

SONOMA COUNTY PROBATION DEPARTMENT DEPARTMENTAL POLICY & PROCEDURES MANUAL			
SECTION: <i>Operational</i>	SUBJECT: <i>Restitution</i>	PAGE: <i>1 of 2</i>	IDENTIFIER: <i>4.10</i>

#### 4.10: RESTITUTION

##### 1. POLICY:

A primary mission of the Probation Department is the protection of the community through enforcement of court-ordered conditions of probation. Orders for fines and restitution play an important part in the rehabilitation of an offender. As such, restitution to the victim is of importance not only for rehabilitation purposes but also because the victim has suffered a loss and has the right to be "made whole."

Probation plays an important role in aiding victims through our attempts to gain for them any restitution the court has ordered an offender to make. Victims play an important role within our system and deserve our considerate attentions. Therefore, the following policy is being promulgated to assure that victims' concerns can be expressed and that their needs can be addressed.

##### 2. COMPLAINT PROCEDURE

In any case in which a victim has a complaint, which an individual officer cannot resolve, the victim will be referred to the next higher position in the chain of command. If the victim's concerns cannot be satisfied at one level, the victim must be referred to the next level. Victims are to be made aware of this complaint process by the responsible DPO. The complaint chain is as follows:

- a. Unit Supervisor
- b. Division Director
- c. Chief Probation Officer

##### 3. VICTIM AWARENESS

Victims deserve to know what is occurring in a case when they fail to receive court-ordered restitution, or a probationer seeks to have a restitution condition modified or terminated. The Probation Officer has a mandatory duty to inform the victim when a probationer is being returned to court for any violation of probation (since a violation of probation may result in loss of restitution) or any time the Probation Officer or probationer seeks to modify or terminate a restitution condition. To this end, whenever a probationer is returned or chooses to return to court and restitution will be an issue, the victim shall be notified by means of the attached letter.

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Victims are an integral and important part of the criminal justice process. They deserve to be treated with respect and should be afforded every consideration possible given the constraints of our mission.

**4. REPLACEMENT HISTORY: [4.10]**

Renamed from D13, 10/2009.

APPROVED BY:

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ROBERT G. GILLEN  
Chief Probation Officer

**ATTACHMENTS:**