

 Palm Beach County Sheriff's Office Corrections Operating Procedures		C.O.P.# 926.01	Page 1 of 10
SUBJECT: Work Release and In House Arrest Program			
INDEX AS: Release Preparation and Temporary Release			
ISSUED DATE:	EFFECTIVE DATE:	REVISION DATE:	REFERENCES:
01/04/77	01/04/77	10/07	ACA- 4-ALDF-5B-16, 5B-17 FMJS- 9.05 (D), 9.10 FCAC- 12.02

- I. PURPOSE:** The purpose of this Corrections Operating Procedure is to establish guidelines for the Work Release and In House Arrest Programs.
- II. SCOPE:** This Corrections Operating Procedure applies to all Sheriff's Office personnel assigned to the Department of Corrections.
- III. DISCUSSION:** The Sheriff's Office Department of Corrections operates a Work Release and an In House Arrest Monitoring Program for inmates, regardless of gender, in accordance with Florida Statute 951.24 and the most current resolution of the Palm Beach County Board of County Commissioners. The Work Release program allows county sentenced inmates the privilege to work at paid employment, or to conduct their own lawful business or profession, and return to the detention facility at a specified time.
- The In House Arrest Program allows pre-trial, county sentenced, and DJJ juvenile inmates the privilege of leaving the confines of the detention facility and being placed in their residence, subject to the rules and regulations of the program and stipulations from the court. Inmates who are court ordered into this program may be given the privilege to work in the community and return to their place of residence at a specified time. Pre-trial inmates require court orders for all movement away from their residence with the exception of court appearances, attorney visits, and medical treatment. All inmates have equal access for consideration for the work release and in-house arrest programs, unless deemed to be a potential threat to the safety of themselves, staff, or other inmates, or to the security of the facility.
- There are written operational procedures with written rules of conduct, which outline the screening and selection procedures, and a system in place for evaluation of the program's effectiveness, and the efforts to obtain community cooperation and support. The facility administrator has the authority to approve or disapprove participation in any of these programs.
- IV. DEFINITIONS:**
- A. **IN HOUSE ARREST** - An alternative incarceration system where a participant is restricted to the immediate confines of their home and to other stipulations as determined by the courts and, the PBSO Alternative Custody Unit. Verification of compliance is monitored electronically, using electronic monitors in correlation with telephone lines, global positioning satellite, computers, and physical checks conducted by PBSO staff assigned to the Alternative Custody Unit, as assigned under the Inmate Management Division.
- B. **WORK RELEASE** - A formal program sanctioned by the Sheriff and the Board of County Commissioners whereby an inmate is released into the community to maintain approved and regular employment. Work release inmates are monitored utilizing global positional satellite equipment and physical job checks. The Work Release Program is under the direction of the Standards and Staff Development Division Commander.
- C. **TRANSMITTER** - A battery powered, moisture proof device that emits a signal at regular intervals and is fastened by riveted plastic straps just above the inmate's ankle.

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- D. **MONITOR** - A device that receives a signal from the transmitter and automatically dials the host computer, indicating the time the participant goes beyond or returns within the range of the signal. This unit will also dial the host computer when it's being tampered with, moved, unplugged, or the power source is changed. If the telephone line is cut or disconnected preventing the dialer from calling the host computer, the message will be stored until such time as the lines are reconnected. At that time a delayed message will be sent indicating the actual time of each activity. Portable phones may not be used.
- E. **HOST COMPUTER** - A personal computer (PC) installed at Alternative Custody Unit office. The PC interprets incoming messages based on the stored logic of the program. A violation message flashes on the monitor screen when a "left home" or "returned home" message is received at an unauthorized time. The PC is on line twenty-four (24) hours a day, automatically updating records, based upon messages received.
- F. **PORTABLE TRACKING DEVICE** - Global positioning satellite device that is carried by the In House Arrest participant any time they are away from the residence. This device sends signals to a satellite, which in turn sends signals to computers monitored by Alternative Custody Staff. The Portable Tracking Device (PTD) enables Alternative Custody Unit to monitor participant movements 24 hours a day in real time.
- G. **CHARGING STAND** - Device that the Portable Tracking Device is inserted into when the participant is in their residence. It is mandatory that participants insert the portable tracking device into the charging stand as soon as they arrive at their residence. The portable tracking device is then removed from the charging stand just prior to departure from the residence.
- H. **MINIATURE TRACKING DEVICE**- Global positioning satellite device that is carried by the in house arrest and work release participant any time they are away from their residence or from the Stockade facility. This device sends signals to a satellite, which in turn sends signals to monitored computers.
- I. **BASE STATION**-Device that the miniature tracking device is inserted into when the participant returns to their residence or to the Stockade facility. It is mandatory that participants insert the miniature tracking device into the base station as soon as they arrive at the Stockade or home. It is then removed from the base just prior to their next departure.

