

DATE:	MAY 4, 2022
NUMBER:	X.1
SUBJECT:	PRETRIAL SUPERVISED OWN RECOGNIZANCE (SOR) RELEASE
RELATED SECTIONS:	PC 1318-1319.5 & DSB P&P E.1

PURPOSE

To safely reduce the number of incarcerated people detained pretrial by providing pretrial services (PTS) 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. PTS reports, which contain information about the incarcerated person'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 their first court appearance. Based on information presented to the court, the judiciary may grant an incarcerated person to be released 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, a supervising correctional counselor, detention processing supervisors (DPS), and County Parole and Alternative Custody (CPAC) deputy.

II. PRETRIAL SERVICES REPORTS

The DPT will prepare a PTS report to be presented to the judge, district attorney and public defender at the time of a defendant's first court appearance. The PTS report includes, but is not limited to, the following:

- A. Current arrests, charges, counts, bail amount, arresting agency, active criminal events, criminal history summary, and personal history information.
- B. A Pretrial Release Risk assessment is conducted on all incarcerated people to determine their release risk score. The score is entered and recorded on the court report.
- C. A comprehensive criminal history records search from the Jail Information Management System (JIMS), Local, State, and National systems. All information found is entered and recorded on the court report.
- D. The release recommendations and conditions will be completed by a correctional counselor.

1. Correctional counselors are assigned to the Central, Vista, South County, and East County courthouses and provide the PTS reports to the court at the time of an incarcerated person's first court appearance.
2. All PTS 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.
3. 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). Immediately following the court hearing, the correctional counselor will notify the DPS, CPAC deputy, and supervising correctional counselor via email of any incarcerated people who were granted SOR release. The court minute order and SDSC CRM-288 documents will be sent directly to the detention facility where they will be released. The DPT will process the SOR release as follows:
 1. When processing an incarcerated person for release, the pre-release and final release dispositions in the JIMS will be "SPTS-Supervised PTS Release."
 2. A SDSC CRM-288 form accompanies the court minute order, the final release DPT must ensure the below steps are completed after identifying the incarcerated person at final release and prior to the fingerprint verification.
 - a. Read all checked conditions to the incarcerated person as stated on the SDSC CRM-288 form. These conditions will admonish them of their obligation to contact Pretrial Services within 24 hours of release from custody.
 - b. Ensure all contact information is completed by the incarcerated person 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 \(pts.pretrialservice@sdsheriff.org\)](mailto:pts.pretrialservice@sdsheriff.org)
 - ii. [STAR, PTS \(pts.star@sdsheriff.org\)](mailto:pts.star@sdsheriff.org)
 - d. Provide a copy of the court minute order and the SDSC CRM-288 form to the incarcerated person.

- B. Any court minute orders received during the court update process, for defendants out of custody who are currently active on SOR, should be scanned and emailed to the [PTS, Pretrial Service](#) email account.

IV. PRETRIAL SUPERVISION

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

- A. Supervise defendants who have been granted a SOR release. Explain and ensure the defendant understands the conditions of their release as outlined on the SDSC CRM-288 form.
- B. Submits a pretrial supervision status report for the defendant's next scheduled court hearing to notify the court if the defendant is not in compliance with a condition of their release.

V. COMPLETION OF PRETRIAL SUPERVISION

Once a defendant'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 defendant's status and end pretrial supervision.

VI. REVOCATION

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