

	<i>Windham County Sheriff's Office</i> Electronic Monitoring Program of Windham County	Procedure Number	EMP-01
		Effective Date	08/26/14
	<u>Title:</u> PRE-TRIAL DETENTION: Participant Placement Process	Revision Date	01/25/16
		Page 1 of 2	

Policy

It is the policy of the Electronic Monitoring Program of Windham County to establish and implement guidelines for program staff and criminal justice officials to select eligible participants into the Electronic Monitoring Program as a component of pre-trial detention.

Procedure

1. Participants will be selected as authorized under State of Vermont Statutes Title 13 V.S.A. §7554b and Title 13 V.S.A §7554c.
2. A review of pending court arraignments may be conducted each day that the court is in session by the Electronic Monitoring Program staff.
3. Any individual presenting a potential conflict of interest with a staff member of the Electronic Monitoring Program will be transferred to the closest county jurisdiction in which a conflict does not occur.
4. A pre-eligibility assessment of individuals identified for court appearances may be conducted through criminal record checks, affidavits, criminal charges, and other available documentation of the pending case to assist in determining potential ability to meet criteria of the program prior to arraignment.
5. During arraignment, the judge may assign conditions of release which include the ability for assignment into the Electronic Monitoring Program if approved without the need for a further court proceedings. Assignment of the Electronic Monitoring Program condition of release does not guarantee acceptance into the program.
6. Possible conditions of release wording are as follows:
 - a. At such time as Defendant is approved for participation in the Windham County Sheriff's Department electronic monitoring program, bail shall be suspended for such time as Defendant is compliant with all program requirements as determined in the sole discretion of the Sheriff.
 - b. As Participant of the Electronic Monitor Program of Windham County you are required to abide by the rules and conditions of the Electronic Monitoring

Program to include but not limited to adhering to inclusion zones, exclusion zones, schedules, time restrictions, home visits (announced and unannounced) care and charging of the electronic device(s). Failure to comply with any of these conditions may result in a violation being filed with the Court and removal from the Electronic

7. The Electronic Monitoring Program staff or defendant's attorney will provide the potential participant with initial information regarding the Electronic Monitoring Program of Windham County.
8. The potential participant will decide if he/she wants to move forward with the program application process.
9. If the potential participant decides to move forward, an application packet will be provided.
10. The potential participant will need to complete and return the application packet to the Electronic Monitoring Program Office within 3 business days.
11. After review of the application packet and supporting documentation, acceptance or denial into the Electronic Monitoring Program of Windham County will be determined by Electronic Monitoring Program staff, with final approval obtained by the Sheriff.
12. The Electronic Monitoring Coordinator will notify the State's Attorney, defense counsel, court personnel, and sheriff with the results of the application process.
13. If approved, the applicant will be transported to the court for placement of the monitoring device.
14. Applicants who were denied have three (3) business days to file an appeal with the Windham County Sheriff.
15. The Windham County Sheriff, or designee, will make the final decision to appeals within five (5) business days of receipt of appeal.