PROCEDURES:

- A. Persons admitted to either the In House Arrest or Work Release Program shall either be ordered by the 15th Judicial Circuit or approved by the Palm Beach County Sheriff's Office. Persons approved by the Palm Beach County Sheriff's Office are placed under authority of Standing Orders written by Judges in the 15th Judicial Circuit.
1. All sentenced inmates assigned to the Sheriff's Office, Department of Corrections may participate in either the Work Release or In House Arrest Program, if approved by the sheriff or designee, unless otherwise specified by the sentencing judge or State Attorney. The Sheriff considers individuals with charges identified under paragraph section B of this procedure to be ineligible.
 2. Any Judge from the 15th Judicial Circuit may order a person into either the Work Release or In House Arrest program. Court orders are required for all pre-trial inmates and DJJ juveniles. Court Orders are also required for sentenced person deemed ineligible by the Sheriff.
 3. A judge from the 15th Judicial Circuit may order a person into the In House Arrest Program as a condition of probation. In such situations, the Sheriff's In House Arrest Program only serves as a monitoring agent for the Probation Office, who will be advised of any program violations initially by telephone and followed by a written report.

4. It will be the responsibility of the Unit Supervisor to enforce all rules and regulations, as well as comply with all court orders, the resolution from the Board of County Commissioners #94-152, and Florida Statute 951.24. The supervisor must recommend revisions as necessary, maintain accurate inventories of equipment by asset and serial number, promptly report missing or stolen equipment in writing, maintain program data, report any anomalies, and provide appropriate monthly, quarterly, and annual statistical reports to their respective chain of command.

PBSO employees or their families will not have any business transactions with inmates or their families while they are in the custody or supervision of the Sheriff and for at least one (1) calendar year after termination of their sentence.

- a. Employees will not give anything to, or accept anything from, the participant, family, or friends of the participant.

B. Ineligible participants for Work Release and In House Arrest:

Inmates convicted of any crimes (including accessory, attempt, solicitation, or conspiracy) within the following Florida Statute Chapters are considered a risk to the community and deemed ineligible for participation in these programs.

1. Bombs/Deadly Missiles/Throwing deadly missiles causing bodily harm (F.S.S. 790).
2. Burglary with Assault or Battery (F.S.S. 810.02(2)(a)).
3. Child Abuse/Child Neglect (F.S.S. 827).
4. Homicide/Vehicular Homicide/Murder (F.S.S. 782).
5. Kidnapping/False Imprisonment (F.S.S. 787).
6. Sexual Battery (F.S.S. 794).
7. Battery on LEO/CO (F.S.S. 784).
8. Any history of violation of federal, state, or local work release or in house arrest/community control programs.
9. Arson (F.S.S. 806) one (1) guilty during the past fifteen (15) years.
10. Drug Trafficking (F.S.S. 893.135) one (1) guilty during the past fifteen- (15) years.
11. D.U.I. Manslaughter (F.S.S. 316.193) one (1) guilty during the past fifteen (15) years.
12. Escape (F.S.S. 944.40).
13. Robbery (F.S.S. 812) (1) guilty during the past ten (10) years.
14. D.W.I. / U.B.A. (F.S.S. 316.93) three guilty verdicts within the past ten (10) years.
15. Prostitution (F.S.S. 796) three guilty's within the past five (5) years.
16. Aggravated Battery (F.S.S. 784) one guilty within the past ten (10) years.
17. Domestic Violence (F.S.S. 741.28) one guilty within the past ten (10) years.
18. Stalking (F.S.S. 784) one guilty within the past ten (10) years.
19. Armed Robbery (F.S.S. 812.13).
20. Aggravated Assault (F.S.S. 784.021) one guilty in past five (5) years.
21. An extensive or violent criminal history or facility behavior as determined by the supervisor of the Alternative Custody Unit. Any crime committed while armed with a firearm automatically disqualifies any applicant.
22. Inmates with active detainers for other agencies are ineligible, except when their sentences are running concurrent/consecutive with local sentences and they are authorized for Work Release by the other jurisdiction.
23. Inmates who are known to belong to, or associate with individuals involved with organized crime, subversive groups that advocate violence, or street gangs are ineligible, as determined by PALMS, criminal history or law enforcement intelligence.

