



Wells County Probation Department

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Chief Probation Officer: Gregory E. Werich

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January 12, 2009

TO: PROBATION DEPARTMENTS

FROM: GREGORY E. WERICH

RE: INTRASTATE TRANSFER OF PROBATION SUPERVISION

I want to take this opportunity to advise each of our neighboring counties with whom we commonly exchange probationers to be aware of our local procedures regarding the transfer of probation supervision to another jurisdiction within the state of Indiana.

Probation officer Vicki Cale will generally be responsible for all transfer in and out cases, and is listed as our county's contact person. She will also supervise most probationers who are on probation in Wells County but residing in another county. I am the secondary transfer contact person if you have any questions or concerns.

Based upon the new rules, our local practice for outgoing cases will be as follows:

1. At the time of sentencing (or beginning probation supervision if incarcerated immediately after sentencing), if a probationer is a resident of another county, she/he will be transferred to that county of residence unless they are assessed to be appropriate for a non-reporting supervision.
 - a. We will continue to monitor payments of court ordered financial obligations due to Wells County, and if unsatisfied one month prior to probation expiration, we will file a probation violation petition.
2. If a probationer moves to another county after beginning probation supervision, she/he will be required to satisfy all court financial obligations (including fines, costs, restitution), bring to current all probation users fees due to Wells County, and provide a money order for \$75 that will accompany the transfer documents to the receiving county before we will transfer their supervision (this is our attempt to curtail mid-supervision moves).
3. Our courts have indicated they will be retaining authority for any probation violations. We will permit your department to interpret what is a violation, notwithstanding a new law violation, and notify us. Feel free to consult us if you have any questions.

With respect to incoming cases, the following practices will be used:

1. Upon receipt of a transfer request, we will schedule an appointment with the probationer within 10 business days. The probation officer and probationer will review and sign a document entitled *CONDITIONS OF PROBATION AND ORDER OF PROBATION (INTRASTATE TRANSFER)*. Once the Court signs the order, we will notify the sending county of our acceptance.

- a. The Wells Superior Court will be the accepting Court in all intrastate transfer-in cases.
 - b. The Court will generally not accept authority for disposition of any probation violations. It will, however, make findings on probation violations for the sending county if requested.
2. Following acceptance notification, our office will submit progress reports at least every six months, and one month prior to the release date.

Pursuant to the requirement for a supervising probation department to notify other probation departments of probationers residing in the other's county but retaining supervision, Wells County will regularly send the following:

1. name of probationer
2. date of birth,
3. case number,
4. offense,
5. probation begin date, and
6. anticipated probation end date.

Wells County will also provide additional details upon request of probation department, however, we will not regularly update a probationer's information (i.e., change of probation end date) unless a specific request is made from the receiving county. For probationers residing in Wells County, but being supervised by another county, we will request the same information from the other probation department and maintain a list of names provided to us.

If you have any questions or concerns regarding our practice of the new rule please do not hesitate to contact me or Vicki Cale. In a separate fax, we will be sending to counties those names and pertinent information regarding our current probationers who reside in your county.