

Sixth District Department of Correctional Services POLICY	Issue Date 02/01/93	Effective Date 09/10/18	Policy Number 600-18
Subject: <b>ELECTRONIC MONITORING SYSTEM (EMS), SCRAM AND GLOBAL POSITIONING SATELLITE SYSTEM (GPS) PROGRAM DESCRIPTION AND REQUIREMENTS</b>		Review Month March	Author 0102/0590 (JAL/MLA)
Rescinds 600-17	References: Iowa Code Chapter 692A.124 6JDDCS Policy 918 SOP Electronic Monitoring		

**PURPOSE:**

The Electronic Monitoring System (EMS) and Global Positioning Satellite System (GPS) is designed to verify the location and restrict the movement, of offenders identified as being high-risk and/or in need of an intermediate sanction to support the implementation of increased control, within the Continuum of Sanctions.

Additionally, those sex offenders who are required to comply with Iowa Code Chapter 692A.124 may be required to be monitored by EMS based upon a validated risk assessment, the sex offender's criminal history, progress in treatment and supervision, and other relevant factors.

**DEFINITION:**

1. Electronic Monitoring System (EMS) – A term used collectively for technology that determines the location of offenders who have restricted movement while being supervised in his/her respective community. These systems encompass the following technologies:
  - A. Global Position System (GPS) – A method of utilizing a collection of satellites and receivers to determined horizontal and vertical positions of locations on earth. It also allows for "mapping" of movement, speed and direction.
  - B. Secure Continuous Remote Monitoring (SCRAM) - A hand-held, wireless, portable breath alcohol device with automated facial recognition, and GPS.
  - C. Radio Frequency System (RF) – A system of utilizing an ankle bracelet (a wireless transmitter) that communicates by a coded signal to a receiver located in an offender's home. The receiver is connected to the offender's telephone and standard electrical system. This system records and monitors the offender's "house arrest" or curfew requirements and reports accordingly.
  - D. Alcohol Testing System (MEMS VB) - A system that utilizes an Electro-Chemical Breath Alcohol Tester (BAT) and visual identification to conduct remote testing of alcohol level. The device communicates via a standard telephone line (Landline).

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**POLICY:**

The selection of EMS/GPS program offenders and all decisions related to equipment use is made by Judicial District Department of Correctional Services personnel with supervisory approval. The system is reviewed at a minimum every three (3) months to assure appropriate need and continued use.

1. DCS staff encourage offenders to provide care and caution in use of the EMS/GPS equipment and promptly report any loss or damage to the appropriate Supervisor. Judicial Districts ensure any required EMS/GPS reports are prepared and submitted, in a timely fashion, to the Department of Corrections. Judicial Districts may also designate one or more staff to act as a District Coordinator for inventory control.
2. All offenders participating in EMS/GPS Program sign a contract (Form 600-B, 600-C) indicating acceptance and compliance with the program requirements.

**PROCEDURE:**

1. Selection of Offenders for EMS/GPS:
  - A. Selection of offenders for the EMS/GPS Program is initiated through Judicial District staff and their Supervisor(s). Judicial Districts develop EMS/GPS Contracts and Rules which require offender signatures.
  - B. All offenders on supervision for a current sex offense who fall under Iowa Code Chapter 692A.124 are placed on GPS immediately after assignment to supervision. This level may be changed based on risk assessment and criteria noted in SOP Electronic Monitoring policy (918).
2. Priority for Selection of GPS for EMS Offenders Not Subject to Mandatory Provisions, see EMS Referral form (600A):
  - A. Offenders assessed or determined to be high-risk; high-risk offenders are forcible felons, sexual offenders, habitual offenders, physical assaulters or offenders who have used or displayed a weapon during an offense as well as chronic substance abusers and mental health clients.
  - B. An intermediate sanction, and/or, in lieu of revocation for program/supervision violations.
  - C. The following list identifies higher risk offenders who may be placed on GPS:
    - 1.) Offenders convicted of sexual assault resulting in victim injury (i.e.: pedophiles, random acts of sexual assaults on non-family members, etc.).
    - 2.) Offenders convicted of crimes against persons where the victim(s) was physically injured.