C. Placement Process:

P.B.S.O. employees assigned to these programs, shall comply with the following placement requirements:

1. Comply with all court commitments in which a judge from the 15th Judicial Circuit orders Work Release or In House Arrest participation.

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2. The Sheriff's Office shall make a reasonable attempt to notify a victim of the release, escape or status change of an inmate assigned to our custody.
3. For placement of county sentenced inmates that are deemed eligible by definition of section **B**, a written approval from the unit supervisor is required.
4. Conduct a criminal history review of the inmate's booking card charges and check for any open cases and/or holds. Review PALMS, N.C.I.C., F.C.I.C. and the classification file (for facility behavior problems) to determine eligibility.
5. Determine if telephone service is available. Portable or cellular telephones are not permitted.
6. The Sheriff's Office contracted inmate health care provider must medically clear all inmates for work prior to being placed in the Work Release Program.
7. Employer and salary verification:
 - a. The employer must provide written verification of employment and salary. Included with the verification the business name and address, a copy of the business occupational license, rate of pay for the individual, scheduled work days and hours, supervisor's name, telephone, pager, cellular, fax numbers and e-mail address.
 - b. Employment outside of Palm Beach County is prohibited, unless by specific order of the court.
8. Salary verification: Inmates will provide information verifying their salary. Items used for this purpose could include W-2 forms from the previous year, a copy of their income tax that includes earned salary, or pay stubs prior to incarceration. This information must be provided to the Fiscal Specialist for compliance with the Board of County Commissioner's most recent resolution.
9. The subsistence fee will be paid based upon any specific court orders and resolution from the Board of County Commissioners. The fee will be paid weekly in advance, unless otherwise noted by the unit supervisor.
10. A copy of a valid driver's license, vehicle registration, and proof of insurance must be provided from the inmate or person(s) providing the transportation of the inmate on Work Release or In House Arrest.
11. Identify individual's sponsor, such as a spouse, parent, or friend, who will agree to keep the Unit Staff advised of problems or potential problems involving the participant. Obtain contact information for the sponsor such as work phone, pager number, etc.
12. Create a case file for each participant making certain that all documents and the appropriate checklist are completed in their entirety. The following items should be contained in the file, but are not limited to:
 - a. Synopsis.
 - b. Medical clearance form for work release inmates.
 - c. Programs Agreement.
 - d. Booking card/Court records (court orders/commitments)
FCIC/NCIC Criminal History.
 - e. Employment verification letter.
 - f. Program entry fee (copy of money order).
 - g. Employer wage verification.
 - h. Drivers License.
 - i. Vehicle Registration.
 - j. Auto Insurance card.
 - k.** Victim notification (if applicable).
 - l. Gain time notification.
 - m. Administrative order 2.051-5/06.
 - n. Application.
 - o. Monitoring initializing printout/GPS offender report.
 - p. Finance sheet.

