

DATE:	JANUARY 17, 2020
NUMBER:	X.1
SUBJECT:	SUPERVISED OWN RECOGNIZANCE (SOR) RELEASE
RELATED SECTIONS:	PENAL CODE SECTIONS 1318-1319.5; E.4

PURPOSE

To safely reduce the number of persons detained pretrial by providing pretrial services and supervision to individuals on pretrial release.

POLICY

The Sheriff's Pretrial Unit will offer comprehensive pretrial release options to the judiciary and will facilitate supervised own recognizance (SOR) releases for individuals in jail who are pending trial. Arrestees will be interviewed and assessed at the time of booking. Pretrial services reports, which contain information about the arrestee's criminal records, pretrial risk assessment score, and individually tailored recommendations regarding release options, will be prepared and presented to the judge at the time of the individual's first court appearance. Based on information presented to the court, the judiciary may grant an individual release on SOR. Pretrial supervision will be conducted on all individuals granted release on SOR.

PROCEDURE

I. SHERIFF'S PRETRIAL UNIT

Sheriff's Pretrial Unit staff is composed of assigned detention processing technicians (DPT), correctional counselors, an office support specialist (OSS), supervising correctional counselor, detention processing supervisors (DPS), and a County Parole Alternative Custody (CPAC) deputy.

II. PRETRIAL SERVICES REPORTS

- A. The DPT will prepare a pretrial services (PTS) report to be presented to the judge at the time of a defendant's first court appearance. The PTS report includes, but is not limited to, the following (Procedures II.B.1-3 will be completed by the assigned DPT.):
 - 1. Current arrests, charges, counts, bail amount, arresting agency, active criminal events, criminal history summary, and personal history information.
 - 2. A Pretrial Release Screener (PTRS) assessment is conducted on all arrestees to determine their release risk score. The score is entered and recorded on the court report.

3. A comprehensive criminal history records search from the Jail Information Management System (JIMS), Local, State, and National systems, and Automated Firearms System (AFS). All information found is entered and recorded on the court report.
4. The release recommendations and conditions will be completed by a correctional counselor.
 - a. Correctional counselors are assigned to the Central, Vista, South County, and East County courthouses and provide the pretrial services reports to the Court at the time of an inmate's first court appearance.
 - b. All pretrial services reports are reviewed by the correctional counselor before providing them to the court. They make a tailored individualized recommendation regarding release options and conditions to assist the judge in making an informed decision regarding pretrial release or detention.
 - c. The correctional counselor will appear in court for the felony arraignment to present the reports, conduct follow-up investigation and answer any questions the judge or attorneys may have about the reports and/or recommendations and conditions.

III. GRANTED SOR RELEASE

- A. SOR releases are granted by the judge and will be documented on the court minute order with the accompanying Order Releasing Defendant on Supervised Own Recognizance form (SDSC CRM-288 form). Both documents will be sent directly to the detention facility where the inmate will be released. The DPT will process the SOR release as follows:
 1. When processing an inmate for release, the pre-release and final release dispositions in the JIMS will be SPTS-Supervised PTS Release.
 2. If a SDSC CRM-288 form accompanies the court minute order, the final release DPT must ensure the below steps are completed after identifying the inmate at final release and prior to the fingerprint verification.
 - a. Read all checked conditions to the inmate as stated on the SDSC CRM-288 form. These conditions will admonish the inmate of his or her obligation to contact Pretrial Services within 24 hours of release from custody.
 - b. Ensure all contact information is completed by the inmate on the bottom portion of the SDSC CRM-288 form to include the date, signature, a complete address and telephone number.
 - c. Scan and email a copy of the signed and completed SDSC CRM-288 form and court minute order to the following email accounts:
 - i. [PTS, Pretrial Service](#)

- d. Provide a copy of the court minute order to the inmate.
- B. Any court minute orders received during the court update process, for individuals out of custody who are currently active on SOR, should be scanned and emailed to the [PTS, Pretrial Service](#) email account. Immediately following the court hearing, the correctional counselor will notify the DPS, CPAC deputy, OSS, and supervising correctional counselor via email of any defendants who were granted SOR release.

IV. PRETRIAL SUPERVISION

Individuals released on SOR status will be assigned to a CPAC deputy. The CPAC deputy will:

- A. Supervise individuals who have been granted a SOR release to ensure they comply with the conditions of their release as outlined on the SDSC CRM-288 form.
- B. Monitor compliance of all conditions and provide status reports for those individuals at their preliminary hearing. Any non-compliance status reports will be provided at the individual's next court hearing.

V. COMPLETION OF PRETRIAL SUPERVISION

Once an individual's case is adjudicated either by sentencing or dismissal, the pretrial supervision is considered complete and no further supervision is needed. The CPAC deputy will update the individual's status and end pretrial supervision.

VI. REVOCATION

The court has the authority to revoke SOR status and remand any individual on pretrial supervision. Revocation of SOR will be noted on the court minute order and a warrant will be issued for the individual's arrest. Upon receiving the court minute order, the CPAC deputy will update the participant's status and end pretrial supervision.

VII. NEW ARRESTS/BOOKINGS

If an individual on pretrial supervision is arrested on a new charge(s) by any law enforcement agency, staff shall refer to new arrests/bookings procedures as outlined in DSB policy and procedure section E.4.