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**PROCEDURE:** (continued)

- 3.) Other offenders who have been identified as having potentially violent tendencies or other sexual offenders (adult and/or child victims).
3. Implementation of EMS/GPS/SCRAM Systems:
- A. Following the decision to place an offender in the EMS program, the officer notifies the offender and arrange for a time for the offender to sign an EMS/GPS Equipment Return Acknowledgement (600B). Those offenders specifically on GPS also sign the GPS Rules Contract (600C) and offenders on SCRAM complete and sign the SCRAM Remote Breath Program Participant Agreement (600E). The offender proceeds to be fitted with a bracelet and have the EMS/GPS equipment installed in the offender's home.
  - B. When the offender signs the contracts the officer is satisfied the offender understands all conditions of the contract before witnessing and dating the offender's signature on it. Further more, the offender is advised to provide care and caution in the use of the equipment and to promptly report any loss or damage, which is then conveyed to the supervisory Agent/Supervisor. The offender is given a copy of the contract, another is retained in the file and a third is retained by the EMS/GPS Supervisor/designee.
  - C. Officer responsibilities for placing an offender on the Electronic Monitoring or GPS System.
    - 1.) Follow all manual instructions for the installation/activation of EMS/GPS.
    - 2.) A record is made of equipment identification numbers.
    - 3.) Report any broken or inoperable equipment immediately to the EMS Supervisor(s) or Designee. If the offender has purposefully or through gross negligence damaged the equipment, contact the office of the appropriate County Attorney to discuss whether or not to file criminal charges.
      - a. The offender is assessed a fee through the offender collection system for any damaged or unreturned equipment.
  - D. Officer responsibilities at offender program exit.
    - 1.) Retrieve all EMS/GPS equipment within twenty-four (24) hours of exit date, or have offender return it. If exit occurs during the weekend, retrieve during the next working date. If the offender absconds or is incarcerated, the supervising Agent makes a concerted effort to locate the unit through communicating with the offender, offenders' family, etc. and returns the unit into inventory.
    - 2.) Complete lower section of the EMS/GPS Contract thus giving the offender a receipt for the equipment, thereby absolving the offender of further liability for it, unless damage has occurred.

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**PROCEDURE:** (continued)

- 3.) Return equipment to the EMS/GPS Supervisor or Designee who arranges removal of the offender from the EMS/GPS System.
4. GPS Offender Monitoring/Review:
  - A. A Central Command Center (CCC) has been established in the Fifth Judicial District Department of Judicial Services in Des Moines, Iowa. The CCC monitors all offenders on electronic monitoring. Violations come through the CCC who responds to and addresses all violations in a timely manner. When unable to satisfactorily address a violation they alert the supervising Judicial District for appropriate follow-up. The Judicial District determines policy for response to violations which are reported. Refer to 6<sup>th</sup> DCS GPS Protocol and Procedures Guide (600D).
  - B. Violations that result in an "On Call Alert" being sent to the first point of contact in the Judicial District (6<sup>th</sup> DCS Lary A. Nelson Center [LANC]) are violations that CCC staff must know have been addressed and/or resolved within twenty-four (24) hours by the supervising Judicial District. Other violations addressed by CCC operators which did not result in an on call alert need to be addressed and/or resolved in a timely manner.
  - C. Sex offender staff routinely reviews the GPS mapping for each offender to check patterns and/or possible areas of concern.
  - D. Monitoring calls are limited to no more than six (6) within a twenty-four (24) hour period, which does not exceed three (3) months unless there are court ordered or public safety concerns mandating additional calls.
  - E. In making decisions on the length of use, frequency of calls, times of day and the time period of calls, the team or Supervisor takes into consideration: the daily schedule of the offender, cost efficiency, the need to avoid undue intrusion into the life of the family of the offender.
5. EMS/GPS/SCRAM Offender Violations:
  - A. Upon having the knowledge of any EMS/GPS/SCRAM compliance problems, officers respond within one (1) working day. The officer documents any reason(s) why a response within one (1) working day was not possible. The officer makes every reasonable effort to contact the offender, in order to determine the compliance problem. If the offender reports an equipment problem, the officer investigates and seeks to remedy the situation.
  - B. GPS Violations - GPS violations as established and noted in the GPS Protocol Guide are reported to the Central Command Center (CCC) via an e-mail alert notice.
    - 1.) Violations are either hardware violations or geographic violations. A hardware violation implies a tamper or problem with the equipment. These are preset and can not be added to or deleted but you can control the action to be taken for each violation, the grace period and whether or not the offender is notified of the violation. Geographic violations are created by the field officer who supervises the case(s). These include a hot zone such as exclusion zone or inclusion zone or curfew.

