

Jurisdictional Transfer (Adult)

413.1 PURPOSE AND SCOPE

Pursuant to California Penal Code §1203.9, cases may be transferred from one County Probation Department to another within the State of California. In most cases, jurisdictional transfer is mandatory when a probation or mandatory supervision client states their intention to reside or remain in a different county for the remainder of their period of supervision (SB 431). To ensure that San Diego County Probation complies with established law, this policy provides guidelines for the Jurisdictional Transfer process.

413.2 APPLICABILITY

This policy applies to all Departmental employees involved with Adult Services.

413.3 POLICY

Whenever a person is released on PC1203 formal probation or mandatory supervision, upon noticed motion, the Court will transfer the case to the Superior Court in any other county in which the person resides permanently with the stated intention to remain for the duration of probation or mandatory supervision, unless the transferring Court determines that the transfer would be inappropriate and states its reasons on the record (Rule of Court 4.530). Enrollment in a residential treatment program in that county, in and of itself, is not enough to meet the permanent residency requirements. No motion is needed for PC 1210 cases and PRCS cases per PC 3460.

An incoming transfer originates when a probationer residing outside San Diego County but within the State of California desires to move from their current location into San Diego County. These cases will be processed by the Incoming Jurisdictional Transfer Unit.

An outgoing transfer originates when a probationer residing inside San Diego County desires to move from San Diego County to another County within the State of California. These cases will be initiated by the officer of record and processed by the Outgoing Jurisdictional Transfer Unit.

It is the policy of the Department that officers will facilitate Court-ordered transfers in accordance with the Jurisdictional Transfer Procedures (Adult).

413.4 REFERENCES

For further guidance, see Field Services Procedure Manual—Jurisdictional Transfer.

See Policy 801 Non-Custody Intake: Case Processing regarding Juvenile WIC 750 transfers.

[Penal Code 1203.9](#)

[Senate Bill 431 \(2009\)](#)

[California Rule of Court 4.530](#)

[Penal Code 1210](#)

San Diego County Probation Department

Field Services Policy Manual

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Penal Code 3460

Penal Code 1203