- q. Equipment inspection sheet.
 - r. Inmate/residential photographs.
 - s. Computer generated readings/signed by assigned case deputy.
 - t. All correspondence between employers, attorney's, physicians, probation officers, and participates.
 - u. Travel/appointment verification sheets.
13. Submit the inmate's case file to the Unit Supervisor, or designee for approval.
 14. If the person is approved by the P.B.S.O., or court ordered for participation, a personal interview with the inmate will be conducted and the program explained.
 15. All documents contained within the participant's file must have a signature acknowledgement from the participant including the inmate rules and agreement documents.
 16. A copy of program rules and fees must be provided to the inmate.
- D. Program Rules and Regulations;
1. A Deputy will install either an electronic monitoring device to an operational telephone line in the participant's home, or a Global Positioning Charging Stand and Portable Tracking Device. The participant and members of the household must allow the Unit Staff members to enter the residence for the purpose of installing, maintaining, and periodically inspecting the in house arrest equipment, to check on a participant's welfare and presence, monitor compliance with the program rules, and conduct warrant-less searches to ensure the participant is not involved with any illegal activity, or is in possession of any illegal substances.
 2. House Arrest inmates are required to remain within the confines of their residence. They shall be physically within the residence at all times.
 3. All computer-generated reports must be reviewed by the Unit Staff for program violations as well as signed and dated as confirmation of adherence. Each type of violation requires a noted explanation from staff. If the report indicates a bonafide or tamper violation, staff must respond and determine the cause through close visual inspection. Any replaced equipment must be forwarded to the distributor with a copy of the violation report for repairs.
 4. Any time the person being monitored either tampers with or attempts to tamper with the electronic equipment, they shall be taken into custody immediately.
 5. If it is determined the person being monitored was not at his or her scheduled place of work or school while being allowed outside the residence, they shall be taken into custody immediately.
 6. Any person taken into custody shall be held without bond.
 7. The participant and any other members of the household must allow the Unit Staff members entry into the residence at any time, 24 hours a day, for the purpose of ensuring the participant is conforming to all rules and regulations. Deputies may and shall use any reasonable force to enter the residence if entry is denied.
 8. The participant must wear the tamper proof transmitter twenty-four (24) hours a day, seven day per week, during the entire period he/she is in the program.
 9. The participant must bear all costs of installing any special adapters necessary for the installation of the electronic equipment and/or expenses for phone calls incurred to monitor this equipment.
 10. The participant and members of the household must hang up the phone if they hear a clicking sound emitted from the monitor.
 11. In the event of theft, loss, or damage to the monitoring devices, the Unit Deputy will complete a detailed report of the loss including serial numbers of the equipment and replacement value. The participant must reimburse the Palm Beach County Sheriff's Office for the cost of repair or replacement.
 12. Loss of receiving signal or receipt of a tamper signal by the monitoring computer shall constitute Prima Facie evidence of a violation, and the computer printout records may be used in court as proof of these violations.

13. Any interruption of telephone or electric service must be documented and verified with copies placed into the files of those involved. Participants shall be remanded into custody for loss of electrical or telephone service.
14. Participants may not work longer than 12 hours a day, including travel as stipulated by the court order. Inmates may not work more than six days a week without prior authorization of the Unit Supervisor.
 - a. Work schedules will include travel time on a very stringent basis.
 - b. Any changes in the established work schedules must be requested in writing and approved by signature and date prior to inception.
15. Participants cannot leave for work, school, or an appointment earlier than the hours approved. A program representative must approve any change in the work/school schedule. Any approved changes must be provided in writing at least 24 hours before the occurrence. The changes must be updated in the computer system prior to permitting the participant to change their work/school hours. Failure to return to the detention facility or home within the specified time could result in removal from the program and / or escape charges being filed.
16. Without prior authorization of the Unit Supervisor, work is not authorized on holidays (New Year's Eve, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving or Christmas) or other days which the employer does not conduct normal business.
17. Participants must go directly to their place of employment or school and return directly to the detention facility or their approved residence, as applicable. Participants shall not go anywhere else without the specific prior authorization of a program representative except for emergency medical care. (Notification will be made to the program representative as soon as possible who will provide written reports with details of the incident.) Students shall not leave the school campus at any time.
18. Employers are responsible for providing health care for any on the job injury the inmate receives. The facility's contracted health care provider will be provided with copies of all medical reports without delay. Any other illness or injury to any Work Release inmate shall be provided by or coordinated through the Sheriff's inmate health care provider.
19. In House Arrest participants are responsible for providing all costs for their health care.
20. If participants are terminated from their place of employment or resign their position during the hours they are scheduled to work, they shall return immediately to the detention facility or their place of residence and notify a program representative. The Unit Representative will complete written reports and make certain the host computer schedule is changed to "no schedule" before the participants next scheduled workday.
21. Participants cannot change employment, school, or place of residence without the specific and prior approval of a program representative and completion of all documents.
22. Participants cannot leave Palm Beach County while they are in the Work Release or In-House Arrest Program without specific order from the court.
23. Consumption, possession or attempted possession of any alcoholic beverage is strictly prohibited.
24. Possession, attempted possession, or use of any controlled substance, or other drug not prescribed by a physician is prohibited. (FS 893)
25. All participants are subject to periodic unannounced testing for determining use of alcohol and/or drugs.
26. Firearms are prohibited, and shall not be in the residence, or vehicle at the residence, or any vehicle utilized to transport the participant.

