



## Legislation Details (With Text)

**File #:** 10-0503      **Version:** 1

**Type:** Agenda Item      **Status:** Consent Calendar

**File created:** 5/11/2010      **In control:** Board of Supervisors

**On agenda:** 6/8/2010      **Final action:** 6/8/2010

**Title:** Probation Department is requesting the Board complete the annual review of the developed rules, regulations, and administrative policy of the Electronic Monitoring Program as defined by Sections 1203.016 and 1203.017 of the Penal Code.

**FUNDING:** None. This item is advisory only.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 10-0503.A.pdf, 2. 10-0503 B.pdf

Date	Ver.	Action By	Action	Result
6/8/2010	1	Board of Supervisors	No Formal Action	

Probation Department is requesting the Board complete the annual review of the developed rules, regulations, and administrative policy of the Electronic Monitoring Program as defined by Sections 1203.016 and 1203.017 of the Penal Code.

**FUNDING:** None. This item is advisory only.

**Fiscal Impact/Change to Net County Cost:** No fiscal impact or change to Net County Cost.

**Background:**

Sections 1203.016 and 1203.017 Penal Code (PC) state it is the intent of the legislature that the home detention program (EMP) shall maintain the highest public confidence, credibility, and public safety. The Probation Department, on behalf of the Board of Supervisors, and in partnership with the Superior Court and Sheriff's Department, meet this intent by providing professional EMP services pursuant to the attached mission and goals.

**Reason for Recommendation:**

The above cited Penal Code requires that the rules and regulations and administrative policy of the Adult Electronic Monitoring Program shall be written and reviewed on an annual basis by the County Board of Supervisors and the Chief Probation Officer, as the Correctional Administrator for the program.

This year's EMP program update included a policy change eliminating conduct sentencing credits (4019 PC) pursuant to a Court of Appeal, Third District, California ruling (People v Silva 114 Cal. App. 4th 122, 7 Cal. Rptr 3rd 473; 2003).

**Action to be taken following Board approval:**

Approve annual review of Adult Electronic Monitoring Program Rules and Regulations.

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