

Electronic Monitoring Program (EMP)

7203.1 STAFFING

- (a) Deputies and SSOs will be assigned to the Electronic Monitoring Program staff.
- (b) One or more designated Sergeants will supervise the Electronic Monitoring Program staff.

7203.2 RESPONSIBILITIES

- (a) The EMP staff will be responsible for all screening, interviewing, and releasing of in-custody inmates who qualify to participate in the Electronic Monitoring Program.
 - 1. The jail facilities will be screened [REDACTED]
- (b) The EMP staff will directly and indirectly monitor the activities of program participants to ensure compliance with EMP Rules and Regulations.
- (c) The EMP staff is responsible for keeping Inmate Records personnel informed of any changes regarding an inmate's participation in the program.
- (d) The EMP staff will be aware of and monitor any inmate or civilian traffic within the Facility Booking/Release area related to the EMP.
- (e) The EMP staff will monitor the assignment of all new participants to the Electronic Monitoring Program.
- (f) The EMP staff will write Jail Incident Reports and DR's as necessary.

7203.3 SCREENING DATA

- (a) All participants placed on the Electronic Monitoring Program must successfully pass all areas of the screening criteria. Exceptions to this policy will be made only with authorization from the EMP Sergeant.
- (b) The Jail Management System (JMS) will be utilized to facilitate the release of in-custody inmates.
- (c) The [REDACTED] will be utilized to facilitate the following inquiries:
 - 1. MULTIPLE SYSTEMS: Includes warrant check, DMV records and FTA.
 - 2. VISION: Obtain information on current and past court cases.
 - 3. CII: Criminal history, check for disqualifying charges.
 - i. Printed criminal histories, which are confidential information, are required to be destroyed after use.
- (d) The [REDACTED] will be checked to determine prior CWP history.
- (e) The EMP staff uses various forms of information while screening inmates for EMP. This information may include, but is not limited to the following:

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Electronic Monitoring Program (EMP)

1. Current/Prior charges
2. Interview of inmate
3. Standing in the community
4. Criminal history/sophistication
5. Personal references
6. Work history
7. Overall background
8. In-custody behavior

7203.4 SCREENING EMP PARTICIPANTS

- (a) Candidate List - The EMP staff will review and screen candidate rosters and eliminate names of inmates that are not qualified for participation. The reason for disqualification will be written next to the inmate's name on the candidate roster. In order to ensure uniformity, the following abbreviations will be utilized:
 1. REF - Refused to Participate in EMP (only applicable to unsentenced inmates under CPC 1203.018)
 2. MENTAL - DQ'd by Mental Health
 3. CPC/VC section - Current charge(s)
 4. BKGR - Criminal Background
 5. NO EMP - Disqualified by the Court
- (b) For the involuntary program under CPC 1203.017, if the inmate qualifies and successfully passes the screening process, they will be placed on the program.
 1. For the voluntary program under CPC 1203.018, if the inmate successfully passes the screening process, they will be offered the program. If interested, the inmate will complete an Inmate Information Sheet and be interviewed before being placed on the program.
 2. For the voluntary program under CPC 1203.018, if the inmate refuses to participate in the program, the staff member will record the refusal next to the inmate's name on the Candidate List.
- (c) Notice of Denial
 1. All persons referred or recommended by the court to participate in the involuntary electronic monitoring program pursuant to CPC 1203.017(e) who are denied participation shall be notified in writing of the specific reasons for the denial(CPC 1203.017(d)(2)). The notice of denial shall include the participant's appeal rights through the grievance process.
 2. All persons approved by the Correctional Administrator to participate in the voluntary electronic monitoring program pursuant to CPC 1203.018 who are denied participation shall be notified in writing of the specific reasons for the

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Electronic Monitoring Program (EMP)

denial (CPC 1203.018(g)(2)). The notice of denial shall include the participant's appeal rights through the grievance process.

7203.5 PROCEDURES FOR SCREENING

- (a) [REDACTED]
- (b) [REDACTED]
- (c) Create a list of qualified candidates.
- (d) Candidates who are disqualified must be flagged. Note the appropriate disqualification reason as this is used for the statistical report.

