

LCA ELECTRONIC MONITORING PROGRAM

CLIENT HANDBOOK

GENERAL INFORMATION

Leaders in Community Alternatives, Inc. (LCA's) Electronic Monitoring Program (EMP) is a sentencing alternative available to eligible clients in lieu of incarceration or as a condition of probation or parole. It is an excellent opportunity for eligible clients to complete their legal obligations while remaining employed and at home with their families. Your movement in the community will be restricted except for necessary programming and basic sustenance. It is expected that, barring unusual circumstances, the EMP participants will exhibit a stable and productive community life.

By allowing an individual to remain in (or re-enter) the community as a productive citizen, he/she can continue to contribute to the welfare of his/her family and society as a whole, as well as receive any needed treatment. It should be noted that EMP is most appropriate for those individuals not in need of the traditional services provided by a residential program, such as job placement assistance or counseling.

Since clients are ordered to EMP as a condition of pretrial status, probation, parole or **in lieu of incarceration**, there are many restrictions that would not normally be associated with straight probation; and there is no tolerance for manipulation or failure to comply with program regulations. Those who fail to adhere to the conditions of the EMP will face termination from the program and possible revocation and incarceration. It is fully expected that those clients who are chosen to participate will be serious and complete their program without problems.

The EMP utilizes an electronic transmitter attached to the client's ankle. The transmitter emits a radio frequency signal, which is received by a field-monitoring unit connected to the phone line in the client's home. The computer will provide a continuous printout of when the person enters and exits the home, using the phone line to communicate this information to LCA's main computer. In addition, the computer calls the person intermittently for further verification and accountability. The computer will recognize and report tampering with the equipment, power outages, and loss of phone service.

While on EMP, clients may be scheduled out of their home for work, counseling, drug or alcohol treatment, and additional necessary activities if approved by the legal authority, usually the Court, Sheriff or Probation. **Prior approval must be received for all activities.**

EMP clients are responsible for paying the cost of the program. Supervision fees are an average of \$20.00 - \$25.00 per day, but may be increased depending on any special court/probation conditions, type of equipment that is utilized, and income. There is a \$150 enrollment fee. The first 30 days of this fee must be paid in advance. If 30 days pre-payment is not feasible, the first two weeks may be paid in advance. Thereafter, clients are required to make payments consistent with their agreed-upon payment schedule. Payments must be made by money order, cashier's check, Visa, or Master Card. Any violation of this program requirement will result in program sanctions up to termination from the EMP.

Additional conditions of EMP include random visits by EMP staff to the defendant's home, work, and/or treatment locations, minimally ***monthly meetings with an assigned case manager at LCA's offices*** and any other program conditions required by the Court, or EMP.

It is important that each client discuss the EMP rules with family members or others who may be living in the home. While it is only the client who wears the electronic transmitter, the field-monitoring device (except for the cellular monitoring unit discussed later) is attached to the household telephone and will interrupt their ability to use the phone for short periods.

LOCATION

The Electronic Monitoring Program is headquartered at 594 Howard Street, at Second Street Suite 300 on the third floor, in San Francisco. It is two blocks south of Market Street, the main thoroughfare in the city, and the Montgomery Street BART station. It is also two blocks from the Transbay Terminal at First and Mission Streets. Many bus routes and Bay Area Rapid Transit stations are within easy walking distance of the building. LCA staff can be reached directly at (415) 546-0603. (We also have offices in San Jose, Santa Cruz and Riverside.)

EMPLOYMENT

It is expected that EMP participants will have full time employment and it is the responsibility of the participant to notify his/her employer of their status in the electronic monitoring program. All paycheck stubs must be submitted for verification of employment. Fulltime care for children or family members may substitute for out of the home employment and the employment criteria may be waived due to medical conditions. LCA approves up to 50 work hours per week. Additional work hours over 50 hours per week must be approved by the sentencing Court or other official.

