

# COUNTY OF SANTA CLARA PROBATION DEPARTMENT

## INTENSIVE ALTERNATIVE PROGRAM (IAP)

### GUIDELINES AND PROCEDURES

40 IAP  
54 Total  
10-10-00

#### Overview

The Intensive Alternative Program (IAP) was developed to reduce the burgeoning county jail population by diverting non-violent mentally ill clients into an intensive structure designed to address and treat their mental health/substance abuse issues. The structure includes a collaborative effort by the Mental Health Department, Adult Custody Mental Health, Pretrial Services, Adult Probation, the Public Guardian, Department of Corrections, the District Attorney and Public Defender's Offices, the Department of Alcohol and Drug Services, the Sheriff's Office and Alliance for Community Care.

**The criminal proceedings for participants in the IAP will be fully adjudicated. Participation in the IAP does not alleviate the participant from criminal liability. The IAP is available as a condition of O.R, and/or sentencing alternative.**

An eligible person who is in custody, can be recommended for screening by the investigation Probation Officer writing presentence recommendations, or by a supervision Probation Officer who is returning the case to court for violation of probation or modification. People who are mentally ill, with or without a substance abuse issue (dual diagnosed), are eligible and can be referred for IAP screening by requesting an IAP assessment and if drugs are involved, a JAC assessment (jail assessment coordinator).

Once into IAP, clients receive intensive case management services that can include placement at the IAP transitional residential treatment program (8 bed spaces), and/or attend the structured day rehabilitation program at Alliance that includes counseling and educational programming as well as referral and linkage to other community resources and psychiatric intervention.

#### Eligibility for IAP Caseload

- The defendant must be in custody.
- The defendant must have a primary Axis I diagnosis and meet medical necessity criteria.
- The defendant appears responsive and amenable to treatment and probation services.
- An assessment and course of treatment is available.
- The defendant is a resident of The County of Santa Clara.

- An IAP assessment, presentence report or waived referral and police report is available.
- The confidential medical release form has been signed.
- Criminal history reflects that community safety is not in jeopardy.
- The defendant has no pending matters, holds or outstanding warrants.

### **Exclusions**

The following cases may not be appropriate for IAP referral unless there are unusual circumstances:

- Prior history of serious felonies as defined in PC 667.5/1192.7
- History of violence towards self or others
- Parole Hold (defendants serving post Morrissey sentence may not be suitable)
- Felony Probation Hold (subject to disposition of any new pending criminal action)

### **Referral Process**

Referrals for IAP may come from the jail Mental Health Services, Pretrial Services, Public Defender, Attorney, Probation or the Courts. Once an individual is identified while in custody, usually within 2 –3 days, a referral is made to IAP for an assessment.

When a presentence report is requested by the court including an IAP/JAC assessment, The Supervising Probation Officer who receives the court referral will advise the Discharge Planner who the assigned Probation Officer of the case is and the hearing date. (Fax form in SHARKS for IAP and JAC).

The client is then identified and screened by the Discharge Planner. The Discharge Planner consults with Pretrial Services who reviews criminal history, current charges and determines eligibility. If client meets admission criteria for IAP, Alliance will coordinate the development of a service plan. Probation informs court of defendant's status and recommends release to a representative of IAP, along with other appropriate recommendations.

### **Court Report Recommendations if applicable:**

- 1) The defendant enter and complete the Intensive Alternative Placement (IAP)
- 2) The defendant be released to a representative of IAP
- 3) The defendant enter and complete a residential treatment program
- 4) The defendant to be transported by Sheriff's Department to DAD's treatment program
- 5) The defendant take all prescribed medication.

- 6) The defendant shall enter and complete a psychological/substance abuse treatment program as directed by the Probation Officer.
- 7) The defendant shall submit to chemical tests as directed by the Probation Officer.
- 8) The defendant shall submit his/her person, place of residence, vehicle and any property under his/her control to search at any time without a warrant by any Peace Officer.
- 9) The defendant shall not possess or consume alcohol or illegal drugs, or go to places where illegal drugs are used or sold or alcohol is the major item of sale.
- 10) The defendant shall seek and maintain gainful employment and maintain academic and/or vocational training as directed by the Probation Officer.
- 11) The defendant shall not own/possess deadly or dangerous weapon(s).