27. Participants shall not engage in or have contact with persons engaged in any illegal activity. Participants shall not be in the presence of convicted felons.
28. Work Release inmates shall not keep smoking products, jewelry, or money in excess of \$20.00 in their assigned Work Release locker. The Sheriff's Office will not be responsible for any property placed into these lockers.
29. The employer must sign an agreement stating they will notify a program representative if the participant fails to report for work for any reason, arrives late for work, leaves earlier than the end of normal working hours, or is terminated from employment.
30. Participants will pay a scheduled daily fee to participate in the program unless waived by the courts. The Palm Beach County Board of Commissioners resolution establishes this fee. The participants will be given a receipt for all financial transactions of their account.
 - a. All program participants must be paid, at a minimum, one (1) week in advance.
 - b. A negative balance is not permissible and shall be cause for immediate removal from the program.
31. PBSO will not accept cash payments. Payment will be made either by money order, preapproved business checks or deducted from the inmate's account maintained by the Sheriff's Office. If it becomes necessary to accept money orders in the field, the employee shall issue a receipt to the inmate. The money orders should be surrendered to the Fiscal Specialist on either the date of collection or on the next business day and a receipt issued for those funds.
32. Any inaccuracies with inmate bank accounts will be documented and forwarded directly to the software provider with copies forwarded to the Commander of the respective division.
33. In case of computer failure, the Fiscal Specialist will ensure that manual records and billing systems are properly maintained.
34. The Fiscal Specialist should make daily bank deposits of the collected revenues. The specialist should also conduct a monthly review of the entries posted by the PBSO accounting section to verify that collected revenues are accurately posted to the correct ledger codes.
35. All collected subsistence fees shall be placed in an officially designated secure location.
36. Computer access is limited to authorized personnel with security codes. Employees will not share security codes with other employees.
37. Policies and procedures should be reviewed at least annually or at the request of an employee assigned to the section.
38. Participates attending school shall not leave the school campus at any time. A Court Order is required to participate in any extracurricular, or off campus activities. If a student is suspended, or drops out of school, they shall immediately return to their residence and notify their case deputy.

E. **Written Agreement:**

Participants in the Work Release and In House Arrest Programs shall agree in writing that they:

1. Are participating voluntarily and have not been coerced or threatened in any manner.
2. Shall abide by all rules and regulations of the program and are aware that violation of these rules and regulations:
 - a. Shall cause their immediate removal from the program without notice.
 - b. May be cause for a disciplinary report to be processed.
 - c. May be cause for them to appear before the court for disposition by a Judge.
3. Understand that all monies earned by them while participating on the program and held by the Sheriff's Office are subject to forfeiture in accordance with F.S.S. 951.24. Such monies will be turned over to the general fund of Palm Beach County.
4. A copy of the signed agreement will be provided to the participant.

F. Facility Sign Out and Sign in Procedures:

The Shift Sergeants will assign a deputy to process inmates departing to and returning from their Work Release employment.

