

Sixth District Department of Correctional Services POLICY		Issue Date 06/23/92	Effective Date 09/09/22	Policy Number 402-22
Subject PROBATION AGREEMENT		Review Month March	Author 323 (RER)	
Rescinds 402-17	References - Code of Iowa, Secs. 907.2, 907.6, 907.8			

POLICY:

All clients placed on probation sign a Probation Agreement.

DEFINITION:

1. Probation Agreement - Written statement of the conditions of supervision which is signed by a client.
2. Special Condition - Requirement of probation which supplements the standard probation conditions.

PROCEDURE:

1. Upon receipt of the file, the Agent reviews the order placing client on supervision to ensure the Probation Agreement (402A) is accurate and includes the special conditions as set forth in the order. The Agent ensures the Probation Agreement is signed by the client within two (2) weeks of receipt of the case file by the Agent. If this requirement cannot be met, the Agent consults with the Supervisor and documents the circumstances in ICON.
 - A. If the Agent believes special conditions which are not part of the order for supervision are necessary, the Agent adds the special conditions.
 - B. In setting special conditions which are not part of the supervision order, the Agent weighs:
 - 1) Client protective factors, rehabilitation and community protection.
2. Special conditions must be reasonably related to the offense or the client; i.e. there must be a logical connection between the special condition and the offense for which the person is under supervision or the client's circumstances. For example, if the person has not been convicted of a substance abuse related offense and there is no indication of substance abuse, a special condition requiring abstinence from alcohol and a substance abuse evaluation would likely be invalid.

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PROCEDURE: (continued)

- A. Agent may select/add Special Conditions by using the Field and Residential Rules screen in ICON.
 - B. Case Manager Rules can be added if unique enough that the Special Condition choices don't meet the requirement.
3. The Agent reads and fully explains the Probation Agreement to the client and answers all the client's questions.
 - A. If the client agrees to the Probation Agreement, the client signs and dates it and the Agent witnesses the client's signature. The client and Agent place their initials and the date after each special condition.
 - B. If the client refuses to sign the Probation Agreement, the Agent consults with the Supervisor and documents this in ICON.
 4. When the client's supervision is transferred from another Judicial District, the client signs the sending District's Probation Agreement which is generated from ICON. ICON template agreement must also be generated so that client can sign off on the Search and Seizure rule for Sixth District. Once case is accepted, that special condition is added to ICON.
 5. When the client supervision is transferred to another Agent, the Probation Agreement may be reviewed again at the receiving Agent's discretion. If this is done, the client and Agent place their initials and the date of the review at the bottom of the Probation Agreement.
 6. Client is given a copy of the signed agreement(s) and the other signed copy is placed in the file.

BY ORDER OF:

Bruce Vander Sanden, District Director