7203.6 RELEASING INMATES TO EMP

- (a) In-Custody Inmates
 - 1. After completing the screening process, EMP staff will interview potential participants prior to enrollment in the Electronic Monitoring Program.
 - 2. When preparing to release inmates to the Electronic Monitoring Program:
 - i. EMP staff will advise the Theo Lacy Facility Classification/EMP Sergeant, or the Operations Sergeant, when the Classification/EMP Sergeant is unavailable, prior to leaving Theo Lacy.
 - ii. Upon arriving at the facility, provide a list of the release candidates to the appropriate staff. EMP staff will conduct interviews of candidates in a designated area of the facility.
 - iii. Facility staff will assist in getting potential EMP candidates to the designated area for interviews.
 - iv. EMP staff will verify the correct inmates have arrived for interviews by comparing the inmate's identification card (photo and booking number) against the inmate physical description and the candidate list.
 - v. Upon successful completion of the interview, EMP staff will have the inmate complete all necessary paperwork. The inmate will read and sign all necessary paperwork including the applicable program rules and regulations for either sentenced misdemeanor inmates under CPC 1203.017 or unsentenced misdemeanor inmates under CPC 1203.018. Inmates will be given copies of all signed paperwork.
 - vi. EMP staff will explain program rules and expectations to the inmates. Allow the inmates to ask questions.
 - vii. Participants will be returned to their housing locations pending transfer to Theo Lacy to complete the release process onto the Electronic Monitoring Program.
 - viii. EMP Staff will re-check each participant's Records Files and History Cards for disqualifications (either at the IRC or Theo Lacy). Any disqualified

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Electronic Monitoring Program (EMP)

Records Files will remain at the Facility and the participant's name will be removed from the candidate list.

- ix. Facilities will be sent a final candidate list in preparation for bodies to be transferred to Theo Lacy for placement onto the Electronic Monitoring Program.
- x. All participants will be transferred to Theo Lacy for placement onto the Electronic Monitoring Program.
- xi. EMP staff will deliver each participant's Records Files to the appropriate Commitment Clerk or Inmate Records Supervisor.
- xii. EMP staff will be notified upon the participant's arrival at Theo Lacy.
- xiii. The participant's identity will be verified by asking date of birth, place of birth, or social security number and comparing the answers with the information on the mod card and pre-booking form. Additional verification will be made by checking the participant's identification card and comparing the participant's fingerprints with the fingerprints taken of the participant at the time of booking.
- xiv. Electronic Monitoring anklet will be applied to the participant prior to release.
- xv. Participants will be released according to standard facility procedures.
- xvi.

(b) Pre-Booker Inmates

- 1. Inmates may pre-book 24 hours a day, Saturday through Thursday, up until 24 hours prior to their stay date and time.
 - i. Females will pre-book at the IRC.
 - ii. Males will pre-book at Theo Lacy.
 - iii. Pre-Bookers must go through the same screening and release process as in-custody inmates.
 - iv. If an inmate does not qualify for the Electronic Monitoring Program, they will be directed to report to the appropriate jail on their Stay Date and time.

7203.7 DISTRIBUTION OF PAPERWORK

- (a) Signed original copies of all paperwork will be placed in the participant's EMP file. The original mod cards for the participants released from other facilities will be forwarded to the Theo Lacy Facility via inter-departmental mail and placed into the participant's record jacket.
- (b) Signed copies of all paperwork will be given to the appropriate Inmate Records/ Commitments staff to be placed into the participant's record jacket.

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Electronic Monitoring Program (EMP)

- (c) Participants shall be given a copy of all paperwork for their records.

7203.8 EMP REMOVAL

- (a) All participants removed from the program shall be notified in writing of the specific reason for removal. The notice of removal shall include the formal grievance process.
- (b) Non-Disciplinary Removal of Participants from Electronic Monitoring Program
 1. The EMP staff will notify the Classification Deputy and Inmate Records staff of an EMP removal.
 2. Provide the inmate's mod card to the Classification Deputy. If there is not a mod card attached to the EMP paperwork, print a copy of it from the photo capture computer.
 3. The Classification Deputy is responsible for changing the status of the inmate in JMS and assigning him a housing assignment. Female inmates will be transported to the IRC for classification and/or housing assignment.
 4. Provide Inmate Records staff with necessary paperwork.
- (c) Removal from Electronic Monitoring Program for Failure to Comply with the Rules and Regulations of the Program
 1. Removals for failure to comply with the rules and regulations of the program will be done in the same manner as other removals.
 2. A Jail Incident Report must be written for each participant that is returned to custody for failing to comply with the rules and regulations of the program.
 3. All persons referred or recommended by the court to participate in the involuntary electronic monitoring program pursuant to 120017(e) who are removed from program participation shall be notified in writing of the specific reasons for the removal.(CPC 1203.017(d)(2)). The notice of removal shall include the participant's appeal rights through the grievance process.
 4. All persons approved by the Correctional Administrator to participate in the voluntary electronic monitoring program pursuant to 1203.018 who are removed from program participation shall be notified in writing of the specific reasons for the removal. (CPC 1203.018(g)(2).) The notice of removal shall include the participant's appeal rights through the grievance process.
 5. Participant misconduct will be documented in the AJCLIA section of the Jail Management System and sanctions will be imposed in proportion to the severity of the rule violated. Participants may utilize the formal appeal process to appeal any disciplinary action against them.
 - i. Violation of law or the rules and regulations of the program could result in disciplinary action including retaking the participant into custody.
 - ii. Theo Lacy Facility personnel will conduct discipline in an impartial and consistent manner. To ensure consistency, the Punishment Officer will be the First Watch Shift Commander who is assigned to the position by the Division Commander.