1. Prior to departing the Work Release processing area, inmates must show their identification band to the assigned deputy for identity verification. The deputy should confirm the approved date and timeout on the work release roster, and ensure the Work Release Roster is completed accurately.
2. Deputies will also make certain that inmates with any designated "holds" or other restrictions as indicated on the Work Release sign out roster do not leave the secure perimeter of the facility until cleared.
3. Inmates returning from Work Release must show their identification band to the assigned deputy and sign in on the Work Release Roster.
4. The assigned deputy will verify the time and identity of the inmate returning and ensure the Work Release Roster is properly completed.
5. The deputy will immediately report discrepancies or rule violations to the Shift Supervisor and notify the Unit Office during business hours, or the on-call officer as necessary, forwarding written reports by the morning of the next business day.

G. Monitoring Procedures:

Specific caseloads are assigned and do not exceed 30 inmates. The staff member shall make unscheduled job site and or residence/school checks of participants under their charge. These checks will be documented and made at least weekly.

H. Probationers on In-House Arrest

1. Individuals court ordered on In-House Arrest as a condition of probation make contact with the Alternative Custody Unit located at the Sheriff's Office Stockade Detention Facility for the purpose of initiating the In-House Arrest electronic monitoring system. The probationers will not be booked because the In-House Arrest Program, in this situation, is providing a monitoring service to the court and the individual has not been sentenced to jail incarceration.
2. The Clerk of Court will provide a copy of the court disposition commitment advising of the probationary condition for In-House Arrest to the Alternative Custody staff.
3. In the event an individual does not make contact with Alternative Custody staff at the Stockade to implement the In-House monitoring system, designated Alternative Custody staff shall provide written notice to the Probation Office, and sentencing Judge of the individual's failure. It is the responsibility of the Probation Officer, not Sheriff's Office personnel, to seek an arrest capias from the Judge.
4. Alternative Custody personnel shall maintain an up-to-date database of all probationers participating in the In-House Arrest Program. This list will consist of at least the following information;
 - a. Participants full name.
 - b. Date of birth.
 - c. Court case number.
 - d. Judge or Court Division ordering the In-House Arrest Program and probation.
5. Probationers participating in the In-House Program are subject to all rules, regulations, and financial requirements as incarcerated inmates participating in this program.
6. An Alternative Custody Unit staff member will personally check probationers in the In-House Arrest Program at least weekly.
7. If an Alternative Custody Unit staff member determines a probationer has violated In-House Arrest Program rules and regulations, that staff member shall collect the transmitter and monitor. A written report outlining the details of the violations must be prepared on the day of occurrence and forwarded to the assigned Probation Officer and sentencing judge for their action.

I. **Removal from the Program:**

A participant's failure to comply with any rule or regulation of either program, tampering with the transmitter/monitor, or violation of any condition defined in writing or imposed by the courts shall be cause for immediate removal from the program.

1. In the case of an individual sentenced to In House Arrest as a condition of probation, the Probation Officer and sentencing judge will be notified of any violations by written report for their appropriate action.
2. Any individual who violates the In House Arrest or Work Release Program shall be immediately returned to custody, and a report detailing the violation will be forwarded to the individuals judge.

J. **Escape:**

If a participant escapes or fails to return to the detention facility or their residence by the designated time, the Case Deputy or On-call Deputy shall:

1. Make attempts to locate the inmate utilizing known names and phone numbers of the inmate's family and friends.
2. Issue a "BOLO" (Be On the Look Out) for the inmate through the Sheriff's Office Teletype Section for escape (Work release) or "Violation of PBSO In House Arrest." The Alternative Custody Office will also enter a Pick-up order in the PALMS System during business hours, or by the Main Detention Center Booking Tech's after hours.
3. Notify the appropriate Division Supervisor.
4. Collect copies of all reports and submit them to the presiding judge and State Attorney's Office.
5. The State Attorney requires the following documents to file on Work Release or In House Arrest inmates:
 - a. Arrest/Notice to Appear.
 - b. Probable Cause Affidavit.
 - c. Bench Warrant.
 - d. Offense Report Form.
 - e. State Attorney Intake Report.
 - f. Dictated Offense Report.
 - g. Incident Report.
 - h. Work Release Log.
 - i. Work Release Agreement.
 - j. Original Court Stats.
6. If a pre-trial or sentenced individual was ordered by the court into the In House Arrest Program, the Judge who issued the order shall be notified as soon as violation is verified and during normal business hours. The Alternative Custody Supervisor will maintain a record of such notification. The Alternative Custody Unit will prepare a Probable Cause Affidavit and Bench Warrant for the signature of the presiding Judge.
7. If the individual was ordered by the court to participate in the In House Arrest Program as a condition of probation, the Probation Officer and sentencing Judge shall be notified as soon as violation is verified and during normal business hours. The Alternative Custody supervisor will maintain a record of such notification.

