

<b>Chapter No.</b> 2513	<b>Page 1</b>
<b>Issue Date: 11/26/19</b> <b>Revised:</b>	

**Notes and  
References**

**ELECTRONIC MONITORING**

**I. General**

A. Section 628 of the Welfare & Institutions Code (WIC) provides that a youth who meets one or more criteria for detention under Section 628 WIC, but who, in the opinion of the Probation Officer, does not require twenty-four (24) hour secure detention, shall be released on home detention, one form of which may be electronic monitoring (EM). A youth can also be ordered onto electronic monitoring by the Juvenile Court.

See Manual  
Section 2111  
Detention  
Options

1. A youth on EM is entitled to the same legal protection as a youth in secure detention, including a Detention Hearing.
2. EM supervision is bifurcated, with a DPO assuming responsibility for post-adjudicated youth and a JIO assuming responsibility for pre-adjudicated youth.
3. When the Court orders GPS in lieu of EM, the same home detention procedures are to be followed; in addition to tracking of youth and responding to alerts as noted in the GPS manual section.

B. Installation/Removal of Equipment

1. Upon receiving notice that a youth shall be placed on EM, the DPO will meet with the youth and youth's parent/guardian to explain the program and expectations. Review the House Arrest/Electronic Monitoring Agreement and obtain signature from the youth and the parent on all applicable forms – general instructions and responsibility and equipment liability memo.
2. Install a fully charged Blu+ device on the youth's ankle.
  - a. Assign equipment to the youth in VeriTracks.
  - b. Create designated check-in times/locations in VeriTracks.
  - c. Orient the youth on the care and maintenance of the equipment, including charging requirements.

Pro-33

<b>Chapter No.</b> 2513	<b>Page 2</b>
<b>Issue Date: 11/26/19</b>	
<b>Revised:</b>	

**ELECTRONIC MONITORING (continued)**

**Notes and  
References**

- d. Open the Electronic Monitoring service in Programs in IMPACT.
3. Keep a signed copy of all program rules and documentation in IMPACT file of the youth.
4. At least once each work day, the DPO will review the daily summary reports and VeriTracks tracking data for each youth on EM. The daily track review is to be chronologized in IMPACT and should indicate whether there were any instances of the youth leaving their residence or failing to attend school without authorization.
5. When the assigned DPO is not available to review the tracking data, a designated back-up VeriTracks-trained officer will perform the review. Juvenile Units will establish and adhere to an established protocol for assigning back up officers. Back up officers are to be used in all instances when a DPO is off or away from the office on days other than a regularly scheduled weekend or the officer is not able to review the tracks him/herself.
7. Maintain and track equipment in use by youth. Report any issues such as damage or loss. A physical inspection of the EM equipment should be made of every unit attached to a youth at least two (2) times a month.
8. Retrieve any EM equipment from partner law enforcement agencies when a unit has been removed from a youth due to arrest.
9. Discharge the youth from EM and:
  - a. Remove the unit from the youth's ankle.
  - b. Un-enroll the unit from VeriTracks and close the Electronic Monitoring service in Programs in IMPACT.
  - c. Clean the unit and return it to inventory, charging the device for future use.

<b>Chapter No.</b> 2513	<b>Page 3</b>
<b>Issue Date: 11/26/19</b>	
<b>Revised:</b>	

**ELECTRONIC MONITORING (continued)**

**Notes and  
References**

**C. Supervision of Youth**

1. The DPO will visit and/or call the youths assigned to him/her based on individual program guidelines, including in the office, at their home, in the community, and at school sites
2. The W&IC allows the Judge or Deputy Probation Officer (DPO) to assign curfew times to these youth, and to make any other special provisions necessary to assure the protection of the youth or the person and property of another. Typically, the curfew is noted on the minute order, as well as any indication that the DPO has the authority to reduce or eliminate the curfew.
3. Additionally, DPOs are to maintain close contact with and have a good working relationship with school officials in order to determine how a particular youth is accepting his/her responsibilities in the educational setting. The information obtained from school officials includes, in part, the youth's attendance, behavior, discipline referrals, etc.
  - a. Contacts with school officials are to be made by telephone or in person.
  - b. The frequency of contacts with school officials depends on the case being supervised.

See Manual  
Section 2506  
Contact with  
School Officials

**D. Violations**

1. In the event a youth on EM commits another criminal offense or violates a provision of his/her Electronic Monitoring Agreement, it is the responsibility of the DPO to investigate the facts and circumstances of the alleged violation in order to determine if the youth can remain in the community or should be returned to custody. Violations of the Electronic Monitoring agreement, tampering with EM equipment, and leaving designated areas can result in detention in the Juvenile Hall.
2. Should the DPO believe the conduct rises to the level of warranting arrest, he/she should then staff the matter with the appropriate Supervising Probation Officer (SPO) or Sr. Deputy Probation Officer (Sr. DPO). If the SPO or Sr. DPO believes arrest is warranted, he/she will then staff the matter with a Manager to obtain authorization for

<b>Chapter No.</b> 2513	<b>Page 4</b>
<b>Issue Date: 11/26/19</b>	
<b>Revised:</b>	

**ELECTRONIC MONITORING (continued)**

**Notes and  
References**

arrest. The SPO or Sr. DPO should consider whether a Violation of Probation or Home Detention Violation would be most appropriate.

