.P.)
 - (g) Progress reports and correspondence to and from treatment programs/providers, therapists, community service agencies
 - (h) Division of Juvenile Justice diagnostic evaluations
 - (i) Victim statement of loss letters
 - (j) Appointment letters
 - (k) Drug test results
 - (l) Copies of registration card pursuant to 186.30 PC
 - (m) Releases of information
 - (n) Copies of signed terms and conditions and further instructions
 - (o) Interstate Compact forms/correspondence
 - (p) Correspondence to and from other agencies
 - (q) Correspondence related to the Juvenile Work Program (JWP)
 - (r) Civil guardianship and custody orders
 - (s) Birth certificate, Social Security card, immunization records, immigration card
 - (t) Signed medical consent or ex-parte medical consent
 - (u) Verification of employment/school enrollment
 - (v) Any documentation needed as discovery for a Notice of Hearing proceedings
 - (w) Parental proof of completion of parenting/treatment classes
 - (x) CII and Child Abuse Central Index (CACI) in Non-Relative Extended Family Member cases (NREFM)
 - (y) Indian Child Welfare Act (ICWA) paperwork
- (h) Termination of Parental Rights (Abandonment)
1. Three years after the disposition of the case in family court, the file can be purged and microfilmed and/or electronically saved.
 2. The following documents shall be included in the microfilm and/or electronic record if they exist:
 - (a) Probation Officer's Report
 - (b) Petition
 - (c) Copy of Relinquishment (if any)
 - (d) Declaration of Search

Riverside County Probation Department

Policy Manual

Adult and Juvenile Probation Records Retention Procedures

(i) Adoption Files

1. One year after the disposition of the case in family court, the file can be purged and microfilmed and/or electronically saved.
2. The following documents shall be included in the microfilm and/or electronic record if they exist:
 - (a) Probation Officer's Report
 - (b) Petition
 - (c) Copy of Relinquishment (if any)
 - (d) Declaration of Search

(j) Surveys

1. All client completed probation surveys shall be retained for a period of 2 years.

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