L. **Alternative Custody On-Call Duties:**

There will be a deputy sheriff on-call twenty-four (24) hours a day from the Alternative Custody Unit. The on-call deputy will be responsible for the proper response to all activity that takes place after normal business hours for the unit. Deputies assigned to the Alternative Custody Unit, are issued departmental pagers, and are responsible for carrying their issued pager at all times.

1. The on-call deputy will also be responsible for properly reacting to computer-generated pages from the CSI host computer and the GPS system.

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2. The on-call deputy will be responsible for documenting all after hours activity on the log.
3. The on-call deputy will immediately notify the unit supervisor of all unusual activity that takes place after normal business hours.
4. On-call deputies will, when necessary, and at the direction of the Unit Supervisor, physically respond to the location of incidents involving In House Arrest and Work Release inmates.
5. The Unit Supervisor will generate an on-call schedule. The on-call rotation method is at the supervisor's discretion.

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- D. **MONITOR** - A device that receives a signal from the transmitter and automatically dials the host computer, indicating the time the participant goes beyond or returns within the range of the signal. This unit will also dial the host computer when it's being tampered with, moved, unplugged, or the power source is changed. If the telephone line is cut or disconnected preventing the dialer from calling the host computer, the message will be stored until such time as the lines are reconnected. At that time a delayed message will be sent indicating the actual time of each activity. Portable phones may not be used.
- E. **HOST COMPUTER** - A personal computer (PC) installed at Alternative Custody Unit office. The PC interprets incoming messages based on the stored logic of the program. A violation message flashes on the monitor screen when a "left home" or "returned home" message is received at an unauthorized time. The PC is on line twenty-four (24) hours a day, automatically updating records, based upon messages received.
- F. **PORTABLE TRACKING DEVICE** - Global positioning satellite device that is carried by the In House Arrest participant any time they are away from the residence. This device sends signals to a satellite, which in turn sends signals to computers monitored by Alternative Custody Staff. The Portable Tracking Device (PTD) enables Alternative Custody Unit to monitor participant movements 24 hours a day in real time.
- G. **CHARGING STAND** - Device that the Portable Tracking Device is inserted into when the participant is in their residence. It is mandatory that participants insert the portable tracking device into the charging stand as soon as they arrive at their residence. The portable tracking device is then removed from the charging stand just prior to departure from the residence.
- H. **MINIATURE TRACKING DEVICE**- Global positioning satellite device that is carried by the in house arrest and work release participant any time they are away from their residence or from the Stockade facility. This device sends signals to a satellite, which in turn sends signals to monitored computers.
- I. **BASE STATION**-Device that the miniature tracking device is inserted into when the participant returns to their residence or to the Stockade facility. It is mandatory that participants insert the miniature tracking device into the base station as soon as they arrive at the Stockade or home. It is then removed from the base just prior to their next departure.

PROCEDURES:

- A. Persons admitted to either the In House Arrest or Work Release Program shall either be ordered by the 15th Judicial Circuit or approved by the Palm Beach County Sheriff's Office. Persons approved by the Palm Beach County Sheriff's Office are placed under authority of Standing Orders written by Judges in the 15th Judicial Circuit.
1. All sentenced inmates assigned to the Sheriff's Office, Department of Corrections may participate in either the Work Release or In House Arrest Program, if approved by the sheriff or designee, unless otherwise specified by the sentencing judge or State Attorney. The Sheriff considers individuals with charges identified under paragraph section B of this procedure to be ineligible.
 2. Any Judge from the 15th Judicial Circuit may order a person into either the Work Release or In House Arrest program. Court orders are required for all pre-trial inmates and DJJ juveniles. Court Orders are also required for sentenced person deemed ineligible by the Sheriff.
 3. A judge from the 15th Judicial Circuit may order a person into the In House Arrest Program as a condition of probation. In such situations, the Sheriff's In House Arrest Program only serves as a monitoring agent for the Probation Office, who will be advised of any program violations initially by telephone and followed by a written report.

