

**TRANSFER OF ADULT CASES IN CALIFORNIA  
PURSUANT TO SECTION 1203.9 PC**

- AUTHORITY:** Section 1203.9 Agreements of the Parole & Probation Compact Administrator's Association
- RESCINDS:** Procedure Manual Item 2-3-007, dated 3/12/10
- FORMS:** **Report Verification Form**  
Waiver of Appearance by Probationer (F0502-2079)  
**Third Party Residence Verification Form**  
**Request to Facilitate 1203.9 PC Transfer Form**
- PURPOSE:** To outline the procedure for the transfer of adult probation cases for legal jurisdiction/probation supervision to the county of the probationer's residence.

I. GENERAL INFORMATION

A. **1203.9 PC Jurisdictional Transfers**

1. Applies to probationers who reside in other counties within the state of California.

B. Cases not eligible:

1. Cases not supervised by the Probation Department.
2. Cases with unresolved probation violations.
3. Cases with outstanding warrants.
4. **Pending new law violations.**
5. Probationers in jail, on house arrest/electronic confinement, **have an 'in lieu of jail commitment' or stayed jail surrender date.**
6. Cases that are going back to Court on appeal.
7. Cases with pending Court dates.

C. Residence

1. The defendant must have been a resident of the receiving county for at least 30 days.
2. The defendant must intend to remain a resident of the county.

D. Time on Probation

There must not be less than **15** months remaining on the probation grant when referred for 1203.9 PC transfer. **Exceptions: Offenses involving sex, dv, drug sales, weapons, or any other offenses considered significant in the interest of public safety.**

II. PROCEDURE

A. Cases being supervised by field Probation Officers and going to another county.

1. Field Probation Officer:

- a. Carefully reviews the probationer's plan to move to ensure that he/she is not attempting to avoid supervision.
- b. Forms and details to be completed:
  - (1) A current record check **and review of Visions** to confirm that there are no known warrants or probation violations pending.
  - (2) File must contain copy of registration forms, as appropriate, reflecting probationer's current address.
  - (3) A 1203.9 PC Waiver (F0502-2079) signed by the probationer. **(One per Court case.)**
  - (4) Ensure that the file is up-to-date and complete, including a Summary Grant with complete information, **CDL/CID, BC, SS and certificates of completion from any Court ordered programs.**
  - (5) **Proof of residence in the form of utility bills, lease/rental agreement, or if transient, proof of services being received in that county.**
  - (6) **Signed STIP**
  - (7) **DNA (if applicable)**
  - (8) **Request to facilitate transfer form completed.**
  - (9) **Third party residence verification form or sponsor letter, if applicable.**
  - (10) **Submit proof of residence, transfer waiver(s), request to facilitate transfer form and third-party residence form to unit 220 supervisor for review via email.**

**Case will be assigned a DPO #2 from unit 220 to facilitate transfer process.**

2. Instructions to the Probationer:

- a. Continue to make all fine and restitution payments to the Orange County Probation Department.
  - b. Immediately notify Orange County Probation of any change of residence prior to acceptance of supervision by receiving county.
  - c. **Continue to report as directed to primary DPO.**
  - d. **Cooperate with Probation Department from receiving county.**
3. **1203.9** Probation Officer:
- a. Processes referral.
  - b. Awaits acceptance or rejection **of transfer** by the **Court**.
    1. **If transfer granted, primary DPO will be notified to complete a termination chrono and file to be routed to Unit 220 clerks.**
    2. **If transfer denied, primary DPO and DPO #2 will staff case and determine if the case should be re-submitted.**
- B. New Outgoing Cases
1. **1203.9** Probation Officer:
    - a. Receive **and review** file;
    - b. Set an appointment, **gather Summary Grant, CABS photo, review minute order, sign instructions of supervision, STIP signed, receive proof of residence, gather transfer documents and process for transfer.**
  2. **If probationer is unable to provide proof of residence within 30 days, as directed, case will be transferred to appropriate area office for supervision.**
- C. New Incoming Cases:
1. Set an appointment
  2. Have **probationer** complete a Summary Grant;
  3. Take a photo;
  4. Copy the **probationer's** social security card, CDL, registration, birth certificate, utility bill, and pay stub;
  5. Update information in Adult ICMS;
  6. Verify DNA has been done and update ICMS;
  7. Complete the (RV) Residence Verification;

8. **Once jurisdiction is ordered transferred, provide the probationer with a Notice to Report and complete an Initial Interim Transfer chrono.**

**REFERENCES:**

Procedures:	2-1-101	Adult Restitution
	2-1-104	Chronological History Sheet – Adult
	2-3-021	Adult Risk/Needs Assessment and Reassessment Packet

Policies:	B-2	Inter and Intra-Agency Confidentiality
	E-4	Clients With Legal Residence Out of County
	<b>E7</b>	<b>Restitution</b>

D. Bailon

**APPROVED BY:**