

GEORGIA DEPARTMENT OF CORRECTIONS		
Standard Operating Procedures		
Functional Area: Facilities Division	Reference Number: 213.02 (IIE02-0001)	Revises Previous Effective Date: 12/31/00
Subject: Screening/Sentencing/Pre-Admission/Private Probation Referrals		
Authority: Bryson/Ward	Effective Date: 09/02/15	Page 1 of 6

I. POLICY:

Designated field probation staff shall assist the courts in determining appropriate candidates for sentencing to Probation Detention Centers and shall insure that all necessary sentencing documents and case materials are forwarded to the receiving Center on or before admission of the probationer. Designated Center staff shall assist with and coordinate this effort.

Each Detention Center shall also prepare and provide a pre-admission orientation document to each probation office in its region or catchment area. Field staff will review this document with each probationer sentenced to the Detention Center.

In addition, Georgia law gives counties the authority to contract with private probation companies for the purpose of providing supervision to misdemeanor offenses. Under law, certain misdemeanor offenses can still be supervised by the state. Therefore, it is possible that a misdemeanor probationer supervised by private probation could be sentenced to a Detention Center if the offense is not excluded by law. Such offenders will be considered for admission as would a referral from a state-operated probation office.

II. APPLICABILITY:

Probation Detention Centers and Probation Boot Camps.

III. RELATED DIRECTIVES:

- A. O.C.G.A.: 42 generally, O.C.G.A. 17, and 42-8-100 and 17-10-3(g).

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B. ACA Standards: 1-ACBC-1E-13, 1-ACBC-4A-05, 1-ACBC-4A-06.

IV. DEFINITIONS:

NONE.

V. ATTACHMENTS:

ATTACHMENT 1 - Special Conditions

ATTACHMENT 2 - Sample Sentence Language

ATTACHMENT 3 - Medical Checklist

ATTACHMENT 4 - Pre-Admission Orientation Package

ATTACHMENT 5 - Case History / Field Sheet

VI. PROCEDURE:

A. The Chief Probation Officer will designate staff who are responsible for Detention Center screening and referral activity. Ideally, screening should occur prior to imposition of sentence so that a recommendation can be made to the court.

1. The responsible officer shall consider the target population criteria found in IIE01-0001 in determining an appropriate recommendation for alternatives.
2. The officer shall maintain awareness of relevant Georgia law as it applies to the use of alternatives.
3. The officer shall insure that legible copies of sentencing documents and pertinent probation case file information are provided to the receiving Center on or before admission of the sentenced probationer. In all cases, the following will be provided to the Center:

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- a. A signed court order transferring/sentencing the probationer to the Center.
 - b. A copy of the Special Conditions form.
 - c. Legible copies of Case History/Field sheets and supplemental sheets.
 - d. Copies of delinquent reports and revocation orders.
 - e. Copies of any available pre-sentence investigations or psychological evaluations.
 - f. Health Screen questionnaire. (In Detention Centers, only Part I and II need be completed by referring officer, page 2 and 3 of Medical Checklist.
 - g. Notice of transfer.
 - h. Pre-admission Orientation document signed by the probationer.
4. Each Center shall designate staff (normally the Probation Officer) who shall be responsible for accepting referrals and coordinating admission. Field staff will contact this person or designee to advise them of probationers who have been sentenced. This Center person will establish and communicate an admission date to the referring staff member. The Center person will also be available to field staff in providing consultation regarding the appropriate alternative for the probationer in question. Questions and concerns should be resolved, whenever possible, prior to sentencing.
 5. Except in first offender cases, it is often advantageous and is recommended that the court be requested to transfer jurisdiction of the case to the circuit in which the Detention Center is located. Such transfer shall be for only the period of time in which the probationer is in the custody of the Detention Center.

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6. It is recommended that courts be encouraged to utilize the 60-120 day sentence structure and the Detention Center Special Conditions form in all cases. It is recognized that this is a matter of judicial discretion.
7. Local referring staff will coordinate delivery of the probationer with the appropriate sheriff's office on the admission date determined through consultation with the receiving Center.
8. Detention Centers will normally serve the geographic region in which it is located. Certain designated Centers may serve different areas based upon the special mission of the Center. Assignment of a probationer to a Detention Center outside of the region or normal catchment area may occur if circumstances warrant. Examples of such circumstances include but are not limited to:
 - a. Gang affiliations between the prospective detainee and existing detainees. Such affiliations could present security problems or be detrimental to program participation and success of detainees.
 - b. Co-defendants/detainees that need to be separated.
 - c. Situations in which assignment to a particular Detention Center may threaten the safety of an individual because of existing enemies within the Center or possible animosity directed at a particular probationer because of the nature or notoriety of his/her offense.
 - d. Adverse community feelings toward a particular probationer that indicates an alternate assignment would be advisable.
 - e. The probationer has relatives on the staff of the local Center.
 - f. Maximum utilization of available bed space.

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- g. Failure to adjust to a particular Center.
 - h. Other significant reasons that may warrant assignment to another Center.
9. Referrals received for sentences two or more years in duration must be submitted to Legal Services for review prior to admission.
- B. Detention Centers will consider misdemeanor referrals/sentences that have been supervised by private probation companies when a sentence to the Detention Center has been made.
- 1. The offense must not be one that has been excluded by law as ineligible for state supervision.
 - 2. The Center will require the following documentation prior to or upon admission:
 - a. A copy of the sentence or order that places the probationer in the Center.
 - b. Copies of the case file.
 - c. Name and address of the private probation company that has and will supervise the detainee at discharge.
 - d. Any background information including criminal history as available.
 - e. Other documents normally required for any admission.
 - 3. The Center will generate a GCIC inquiry prior to admission if possible. The GCIC record will not be shared with the private probation company.
 - 4. The Center, upon admission, will establish the offender's probation case including entry into OTIS. The case number will be assigned from the Data Management Section of the Probation Division Office. In no instance should a private probation case be entered with a local circuit case number.

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5. During the period of time the offender is in the Center, he/she will be considered a state detainee and shall be subject to all rules and regulations of the Center. The detainee will participate in programs and activities as directed by Center staff as outlined in the program plan developed by the Center. The Center will not collect fees intended as payment for probation supervision provided by the private company while a detainee is assigned to the Center.
 6. At discharge, copies of case material received from the supervising private probation company will be returned to the company. A discharge summary with recommendations for continuing supervision/program needs will be included. The case will be closed as an active state probation case and is to be terminated on OTIS.
- C. The pre-admission orientation document should, as briefly as possible, provide basic information about the Center to the sentenced detainee. The document should be Center specific.
1. The document will be signed and dated by the detainee and staff member who went over the document.
 2. Staff will provide assistance to detainees who cannot read or who have other communication difficulties.
 3. A signed and dated copy will accompany other case materials sent to the Center. The detainee may retain a copy if requested.

The following should be included in the document:

- a. Allowable personal property that may be brought into the Center.
- b. General information as to what the Center provides such as clothing and basic hygiene items.

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- c. How to send funds, detainee accounts, description of detainee store.
- d. Mailing address.
- e. Visitation days and hours.
- f. Any significant rules and regulations that the detainee may need to know prior to admission. (Example: Is tobacco allowed in the Center?)
- g. General description of program expectations.
- h. Other information as determined by the Center.

VII. RETENTION SCHEDULE:

- A. Attachments 1,2,3,4 and 5 of this SOP, upon completion, will be placed in the Probationer/Detainee file. When sentences are completed, these files are transferred to the State Record Center where they are kept for four years, then destroyed.