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Electronic Monitoring Program (EMP)

7203.9 VEHICLES ASSIGNED TO EMP

- (a) The EMP will have assigned vehicles. The vehicles will be checked out and used in the following manner:
 - 1. The keys will be checked out from and returned to the EMP Sergeant.
 - 2. These vehicles will be used for the purpose of conducting residence checks and performing administrative duties.
 - 3. The vehicles will be returned with a minimum of ½ tank of fuel (Policy 9000.4). It will be the responsibility of the person driving to make sure there is sufficient fuel for the next driver.
 - 4. When the vehicles are not in use they will be parked in their designated areas.
 - 5. Each EMP Deputy will be issued an Orange County Fuel Access Card.

7203.10 RADIOS, CELL PHONES AND PVS

- (a) The below procedures will be followed prior to going off compound for official business:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
- (b) Cell phones will be assigned to the Electronic Monitoring Program. These phones are to be used for official business ONLY. Their primary use will be after-hours notifications of alerts requiring immediate attention. The phones will be checked out and assigned from, and returned to, the EMP Sergeant's office. While not in use, they will be stored at the charging station located inside the EMP Sergeant's office. Any problems with the phones will be immediately reported to the EMP Sergeant.
- (c) EMP staff shall use PVS as outlined in section 446.1 (Patrol Video System) of the Orange County Sheriff-Coroner Department Policy Manual. In the event a PVS equipped unit is not available, EMP staff shall notify a supervisor to request permission to utilize a non-PVS equipped vehicle.

7203.11 ARREST AND TRANSPORTATION OF EMP INMATES

- (a) [REDACTED]
- (b) EMP staff will respond if transportation is needed. An EMP staff member will draw DR # and write the appropriate report, if necessary.

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Electronic Monitoring Program (EMP)

7203.12 EMP STATISTICS

- (a) Daily Statistics/Electronic Monitoring Program Count

1. [REDACTED]

- (b) Monthly Statistics

1. [REDACTED]

- i. Screening lists on file for the month.
- ii. Weekly Completions on file for the month.
- iii. Weekly Removals on file for the month.

2. [REDACTED]

7203.13 THE EMP COMPLIANCE SUPPORT UNIT (CSU)

- (a) Department personnel assigned to the Electronic Monitoring Program make up the Compliance Support Unit (CSU). The CSU is responsible for conducting regular residence checks of program participants to ensure compliance of EMP rules and regulations. This time is also necessary to complete any administrative duties pertaining to the Electronic Monitoring Program.

(b) [REDACTED]

- (c) An Operational Plan will be completed prior to a home compliance check and a supervisor will be present during any home compliance check. The department approved CWP/EMP Operation Plan is located in the Document Center. For more information and details about operational plans, tactics and perimeters, refer to the OCSO Patrol Operations Manual (POM) Section 51 - Critical Incident Management.

- (d) The CSU will wear either a Class "A" uniform or a modified uniform approved by the Division Commander.

7203.14 CURFEW SCHEDULE

- (a) All EMP participants will be assigned, and shall comply with, a curfew schedule. EMP staff will determine the curfew schedule.
- (b) EMP participants shall remain inside their residences unless prior arrangements have been made with EMP staff and approval has been obtained from EMP staff. EMP staff approval may be sought for the EMP participant to:
1. Seek/retain employment
 2. Attend psychological counseling
 3. Attend educational/vocational training

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Electronic Monitoring Program (EMP)

4. Seek medical/dental assistance