PROGRAM SCHEDULES

Prior to beginning the EMP, an orientation will be held to determine an individual's weekly schedule. It is essential that individual program schedules be as consistent as possible and remain consistent throughout the length of time in EMP. Participants have a responsibility to plan and organize their activities ahead of time. Multiple schedule changes and urgent last minute requests will not be approved and **ALL ACTIVITIES MUST RECEIVE PRIOR APPROVAL.**

While on the EMP, participants will be granted 2 1/2 hours of errand time to attend to personal needs. All personal business must be taken care of during this time. No additional time will be

granted. This time must be taken by 9:00 p.m. After 30 days incident free, the errand time increases to 4 hours per week. In addition, all participants receive 6 hours free holiday time off on the following holidays: Thanksgiving Day, Christmas Eve or Christmas Day or Hanukkah. Additionally, clients on the EMP for 6 months or longer, who have complied with their program plan, will receive an extra 6 hours on a "floating" holiday to be worked out with the assigned case manager. A curfew past 9:00 pm, for work hours or errand time, must be approved by the sentencing Court or other official.

In the event of a genuine emergency, such as in a medical or safety emergency, participants may have to deviate from their approved schedule, without permission. In such a case, participants must contact the LCA staff as soon as possible and plan to provide written documentation verifying the emergency. Lack of verification will be a program violation and could result in removal from the program. **It should be emphasized that leaving a message does not excuse participants from adhering to their approved schedule in situations that are not genuine emergencies.**

SUPERVISION FEE

As previously mentioned, program participants are responsible for the payment of their EMP. All payments must be made in the form of a money order, cashiers check, Visa, or Master Card made payable to Leaders in Community Alternatives, Inc. **NO PERSONAL CHECKS OR CASH ARE ACCEPTED.** Failure to adhere to this program requirement may result in termination from the EMP.

If you request to be removed from the program, you will receive a refund of pre-paid services minus a \$25.00 processing fee. If you are removed from the program for any reason other than a court or county modification, or medical or personal emergency, you will not receive a refund. **IF YOU ARE REMANDED TO JAIL YOU WILL NOT RECEIVE A REFUND.**

EQUIPMENT

The electronic monitoring equipment consists of a field-monitoring device or modem installed in each participant's home and an electronic transmitter, which is secured around the ankle with a strap and special clamps. Do not, for any reason, unplug or relocate the monitor unit. If the monitor unit is unplugged or relocated in the home, it will be considered a violation and may result in your removal from the EMP. Attaching the transmitter to the wrist and/or around the waist is not permitted under any circumstances. The transmitter is completely waterproof and must be worn at all times.

Removing the transmitter from your ankle is a violation, which may result in termination from EMP and possible revocation and incarceration. Individuals will be held responsible for any damages to the EMP equipment.

Each individual is also responsible for inspecting the strap and transmitter on a daily basis for signs of wear or damage. In the event of damage to the strap or transmitter, clients must call EMP immediately. A broken strap and/or damaged transmitter will result in severe sanctions and possible termination from the EMP.

The electronic monitoring equipment itself is very costly; it is each individual's responsibility to ensure this equipment is not tampered with or damaged by anyone in his or her household. Loss of, or willful damage to, the equipment is a possible felony and punishable by fine and/or imprisonment. LCA offers several different types of equipment. Your supervising authority may, in some instances, make the choice for you.

Regular RF unit: This type of home detention unit uses your home telephone landline for transmission of information to the monitoring center. See the additional information under "Phone Service."

Cellular unit: Works like a regular home detention unit, but operates on a cellular system, so there is no need have a home telephone or remove phone features. You must be able to get clear cell phone reception in your home and have an A/C power outlet.

Global Positioning Satellite (GPS) Omnilink Unit: This unit tracks your whereabouts at all times. The unit must be recharged for three hours or until fully charged each day during your curfew period. Permissible inclusion zones and exclusion zones are also set into the Omnilink program, which will match your work/travel schedule and permitted travel zones and locations.

SCRAM (Secure Continuous Remote Alcohol Monitor): If you are required to be on the SCRAM alcohol monitoring system, you will wear the alcohol monitor on your ankle and install a modem in your home, using a regular land-line. A/C power is also required. Drinking episodes and any attempts to tamper with or defeat the device are recorded by the unit and sent over the modem during a scheduled download time. Clients on SCRAM are not generally also on home detention, but may do so if required by the Court.