3. If an arrest is authorized, the DPO will request assistance from other DPOs or contact law enforcement to assist with the arrest.

**E. Reports**

The DPO prepares three types of written reports concerning the progress of each youth on EM; specifically, the reports are the Informational Report, Progress Report, and Violation Report. These reports are distributed to the Court, the Probation Officer, the District Attorney, and the Defense Attorney.

1. An Informational Report should be sent to the Court and the Probation Officer whenever a youth is having difficulties on the program or some circumstance occurs that warrants notification to the Court and Probation Officer.

2. Formal Progress Report

Upon request of the Court, a progress report will be filed with the Juvenile Court 48 hours prior to a hearing. The report includes:

- a. Date the youth was placed on EM.
- b. How the youth has responded to the terms of his/her EM.
- c. Facts about his/her school performance and attendance.
- d. How the youth relates to his/her parents and others.
- e. Any additional comments that may be helpful to the Court.

3. Violation Report

A violation report should be filed with the Juvenile Court whenever a youth is appearing before the Court for a Review of Detention Hearing as a result of a violation of EM. This report should state the specific facts surrounding the violation in such a manner that will give the

<b>Chapter No.</b> 2513	<b>Page 5</b>
<b>Issue Date: 11/26/19</b>	
<b>Revised:</b>	

**ELECTRONIC MONITORING (continued)**

**Notes and  
References**

Judge a clear understanding of what occurred, and enable the Court to make an appropriate detention decision.

**F. Records**

1. The DPO will check their email daily for court orders from the court clerk, and a youth's IMPACT file when they anticipate the youth being placed on electronic monitoring.
2. The DPO will check the Juvenile Program Attendance Profile Electronic Monitoring IMPACT report, and make appropriate changes on a daily basis, specifically documenting entrances into and exits from the program. Updates and appropriate changes also need to be made in IMPACT.
3. At the end of each month, the Electronic Monitoring and House Arrest/Home Supervision Monthly Reports must be tabulated for each region by the respective DPO(s) overseeing post-adjudication cases. This is to be submitted to Project Manager Karyn Milligan and AOP Debbi Marsh no later than the 5<sup>th</sup> of the following month.
4. At the end of each month, the DPO will complete an inventory of all EM equipment.

**G. Restitution for Lost/Damaged EM Equipment**

1. **DPO Responsibilities**
  - a. When EM equipment is determined to be destroyed or lost by a youth, the DPO will notify the vendor. Prior to doing so, the DPO will make every effort to locate the missing equipment. Specifically, the DPO will attempt to contact the probationer and parent or guardian in an effort to recover the missing equipment, as well as conduct a field visit to the last known location of the device.
  - b. When EM equipment is determined to be destroyed as the result of a youth cutting the strap, the DPO will complete a Pro 313 documenting the destruction. The DPO will complete a Juvenile Referral form (Pro-190) and submit the

<b>Chapter No.</b> 2513	<b>Page 6</b>
<b>Issue Date: 11/26/19</b>	
<b>Revised:</b>	

**ELECTRONIC MONITORING (continued)**

**Notes and  
References**

referral and WSR to the Deputy District Attorney (DDA) for consideration of filing a petition alleging escape, vandalism, theft or other appropriate charges based on the circumstances.

- c. If the probationer has absconded and a warrant is requested, the DPO will complete an officer instruction event entry in IMPACT, which will indicate restitution needs to be requested once the probationer has been apprehended.
- d. Once new charges are filed, the DPO will recommend restitution for the cost of the lost/destroyed equipment. The cost of the equipment is printed on the vendor invoice. The DPO will request the full amount of each item lost or damaged.
- e. Once the order is made the DPO will submit to the Probation Revenue Recovery Unit a Financial Order (Pro-129) with the restitution amount listing Santa Barbara County Probation Department, 2121 S. Centerpointe Pkwy, Santa Maria, CA 93455, as the victim within 30 days of the Court's order.

**H. Electronic Monitoring Absence Exceptions**

- 1. There are standard conditions which youth agree to comply with while on EM. Non-compliance may mean a return to detention or court.
- 2. There may be instances where a person placed on EM would be allowed to have an exception to his/her program due to unforeseen circumstances, which DPOs will have the authority to approve.
- 3. If the exception involves the person leaving Santa Barbara County, the DPO will be responsible for completing either an Informational Report or Stipulation and Order to be filed with the Court the next business day requesting permission for the minor to leave the area, with which all parties must agree. The assigned DPO will be responsible for issuing a travel permit.
- 4. Any exception that will be longer than 48 hours must be returned to Court by the assigned DPO for the Court's approval.