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**PROCEDURE:** (continued)

- 2.) The CCC maintains a Protocol Guide noting action to take for several standard violations. Follow up with the offender; the Judicial District supervising the offender or both occurs depending upon the nature of the violation. The Judicial District is notified in the case of a Level I violation (see Form 600D). Other violations may require Judicial District notification as determined by the CCC. The Judicial District determines policy for response to violations which are reported.
  - 3.) The Judicial District provides to the CCC necessary information about the offenders in their District who are supervised by real-time GPS monitoring. The Judicial District provides to the CCC the name(s) and phone number(s) of the first point(s) of contact from the CCC to the District (6<sup>th</sup> DCS LANC).
- C. The Judicial District provides twenty-four (24) hour response to violations of GPS identified as an "On Call Alert".
- 1.) On duty staff attempts to contact the offender when a violation is reported in order to find out the extent of the violation.
  - 2.) On duty staff contacts a Supervisor when needed to report the violation and get instructions on how to proceed.
  - 3.) LANC staff are the first point of contact for an On Call Alert from the CCC operators. LANC staff follows the 6<sup>th</sup> DCS GPS Protocol and Procedures Guide (600D).
- D. The supervising Judicial District provides Violation Reports/Notification to the sentencing entity (Board of Parole or Courts) upon notice of violations, as appropriate.
- E. Any compliance problems or change in EMS status is to be reported to a Supervisor.
6. GPS/SCRAM/MEMS Inventory:
- Inventory is accurately and consistently tracked by the Judicial District. Judicial Districts EMS/GPS Supervisor(s) or Designee develops procedures which include:
- A. Inventory Tracking
  - B. Equipment Return Procedures
  - C. Damaged/Improperly Functioning Equipment
  - D. Used Equipment
  - E. Ordering New Equipment

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**PROCEDURE:** (continued)

- F. Exchanging for Newer Versions
- G. Unassigned Equipment
- H. Lost or Destroyed Equipment
- I. Deliberate destruction/loss of equipment by the offender

7. Continuing EM System Application and Review:

All decisions related to equipment use are to be made by Judicial District staff and their designated Supervisor(s). The use of the system is reviewed and approved on a quarterly basis by the supervising officer. Judicial District EMS and/or EMS Designee responsibilities include:

- A. Ensure any required EMS reports are prepared and submitted in a timely fashion.
- B. Serve as a liaison between the District and the statewide EMS program.
- C. Maintain equipment inventory list complete with all information pertinent to offender entry and exit from EMS.
- D. Maintain an offender waiting list and review as needed.
- E. Contact the EMS Computer Control staff electronically or by telephone to coordinate entry of each offender, arrange for the frequency and timing of the calls, any changes and updates, and final removal of the offender from the program.
- F. For GPS, enter all offender information in required fields and follow procedures as outlined in the manual for contact with Control Staff and Central Command Center.
- G. Arrange to obtain the computer printout records of calls/completions. Review the records and disperse to other staff.
- H. Coordinate and be responsible for the shipping and receiving of all electronic equipment and accessories.
- I. Provide District staff with technical assistance concerning EMS questions and issues.

8. Placement of EM Information on Iowa Corrections Offender Network (ICON):

- A. Electronic monitoring information is entered into ICON as follows:
  - 1.) A "Specialty" is added to ICON, off the Supervision Status record. When the electronic monitoring device is removed from the offender, an appropriate Reason for Change is entered on the Specialty record.

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**PROCEDURE:** (continued)

- 2.) If an offender moves from one form of electronic monitoring system to another: GPS/SCRAM/MEMS, the "Specialty" is closed and a new "Specialty" added to reflect that movement.

9. Federal GPS Protocol and Procedures Guide:

A. On call Alert Notification Procedures for LANC RO's, for Federal residents at the GRHC:

- 1.) Contact GRHC RO's to confine Federal resident to facility;
- 2.) Contact Supervising Agent if available;
- 3.) Contact Alternate Federal Supervising Agent if Supervising Agent is not available;
- 4.) Contact On-Call Residential Supervisor if neither Supervising Agent is available.

The same procedures apply whether event occurs during business or non-business hours.

BY ORDER OF:

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Bruce Vander Sanden, District Director