



KERN COUNTY PROBATION DEPARTMENT

Policies And Procedures

TITLE: Court Recommendations			Article: 1603
APPROVED: William Dickinson, Chief Probation Officer			
EFFECTIVE: October 2016	REVIEWED: August 2018	REVISED: September 2024	UPDATED: October 2016

POLICY

The Chief Probation Officer extends wide latitude to Deputy Probation Officers for the preparation of Court Reports and for the formulation of recommendations. Formulation of appropriate recommendations on each case going to Court is delegated through the Deputy Chief Probation Officer to Division Director to Supervisor to line staff. The ultimate responsibility for all reports and recommendations made to Courts by Probation staff rests with the Chief Probation Officer.

It is rare when disagreement occurs between Supervisors or Management and line staff regarding the appropriateness of a recommendation. Nevertheless, on those occasions, if the Supervisor disagrees with a recommendation, the Supervisor has both the authority and the responsibility to change the recommendation made by a line staff member. Similarly, a Division Director has the authority and the responsibility of changing the recommendation of either a line staff member, or a Supervisor. The Deputy Chief has the same authority respectively.

The Chief Probation Officer retains the final authority and responsibility for recommendations and will direct changes in regard to the Court recommendations when it is felt the best interest of the department, the client, and the community will be served by such a change.

In the event that a change in recommendation is directed, the staff member who prepared the report shall facilitate the change in recommendation and make appropriate changes in the social report. The staff member shall sign the revised report. Refusal to sign shall be considered insubordination.

When a Supervisor, Division Director, Deputy Chief, or Chief Probation Officer determines a change in recommendation should be made, a discussion will be held, whenever possible, with the staff member.

After a change in recommendation is made, the staff member shall not engage in any activity or conversation with the Court, members of the District Attorney's Office, defense counsel or any other person with the intent of undermining the new recommendation. Above all, it is important the integrity of the probation report and recommendation be upheld and protected. The report's recommendation is the Probation Department's recommendation and no one from within the department may engage in any surreptitious activity off the record to influence the Court.