

State of Vermont Agency of Human Services Department of Corrections	Title: Electronic Monitoring		Page 1 of 5
Chapter: Security and Supervision	# 430.12	NEW	
Attachments, Forms & Companion Documents: 1. All forms and companion documents are available on the DOC website.			
Local Procedure(s) Required: Yes, to be approved by the Director of Field Services, or designee.			
Applicability: All staff.			
Security Level “B”- Anyone may have access to this document.			
Approved:			
_____ SIGNED	_____ 7/23/15	_____ 9/1/15	
Andrew A. Pallito, Commissioner	Date Signed	Date Effective	

PURPOSE

The purpose of this administrative directive is to establish guidelines for the proper use of electronic monitoring.

POLICY

It is the policy of the Vermont Department of Corrections (DOC) to utilize electronic monitoring to enhance risk management supervision of offenders when consistent with offender risk and approved supervision practices.

AUTHORITY

28 V.S.A. §§ 101(3), 202(3), 403(1), and 808(b); 13 V.S.A. 7554b(a).

REFERENCE

Department Administrative Directives 430.10 *Risk Management Supervision – Field*, 431.01 *Home Detention*, and 371.27 *Home Confinement Furlough*.

PROCEDURAL GUIDELINES

Electronic monitoring devices utilized by the DOC for risk management offenders are specified by the Director of Field Services, or designee.

1. Specific staff responsibilities for the management of the EM program include, but are not limited to the following:
 - a. The District Manager (DM) is responsible for ensuring the use of EM complies with the requirements set forth in this directive. This responsibility may be delegated to the Community Correctional Program Supervisor (CCPS) in charge of the applicable EM program. Additionally, the District Manager shall identify an EM Equipment Coordinator for the site.
 - b. The DM, or designee is responsible to:
 - i. Ensure compliance with offender eligibility requirements.
 - ii. Ensure EM staff is adequately trained and equipped to conduct their duties.
 - iii. Adjust operational coverage to ensure adequate staffing levels to monitor and respond to critical incidents and equipment failures.
 - iv. Track daily usage of EM equipment.
 - v. Conduct regular checks and audits of database systems to ensure data entry compliance and proper usage.
 - c. It is the responsibility of field staff utilizing EM equipment to:
 - i. Review the process for reporting issues, loss, damage, or destruction of equipment.
 - ii. Complete all data input as required by the vendor and the DOC.
 - iii. Install equipment according to vendor requirements and ensure proper functioning.
 - iv. Create and maintain EM files for all active EM offenders. At a minimum, these files shall contain signed associated forms and the documentation supporting the basis for EM.
2. Unless otherwise required, Offenders are eligible for EM if all the following conditions are satisfied:
 - a. Likely to benefit from risk control or risk reduction support provided by a supervision enhancement of EM.
 - b. Have a condition of supervision that EM can assist in supervising.
 - c. Meets the supervision needs of the DOC, including, but not limited to, availability of equipment, as determined by the DM or designee.
3. The length of EM shall be determined by adherence to the following practices:

- a. Offenders placed on EM for supervision enhancement shall be reviewed by the DM or designee every thirty days to ensure use of EM is necessary.
 - b. Offenders may be removed earlier than the intended period upon recommendation by the supervising officer and approval of the DM or designee.
4. EM cases shall be documented in the following manner:
- a. Offenders' placement on EM shall be documented by completing any necessary electronic or paper forms associated with the program. At minimum, the documentation shall include placement date, the reason for use of EM, and the type of equipment utilized.
 - b. The removal of an offender from EM shall be documented by completing the appropriate electronic form. The staff person who removes the equipment is responsible for the documentation. At minimum, the documentation shall include the reason for the discontinuance of EM, the date the offender is removed from EM, as well as noting the condition of and return of the EM equipment.
 - c. Every review completed for an offender who is subject to EM shall be documented in the appropriate electronic form specifying the rationale of the continued appropriateness of EM.
5. Each DM shall designate a DOC staff person to be responsible for coordinating EM equipment for the office. In addition to other assigned duties, designated staff shall:
- a. Coordinating equipment installation, performing maintenance as required, inspecting for damage upon return, cleaning the components, and conducting inventory.
 - b. Communicate equipment needs and problems to the statewide EM Program Manager, or designee, and DM or designee.
 - c. Assist other employees in determining offender eligibility for EM, the type of EM that is most appropriate on a case-by-case basis, the installation and removal of EM hardware, and reading electronic notifications, maps, and related information.
 - d. Track all EM equipment that enters and leaves the site to include the following:
 - i. Company name;
 - ii. Equipment model number;
 - iii. Equipment serial number;
 - iv. Date the equipment came into the site;
 - v. Date the equipment left the site;
 - vi. Reason the equipment left the site; and
 - vii. Destination of the outgoing equipment.
 - e. Package, mail, and track shipments of outgoing equipment.
 - f. Communicate with the statewide EM Program Manager, or designee, to ensure unused equipment is available for use by other sites.