*** If you are assigned a device that requires charging, not adhering to the charging schedule will be considered a violation.**

PHONE SERVICE

In order to begin the EMP using the regular RF unit, a non-mobile, non-cellular telephone with a standard RJ11 jack is necessary in addition to an A/C power outlet. Answering machines, cordless phones, faxes, or modems may not be installed on the line used for monitoring. Also call forwarding, call waiting, star 69, and voice mail features are prohibited while on the EMP. All participants are required to submit their monthly phone bill to the EMP to verify these features

are not part of their phone service.

All program participants must respond to all phone calls generated from the LCA staff and monitoring center, when home, regardless of the time of day or night.

FAILURE TO MAINTAIN PHONE SERVICE AND/OR ELECTRICITY AND/OR FAILURE TO RESPOND TO TELEPHONE CALLS ARE SERIOUS VIOLATIONS AND MAY RESULT IN REMOVAL FROM THE EMP.

DRIVING PRIVILEGES

While on EMP, use of private vehicles must first be authorized by the County Probation Officer, Sheriff or Court and LCA under the following conditions:

1. The client must submit a valid California driver's license with the proper classification.
2. The client must submit proof of a valid, up-to-date insurance policy and vehicle registration.
3. If the client does not personally own the car the owner of the vehicle must sign a written letter of authorization documenting the client has permission to drive the vehicle.

No client is authorized to drive any motor vehicle without proper approval, and violation of this policy will result in disciplinary action.

VISITORS

Clients on EMP may have visitors in their home. Consistent with probation and parole conditions, socializing with anyone currently under court, probation or parole supervision is prohibited.

TRAVEL

Travel is generally not permitted while on EMP. Any exceptions for emergency purposes will require approval by appropriate authorities. Travel for business purposes must be approved by the proper authorities; and a travel itinerary must be submitted to LCA at least one week prior to the anticipated travel. Typically any days away on travel will be added to the original sentence, however it is up to the Court to decide whether credit for time will be given while away on approved travel. If no credit is given, the day of departure and the day of return will count against your time depending on the circumstances, and the Court, clients may be required to pay for the

days that they are traveling.

Clients on the SCRAM alcohol-monitoring unit and not also on home detention may have travel privileges, however, prior approval is required.

MEDICAL CARE

Clients on the EMP are responsible for their own medical and dental care. Any medical care received must be verified and documented. In addition, all prescribed medications must be recorded in each client's file. It is the client's responsibility to bring to the attention of staff all medications prescribed to them.

SUBSTANCE ABUSE TESTING

EMP participants are **prohibited from consuming any alcohol and any non-prescribed medication** while on the program. All LCA staff has been trained to administer breathalyzers, as well as in methods of collecting urine samples for drug testing and are authorized to do this testing. Staff members may request a test from any client at any time. If a client refuses to give either a urine sample or breath test, disciplinary action will be taken. Clients will be required to pay a \$15.00 fee for any drug testing.

Results from both the urinalysis and breath tests will be used for disciplinary action when necessary. Violations concerning drug or alcohol abuse will result in severe sanctions, including possible termination from the EMP.

VIOLATION PROCEDURES

LCA is required to document any program violations to the supervising legal authority. You will be responsible for complying with all program policies as outlined on the Electronic Monitoring Program Policies form. Any deviation from these policies will be investigated and written up in a violation report that will be submitted to the supervising legal authority. Client statements about the incident will be included in any violation report.

CLIENT GRIEVANCE PROCEDURE

If a client feels that he/she has been treated unfairly by staff or has received an unfair sanction, an appeal may be made to the Program Director. This grievance must be submitted in writing within 24 hours of the incident. If no solution is reached at this level, the client can appeal to the President/CEO.

RELEASE PROCEDURES

On the release date from the EMP, the client is required to bring the electronic monitoring equipment to our San Francisco location. At this time, the client will be issued necessary release paperwork. If a client brings the equipment late, he or she will be charged the daily fee for each day the client is late returning the equipment.

IT IS IMPERATIVE THAT THE ELECTRONIC TRANSMITTER REMAINS ATTACHED TO THE CLIENT'S ANKLE UNTIL IT IS REMOVED BY LCA STAFF.