

Pre-Plea Report Hearing

Your next court appearance is the Pre-Plea Report Hearing. Here you can decide if you want to take a plea or go to trial (adjudication) (*see section on Plea Bargaining*). Your lawyer and the prosecutor will try to “negotiate” a deal based on the strength of your case. Your lawyer MUST tell you what the offer is, and explain it to you, but you do not have to accept. If you admit the charges of the petition (plead guilty), then there will be no adjudication (trial), and the next thing that will happen is disposition (sentencing). One reason you may reach an agreement is because of the “Pre-Plea” report (“PPR”), also known as the probation officer’s report. If you are over 16, your lawyer or the prosecution can ask the judge to order the probation department to prepare a “Pre-Plea” report which will provide more information to help the negotiation.¹ This information will include the probation officer’s recommendation for or against your release on probation given your prior history, age, family environment, and the circumstances of the offense.

Typically, the PPR is ordered by the judge after your arraignment, for the second court appearance. Your lawyer will tell you that it is okay to be interviewed, but the PO should not ask about the facts of your case or gang involvement. You (and your parents) should NOT go into facts when talking to the probation officer ever. Ask your lawyer if there’s anything you should bring with you to the interview, but do not share anything with the probation officer that your lawyer has told you not to.

Parents: when speaking to the probation officer, we want you to think about all the positive things you love about your child. Include any circumstances or factors that would make your child’s situation easier to understand and excuse. And remember, even if you feel comfortable because the PO is of a similar racial or cultural background, do not open up and talk to them as if they are your friend. If you know anything about the facts of the case for which your child is charged, do not share that with the probation officer. POs can use any negative information you give them to hurt your child’s case, which can worsen their outcome.

Last updated on November 22, 2022

¹ Cal. Penal Code § 1203.7.