- g. Request additional equipment as needed.
 - h. Rotate equipment when needed for repairs or scheduled maintenance.
 - i. Maintain appropriate quantities of EM devices and accessories such as straps, batteries, clips, and tools.
 - j. Ensure that EM equipment is secured in a manner that minimizes the opportunity for theft or damage.
6. Lost, Damaged and Destroyed Equipment
- a. Offenders are responsible for the EM equipment assigned to them; such offenders shall sign any necessary enrollment forms provided as part of the EM program.
 - b. If an offender under EM supervision intentionally damages, destroys, or loses an EM device, the assigned PO shall report the loss to his/her DM. The DM shall subsequently notify the EM Program Manager, or designee. The DOC may require restitution from the offender for the cost of repairs and/or replacement.
7. Before an offender can be placed in the EM program, an intake for EM supervision must be conducted. The intake must include the following steps:
- a. Eligibility Review: The assigned staff member must determine the offender is eligible, as set forth in section 2.
 - b. Agreement Forms: Staff who place EM equipment on an offender shall ensure that all agreements are explained and understood by the offender before obtaining a signature on any associated forms. Agreement forms shall be kept in an EM file for reference by field staff during the EM supervision. Once an offender is removed from EM supervision, his/her associated EM file shall be purged and any associated forms and documentation shall be placed in the offender's central file.
8. Review of EM
- a. EM compliance shall be reviewed daily unless staff is unavailable. If EM compliance is not reviewed daily, it must be reviewed the next day staff are available, but no longer than 72 hours later.
 - b. At least once every 30 days, the assigned staff person shall physically inspect the EM device and strap for evidence of tampering and proper fit.
9. Response to EM Alerts
- a. EM devices may generate alerts because of offender actions and/or equipment failures. When these occur, the EM vendor notifies DOC by issuing an alert notification. Staff shall contact offenders as soon as reasonably possible when an alert is received.

- b. Each site shall establish a protocol for the review and response of EM issues and alerts. When possible, the assigned PO should evaluate an offender's behavior/compliance on the EM program. The PO shall be trained and responsible for the following actions:
- i. Monitoring GPS tracking and offender compliance with established schedules, curfews, and exclusion zones.
 - ii. Review and document alert notifications requiring staff follow-up in the Offender Management System. Alerts requiring staff follow-up include:
 - (a) Consumption of alcohol.
 - (b) Equipment tampering.
 - (c) Equipment failures.
 - (d) Other offender compliance issues as necessary.
 - iii. Responding directly to offenders in a reasonable timeframe for non-critical violations, including but not limited to:
 - (a) Resolved out of place GPS alerts.
 - (b) Consumption of alcohol.
 - (c) Miscellaneous equipment alerts, such as charging violations or periodic signal loss.
 - iv. All alerts indicating offender non-compliance shall require an incident report to be completed in the Offender Management System.
 - v. Staff questions or concerns about the functionality of EM equipment shall be reported to the District Manager, or designee, and the EM Program Manager, or designee.

10. Information obtained through EM shall only be released with a court order, or by District Manager, or designee approval.

TRAINING

The Director of Field Services shall review this directive with District Managers.

District Managers shall ensure that staff complete training and understand their responsibilities prior to supervising offenders using EM technology.

QUALITY ASSURANCE

It is the District Manager's responsibility to monitor compliance with this directive. Compliance shall be noted in staff performance evaluations.

The Director of Field Services, or designee, shall work with the Quality Assurance Unit to identify performance and outcome measures for the EM program.