### **Violation of Probation**

If the defendant is in violation of probation and his/her Probation Officer feels the case meets all the criteria of IAP or wants to modify probation because the defendant would greatly benefit from the intensive services of IAP, the following recommendations should be made at the time of arraignment or modification hearing:

- 1) Arraign for Violation of Probation.
- 2) The defendant be referred for assessment for IAP.
- 3) The defendant be referred for assessment for JAC (if defendant has a history of drug abuse).
- 4) Continue to - - (4 weeks) - - for further arraignment and appoint the Public Defender.

If IAP/JAC assessment is ordered by VOP Judge, the Court Officer will give file back to supervising Probation Officer who will fax assessment requests to IAP Discharge Planner/drug coordinator (forms in SHARKS). When fax is returned with acceptance or denial to program, fax is attached to file and given back to VOP Court Officer.

AT the time of the hearing if the defendant is eligible for IAP please include the appropriate above noted recommendations.

### **Intensive Alternative Program Supervision**

The Probation Officer will prepare for initial interview of defendant within ten working days of sentencing and supervise case according to Probation Department classification standards. The initial interview may occur prior to receipt of the probation file. Should this occur, the Probation Officer should

prepare a temporary file consisting of IAP assessment, presentence report or waived referral and police report.

The Officer shall make contact with the defendant's case manager and program representative if released into a court ordered program.

The Officer will explain the terms and conditions, explain what may occur upon failure to comply, and have defendant sign the order, acknowledging that the terms and conditions have been explained. The Officer will make appropriate referrals.

If a violation of probation occurs based on a technical violation or new arrest, the Officer will contact the case manager and set a court date with the sentencing court. Defendants who are considered a threat to themselves and/or to the public will be returned to custody. Bench warrants will be requested for those who have not reported to Probation.

The Probation Community Worker assigned to IAP will be available to assist Probation staff by performing a variety of support tasks of moderate complexity involving the investigation, supervision, and treatment of IAP clients. Typical tasks may include interviewing and observing the clients, families, and interested individuals to assist in identifying behavior patterns, home environmental problems, and other difficulties.

The Probation Community Worker will also be responsible to contact IAP staff when necessary to follow up with the clients activities and behavior, collect documents to update files, and share information that will assist the IAP team in establishing programs for the clients, maintaining case records and data entries.

Other responsibilities: maintain monthly stats, conduct drug testing, screen active probation clients into the IAP caseload, make oral presentations to community work groups and agencies, explaining the process and procedures of the IAP recommendations to co-workers.

# County of Santa Clara

Probation Department



Adult Division  
2600 North First Street  
San Jose, California 95134  
(408) 435-2100

Adult Division-South County  
12427 Monterey Road  
San Martin, California 95046  
(408) 686-3630

Adult Division North County  
270 Grant Avenue  
Palo Alto, California 94306  
(650) 324-6500

Date:

- |  |  |
|--|--|
| <input type="checkbox"/> To: Incustody IAP Discharge planner | <input type="checkbox"/> To: jail Assessment Counselor |
| <input type="checkbox"/> Phone: 286-1152 ext: 1427           | <input type="checkbox"/> Phone: 289-1070               |
| <input type="checkbox"/> Fax: 287-0989                       | <input type="checkbox"/> Fax: 971-2074                 |
| <input type="checkbox"/> From: IAP Probation Officer         | <input type="checkbox"/> From:                         |
| <input type="checkbox"/> Fax: 955-9655                       | <input type="checkbox"/> Fax:                          |

Subject: The following probationer is in custody. Please provide an assessment. Your assessment will be forwarded to the Court if required.

Defendant's Name:	Cen #:
Housing Location:	PFN#:
Hearing Date:	Hearing Time:
Eligible Release Date:	Judge:
Date Assessment Needed:	Department:

- ☐ Assessment Staff: Please contact the referring probation officer for important information that should be included in the assessment of this client's treatment needs.
- ☐ Referred and or assessed for Intensive Alternative Placement. Forward results to IAP Discharge Planner.

**PLEASE FAX ASSESSMENT TO ALL REFERRING PARTIES**

Comments:

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