

Electronic Monitoring - Adult Division

414.1 POLICY

This policy is applicable to those persons placed on community supervision through the Probation Department. The Sonoma County Probation Department is authorized under 1210.7 PC to utilize continuous electronic monitoring (EM) to monitor an individual's whereabouts. The primary objective of the electronic monitoring is to increase public safety by utilizing an enhanced form of supervision for certain individuals subject to probation. In the County of Sonoma, continuous electronic monitoring is achieved using a Global Positioning System (GPS) or Continuous Alcohol Monitor (CAM), with attributes defined in 1210.8 PC, as provided by the Department or contracted entity.

414.2 GENERAL INFORMATION

GPS monitoring devices are designed to track the movement of a person for extended periods of time. The device uses GPS technology, whereby it identifies the person's location by coordinating with multiple GPS satellites. GPS is capable of updating a location every 15 seconds and pinpointing locations to within inches in optimal conditions.

Continuous Alcohol Monitoring (CAM) devices test and report alcohol consumption based on readings through the skin, referred to as transdermal alcohol monitoring. Mobile alcohol monitoring devices that measure breath alcohol content may be used as an alternative.

The Probation Department has established the following process for assessing an individual's appropriateness for supervision utilizing EM. An individual's underlying offense(s), risk of recidivism, criminal history, violation conduct and victim safety concerns will be taken into consideration when determining whether to utilize EM.

414.3 PROCEDURES

When an individual is being considered for EM, probation officers will assess each individual's case and consider the following factors in determining the appropriateness of EM:

- (a) Risk to public safety as determined by a validated risk assessment
- (b) Underlying offense
- (c) Criminal history
- (d) The individual's amenability to programs/services and supervision.
- (e) The individual's ability/capacity to comply
- (f) Past performance on supervision
- (g) Successful period of compliance/abstinence
- (h) The safety of any victim(s) of the individual
- (i) By statute, 290 PC registrants achieving a score of 6 or higher on the Static 99R

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Once the probation officer has determined the need for EM, in accordance with criteria established above and what public safety needs will be served by enhanced supervision via EM, the rationale will be documented in the chronological record by the probation officer who will then seek supervisor approval for the use of EM.

When using EM to respond to behaviors which violate probation terms and conditions, the probation officer will refer to the Behavior Response System (BRS) and document action taken in the application. Supervisor approval is not needed unless the EM response is an override according to the Violation Response Grid.

414.4 DURATION

An individual shall remain on EM for no more than 30 days without further approval from a supervisor or as ordered by the Court. The director will review EM reports to ensure compliance with this policy.

414.5 NONCOMPLIANCE/VIOLATIONS OF PROBATION, POST RELEASE COMMUNITY SUPERVISION AND MANDATORY SUPERVISION

An individual's noncompliance with EM rules or conditions is considered an alleged violation of supervision and may result in the individual's return to custody or other sanctions. Electronic monitoring data received outside of normal business hours will be reviewed and accessed for violations the next business day.

414.6 AUTHORIZED ACCESS AND PROHIBITED USES

EM systems shall be used only for the primary objective of enhancing public safety. Unauthorized access to and use of data collected by EM is prohibited. Eavesdropping or recording of any conversation other than that between the participant and person supervising the participant, other than for the purpose of voice identification, is prohibited. EM shall not be used to harass, intimidate, or discriminate against any individual or group.

414.7 TRAINING

Any personnel involved in using or accessing EM equipment and data shall be trained regarding the technology and this policy. Only valid users with an authorized identification and password shall have access to monitor and review data in the systems.