



Legislation Text

File #: 06-1219, **Version:** 1

Probation Department recommending Resolution authorizing said Department's Adult Electronic Monitoring Program (EMP) as an approved home detention program per 1203.016 Penal Code (PC); appointing the Chief Probation Officer to serve as the Correctional Administrator of the Adult EMP; and authorizing said Department to collect a non-refundable application fee of \$25 and an EMP supervision fee of \$10 per day.

RECOMMENDED ACTION: Adopt Resolution **251-2006**.

FUNDING: General Fund.

Background:

Section 1203.016(j) PC lists 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, will meet this intent by providing professional EMP services pursuant to the attached mission and goals.

Section 1203.016(d)(1) PC 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.

Section 1203.16(g) PC authorizes the Board of Supervisors to prescribe an Adult EMP services program administrative fee, subject to the participant's ability to pay. Pursuant to sections 1203.016 PC, 1210.15 PC, 1203.1 (b) PC and 1208.2 PC, the Probation Department will collect the EMP supervision fee after each defendant has first satisfied all other outstanding restitution orders, base fines, state and local penalties, and restitution fines.

Section 1210.7 PC authorizes the Chief Probation Officer to utilize continuous electronic monitoring to electronically monitor the whereabouts of persons on probation under specified conditions included in the law. Further, section 1203.016 PC provides authority to the County Board of Supervisors to designate a Correctional Administrator (which may be the Chief Probation Officer) who may offer a program under which "minimum security inmates" and "low risk offenders" committed to county jail may "voluntarily" participate in a home detention program during their sentence in lieu of confinement in the county jail.

Reason for Recommendation:

On June 27, 2006 the Board of Supervisors approved the transfer of the Adult Electronic Monitoring Program from the Sheriff's budget to Probation's budget through the adoption of the 06/07 FY Budget.

The Probation Department will operate the Adult EMP to enhance community safety by providing a supervised alternative to incarceration for adult inmates under the supervision of the Superior Court. This alternative to incarceration will assist the Sheriff's Department in safely managing the jail inmate populations and overcrowding issues in the jail facilities county-wide. The Adult EMP program emphasizes public safety while relieving jail overcrowding and costs associated with inmate housing and medical needs, while achieving accountability, rehabilitation and victim support by providing qualified offenders the opportunity to be contributing community members as they complete Court sentences within our community.

The program is voluntary, involving offenders assessed to be both legally eligible and suitable pursuant to the provisions of section 1203.016 PC, with community safety being paramount. Community safety, rehabilitation, jail population management and victim support and restitution collection are primary goals of the Adult EMP program.

The Chief Probation Officer, as the EMP program Correctional Administrator, has the sole responsibility and authority regarding the acceptance of sentenced offenders admitted to the program.

Staffing of the Adult EMP program will address needs throughout the County, with three (3) armed Deputy Probation Officers providing EMP assessments and services, two (2) assigned to the West Slope and one (1) assigned to South Lake Tahoe. The three (3) armed officers will assist the Courts and Sheriff's Department by supervising a caseload of up to sixty (60) offenders county-wide. Supervision will be enhanced with the use of electronic monitoring equipment in each case.

To meet the annual review requirement, it shall be the responsibility of the Placerville Office Supervising Deputy Probation Officer assigned to supervise the Adult EMP program, in cooperation with the Adult Unit Supervising Deputy Probation Officer in South Lake Tahoe, to assure annual review of the program as required above, is initiated in May to be accomplished by July 1st each year.

The Probation Department will collect a non-refundable application fee of \$25.00, collected at the time of application, for the Adult EMP and a supervision fee of \$10.00 per day.

For review and reference a copy of the "Electronic Monitoring Program (Adult Services) EMP" containing the rules, regulations and administrative policy of the EMP is included with this Agenda item and Resolution.

Fiscal Impact/Change to Net County Cost:

Funding has been provided in the FY 06/07 budget. No effect on Net County Cost as result of this Board action.

Action to be taken following Board approval:

1) Chairman to sign Resolution. 2) Executed Resolution to be forwarded to Probation for administration of the Adult EMP.

