

Sixth District Department of Correctional Services POLICY	Issue Date 11/18/91	Effective Date 03/01/07	Policy Number 417-07
Subject <b>SELF-SUPERVISED PROBATION PROGRAM</b>		Review Month June	Author 0124
Rescinds 417-04A	Reference Code of Iowa 901B.1, 905.14, 907		

**POLICY:**

The Department ensures that low risk offenders are diverted to a special supervision program commensurate with the resources needed to effectively monitor low risk offenders.

**ELIGIBILITY:**

1. Offenders sentenced to self-supervised probation (SSP) by the Court.
2. Non-assaultive serious misdemeanors scoring low normal or below on the Iowa Risk (re)assessment.
3. Offenders, of all offense classes, on traditional supervision and/or the MMP reassessed to minimal or below on the Iowa Risk (re)assessment that have completed the majority of their supervision requirements but cannot be discharged from supervision.
4. Offenders must have at least 6 months of supervision remaining.
5. No sex offenders, parolees and interstate compact cases should be placed by DCS into SSP.

**PROCEDURE:**

1. Self-supervised probation clients are entered into ICON database within five (5) days of receipt of sentencing order.
2. A case file is maintained for each offender.
3. Within thirty (30) days from the date of sentence, information is sent to the offender detailing self-supervised probation conditions/rules (417A), which include:
  - A. Obey the law;
  - B. Report address changes;
  - C. Pay all court-ordered financial obligations;

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**PROCEDURE:** (continued)

- D. Pay supervision fee as set by legislature;
- E. Complete all other conditions of sentence, which may include:
  - 1) Community Service/RESTORE;
  - 2) Batterers Education group;
  - 3) Substance abuse evaluation/treatment;
  - 4) Shoplifter's class;
  - 5) Drinking Drivers School;
  - 6) OWI Weekend Program;
  - 7) Reality Alcohol Program (RAP)
  - 8) Anger Management;
  - 9) Urinalysis sample;
  - 10) Plan of Payment;
  - 11) Medical evaluation;
  - 12) Psych evaluation;
  - 13) Letter of apology;
  - 14) Comply with DHS requirement.
  - 15) Other conditions set by the court.
- 4. All records are updated and kept current by SSP clerical as new offender information is received.
- 5. Compliance checks are conducted on a regular basis as established by the time frame offenders are granted to complete conditions of probation (417B or 417C).
  - A. Compliance checks are completed to include the following:
    - 1) Records check (Clerk of Court Online, D.O.T., or local law enforcement);
    - 2) Review status of Court ordered financial obligations (Clerk of Court Online, and/ or the Court file in the county of sentencing);

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**PROCEDURE:** (continued)

- 3) Ensure any other conditions of probation have been completed (Clerk of Court Online, Court file in the county of sentencing, or verification received from outside sources);
  - 4) Ensure the supervision fee has been paid to the Department (Poole).
- B. First compliance check is conducted when client is halfway through the period of probation, as ordered by the Court.
- 1) If all conditions are fulfilled, a completed compliance check form is submitted to the court/county attorney's office with a discharge order (per county request).
  - 2) If all conditions are not fulfilled, the offender is sent a letter of non-compliance setting up an appointment and/or a next compliance check date allowing the offender a chance to complete court-ordered conditions of probation before filing a request for revocation.
  - 3) If offender has been rearrested, the county attorney's office is notified by compliance check of the arrest and the county attorney will make the decision whether or not to file for revocation.
  - 4) If the offender does not comply with all the required conditions of the court-order, a compliance check is submitted to the county attorney/court with a recommendation.
6. All discharge, revocation, and hearing orders are entered in ICON database.
7. Supervised probationers referred to SSP must complete a MMP/SSPB (417D) and review the case with the agent's supervisor. If approved, for SSPB the file is forwarded to the referring Agent's secretary to ensure all documents are in order and all information is current and complete including ICON data entry.
- A. The supervising agent reviews the requirements of SSP with the offender, has them sign the notice of being placed on SSP;
  - B. The supervising agent notifies SSP that the offender has met eligibility requirements for SSP and the file is being sent, or that the notice and a copy of the plan of payment is being sent to SSP
  - C. The supervising agent forwards the file to clerical for data entry completion;
  - D. Offender is monitored according to SSP procedures.

**PROCEDURE:** (continued)

- E. If an offender is in noncompliance with probation rules, a noncompliance report is sent to the court/county attorney. If the noncompliance is a major violation, the case will be staffed with the supervisor to determine if the case is returned to the referring unit for assignment.

BY ORDER OF:

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Gerald R. Hinzman, Director