

1. The JPPO refers the case to the CCA when a client on probation is alleged to have committed a new delinquent act that is a felony offense, a DWI, or a fourth misdemeanor within the previous two years.
 - a. As outlined in *Procedure 8.14.2.9, Intake and Detention*, the JPPO conducts a preliminary inquiry for a new delinquent act prior to making a recommendation to the CCA.
 - b. After completion of the PI on the new delinquent act, the JPPO submits the **PI Determination Form** and all other relevant documents identified in *Procedure 8.14.2.9, Intake and Detention*, including a copy of an endorsed copy of the Probation Agreement.
 - c. When a client is a member of an Indian Tribe, staff notifies the appropriate tribal authority.
2. If the JPPO treats the new delinquent act as a violation of court ordered probation, the JPPO either prepares a **Probation Violation Report (PVR)** or recommends a petition to revoke probation to the CCA, and with the documented approval of the Chief JPPO/designee or the JPPO recommends the appropriate graduated sanction.
 - a. The JPPO includes a recommendation to the CCA for the filing of an **Affidavit for Arrest** to accompany the **PVR** and recommendation for a petition to revoke probation if the JPPO believes detention criteria is met based upon Section 32A-2-11A, NMSA 1978.
3. If the CCA files a petition to revoke probation or a delinquency petition, the JPPO continues to supervise the client in the Plan of Care, Probation Agreement and Court Order.
 - a. If the period of probation established in the Order of the Court expires before the Court conducts the hearing on the petition to revoke probation and upon inquiry at the hearing, the JPPO continues to offer and monitor services to the client and the client's family.

K. PROBATION VIOLATION: TECHNICAL VIOLATIONS

1. Upon receiving knowledge of an alleged violation, the JPPO reviews the complaint, interviews the client, parent/guardian/custodian, and the other interested parties, i.e, school officials, providers, and accompanying parties within seven (7) calendar days of the JPPO's knowledge of or the receipt of a complaint.
 - a. When a client is a member of an Indian Tribe, staff notifies the appropriate tribal authority.

2. In response to a “technical violation,” the JPPO and CJPPPO/Designee will refer to the **Technical Violation Response Flow Chart** and **Menus of Interventions** to determine an appropriate response. The Chief and JPPO consider the following:
 - a. continuing and/or escalating problem;
 - b. weigh general compliance with the terms of supervision;
 - c. length of time remaining on supervision;
 - d. age of client;
 - e. special circumstance that may have triggered the violation, i.e, death, illness, relocation; and
 - f. progress towards stated Plan of Care goals while under supervision.
3. In determining whether to invoke graduated sanctions or to recommend a petition to revoke probation, the JPPO and Chief JPPO/designee consider the following:
 - a. If the alleged technical violation is handled informally, the action taken, based on the **Menu of Interventions**, is documented in the Violations window of the supervision record in FACTS.
 - b. If the decision is to refer the case to the CCA, the JPPO makes the determination within 5 calendar days of the referral and completes the **PVR** and submits the form to the Chief JPPO/designee for review and signature.
4. If after review and concurrence by the Chief JPPO/designee that it is in the best interests of the client’s rehabilitation to recommend to the CCA a probation revocation, the JPPO generates and submits a probation violation referral for FACTS.
 - a. The JPPO prepares and submits the necessary documents to the CCA within two (2) working days of receiving concurrence by Chief JPPO/designee.
 - b. If child is in detention, the packet must be sent to the CCA within 24 hours.
5. The CCA packet includes the following:
 - a. Preliminary Inquiry Determination form;
 - b. Written statement or supporting documentation;