

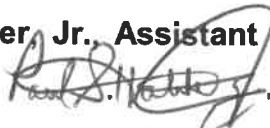


FLORIDA DEPARTMENT OF JUVENILE JUSTICE

INTEROFFICE MEMORANDUM

DATE: July 25, 2019 **PCI-19-004**

TO: Probation Regional Directors and Chief Probation Officers

FROM: Paul S. Hatcher, Jr., Assistant Secretary, Probation and Community Intervention 

SUBJECT: Electronic Monitoring (EM)

This policy memorandum supersedes and replaces PCI-16-004.

This policy memorandum establishes guidelines and procedures for the operation of a statewide Electronic Monitoring (EM) program for youth court-ordered to wear an EM device that is not associated with a detention screening resulting in a youth's required participation in a supervised release program.

Youth participating in a supervised release program shall be supervised in accordance with the guidelines and procedures outlined in PCI-19-003.

Youth participating in the statewide EM program will wear a one-piece device on his/her ankle that will utilize the United States Government's Global Positioning System (GPS), to monitor the youth's exact whereabouts in real time, 24 hours a day, seven days a week. A 24-hour monitoring center will monitor the movement of EM participants, and notify the Florida Department of Juvenile Justice (FDJJ) of all alerts. Staff shall be responsible for responding to and resolving all alert types.

PLACEMENT PROCEDURES AND DURATION

Youth *shall* be court-ordered to participate in the EM program.

The duration of placement on EM is determined by the court-order.

While any youth under the supervision of the FDJJ is eligible to participate, the following are the primary populations to be served:

2737 Centerview Drive • Tallahassee, Florida 32399-3100 • (850) 488-1850

Ron DeSantis, Governor

Simone Marsteller, Secretary

The mission of the Department of Juvenile Justice is to increase public safety by reducing juvenile delinquency through effective prevention, intervention, and treatment services that strengthen families and turn around the lives of troubled youth.

1. As a condition of supervision for youth assessed as Moderate-High or High risk to re-offend according to the Community Assessment Tool (CAT) and are identified as in need of a more intensive level of supervision. This includes youth placed on Probation, Post Commitment Probation (PCP), Conditional Release (CR), or Minimum-Risk Nonresidential Commitment.
2. As an Effective Response for youth who are non-compliant with court-ordered sanctions and services. FDJJ staff may recommend to the court that EM be used as an Effective Response to address the non-compliance as an alternative to commitment for youth on Probation, PCP, CR, and Minimum-Risk Nonresidential Commitment.

EM as an Effective Response shall not exceed 30 days (unless the court order states otherwise). A one-time extension of up to an additional 30 days may be granted by the Juvenile Probation Officer Supervisor (JPOS) if the youth continues to be non-compliant with court-ordered sanctions and services.

The following youth are considered inappropriate for EM:

- Under the age of 13 (case-by-case considerations may be made)
- Current pending competency review
- Severe substance abuses and/ or mental health issues that contribute to non-compliance
- Current placement in a dependency placement or shelter outside of the county
- Current placement in a community-based residential program
- History of absconding (more than one incident)
- Previous placements on EM that resulted in damaged or lost equipment and/or numerous alerts.

EQUIPMENT MAINTENANCE

The Circuit Chief Probation Officer (CPO) is responsible for ensuring that the circuit maintains a sufficient number of EM devices to meet the anticipated need. Circuits are encouraged to maintain a total inventory that provides a maximum of 20% spare units.

EM devices and associated equipment shall be stored and maintained in a location that best meets the needs of the circuit.

The FDJJ EM provider will maintain a list of probation staff that are authorized to order EM equipment for each circuit. Only authorized staff will be allowed to order additional equipment for the circuit.

To ensure an accurate accounting of EM inventory, the CPO or designee shall conduct a visual audit monthly of all spare EM equipment. As part of the EM inventory audit, the CPO or designee(s) shall account for the circuit's "active" EM devices, "inactive" EM devices, "lost and damaged" EM devices, as well as those previously reported lost, but

have since been located. The CPO or designee(s) shall utilize a monthly inventory spreadsheet to track inventory, and shall sign, date and submit the report to their respective Regional Director, operations specialist (OPS) or designated Regional Staff and provider account manager.

The regional OPS staff member or designee shall maintain an electronic file that includes each signed monthly inventory report. On a quarterly basis, the regional staff will review three (3) months of inventories and submit a quarterly list of lost, stolen or damaged equipment to FDJJ contract manager, probation headquarters (HQ) EM Coordinator and Regional Director within ten (10) calendar days following the end of the previous quarter. The contract manager and HQ EM Coordinator shall conduct final verification of quarterly lost, stolen and damaged EM inventory.

INSTALLATION and REMOVAL

All youth court-ordered to participate in the EM program shall be directed to the designated location that best meets the needs of the circuit, for both installations and removals. Installations and removals may occur at court, JPO office, an assessment center, or any other location approved by circuit management.

The Juvenile Probation Officer (JPO) or contracted provider shall install the device on the youth's ankle and utilize the EM provider's secure database to activate the device. The youth and parent/guardian will be required to sign an EM Agreement and shall be provided with a copy. Within one (1) business day of the device being activated, the assigned JPO shall go into the secure database and verify that an accurate schedule and zone information (inclusions and exclusion zones) has been entered for the youth.

ALERT PROCEDURES

The provider's 24-hour monitoring center will monitor the movement of all EM participants, statewide, and notify the FDJJ of all alerts received, and all efforts made to resolve each alert. Alert notifications shall be made via email and the *Activity Summary Consolidated – Recurring Report*.

The JPO shall respond to ALL alerts, including those that the provider's monitoring center were able to clear. In responding to an alert, the JPO will contact the youth and parent/guardian to determine if the alert is a result of non-compliance. All alerts shall receive a same-day response once notification is made, unless notification is received after business hours, on the weekend or on a holiday. In those cases, a response shall be made the next business day.

ALL alerts and responses shall be documented in the Juvenile Justice Information System (JJIS) Case Notebook Module. In cases where there are a series of alerts of the same type within the same day, the JPO may address them all in one (1) case note.

VIOLATIONS and RESPONSES

If it is determined that an alert was made due to the youth's non-compliance, the following shall apply:

Inclusion Zone, Cell Signal Lost, GPS Jam Reset, and Track Low Battery Alerts:

- First violation per alert type: verbal warning
- Each subsequent violation: a formal violation of supervision shall be submitted to the court. The violation of supervision will include all alerts received due to non-compliance, including those in which a verbal warning was given.

Example: A youth receives an inclusion zone alert on Monday and it's determined the alert was the result of non-compliance. The JPO gives the youth a verbal warning. The following day, the youth receives a tracker low battery alert also due to noncompliance. A formal violation of supervision will be submitted to the court for this second substantiated alert, to include the alert for which a verbal warning was given.

Exclusion Zone Enter, Case and Strap Tamper, and Max No Motion Alerts:

The first alert received due to non-compliance and each one thereafter will result in a formal violation of supervision being submitted to the court.

All violations and actions taken because of the violation(s) shall be documented in the JJIS Case Notebook Module. In cases where there are a series of alerts of the same type within the same business day, the JPO may address them all in one (1) case note.