4. It will be the responsibility of the Unit Supervisor to enforce all rules and regulations, as well as comply with all court orders, the resolution from the Board of County Commissioners #94-152, and Florida Statute 951.24. The supervisor must recommend revisions as necessary, maintain accurate inventories of equipment by asset and serial number, promptly report missing or stolen equipment in writing, maintain program data, report any anomalies, and provide appropriate monthly, quarterly, and annual statistical reports to their respective chain of command.

PBSO employees or their families will not have any business transactions with inmates or their families while they are in the custody or supervision of the Sheriff and for at least one (1) calendar year after termination of their sentence.

- a. Employees will not give anything to, or accept anything from, the participant, family, or friends of the participant.

B. Ineligible participants for Work Release and In House Arrest:

Inmates convicted of any crimes (including accessory, attempt, solicitation, or conspiracy) within the following Florida Statute Chapters are considered a risk to the community and deemed ineligible for participation in these programs.

1. Bombs/Deadly Missiles/Throwing deadly missiles causing bodily harm (F.S.S. 790).
2. Burglary with Assault or Battery (F.S.S. 810.02(2)(a)).
3. Child Abuse/Child Neglect (F.S.S.827).
4. Homicide/Vehicular Homicide/Murder (F.S.S. 782).
5. Kidnapping/False Imprisonment (F.S.S.787).
6. Sexual Battery (F.S.S. 794).
7. Battery on LEO/CO (F.S.S. 784).
8. Any history of violation of federal, state, or local work release or in house arrest/community control programs.
9. Arson (F.S.S.806) one (1) guilty during the past fifteen (15) years.
10. Drug Trafficking (F.S.S. 893.135) one (1) guilty during the past fifteen- (15) years.
11. D.U.I. Manslaughter (F.S.S. 316.193) one (1) guilty during the past fifteen (15) years.
12. Escape (F.S.S. 944.40).
13. Robbery (F.S.S. 812) (1) guilty during the past ten (10) years.
14. D.W.I. / U.B.A. (F.S.S. 316.93) three guilty verdicts within the past ten (10) years.
15. Prostitution (F.S.S. 796) three guilt's within the past five (5) years.
16. Aggravated Battery (F.S.S. 784) one guilty within the past ten (10) years.
17. Domestic Violence (F.S.S. 741.28) one guilty within the past ten (10) years.
18. Stalking (F.S.S. 784) one guilty within the past ten (10) years.
19. Armed Robbery (F.S.S. 812.13).
20. Aggravated Assault (F.S.S. 784.021) one guilty in past five (5) years.
21. An extensive or violent criminal history or facility behavior as determined by the supervisor of the Alternative Custody Unit. Any crime committed while armed with a firearm automatically disqualifies any applicant..
22. Inmates with active detainers for other agencies are ineligible, except when their sentences are running concurrent/consecutive with local sentences and they are authorized for Work Release by the other jurisdiction.
23. Inmates who are known to belong to, or associate with individuals involved with organized crime, subversive groups that advocate violence, or street gangs are ineligible, as determined by PALMS, criminal history or law enforcement intelligence.

C. Placement Process:

P.B.S.O. employees assigned to these programs, shall comply with the following placement requirements:

1. Comply with all court commitments in which a judge from the 15th Judicial Circuit orders Work Release or In House Arrest participation.

2. The Sheriff's Office shall make a reasonable attempt to notify a victim of the release, escape or status change of an inmate assigned to our custody.
3. For placement of county sentenced inmates that are deemed eligible by definition of section ■, B, a written approval from the unit supervisor is required.
4. Conduct a criminal history review of the inmate's booking card charges and check for any open cases and/or holds. Review PALMS, N.C.I.C., F.C.I.C. and the classification file (for facility behavior problems) to determine eligibility.
5. Determine if telephone service is available. Portable or cellular telephones are not permitted.
6. The Sheriff's Office contracted inmate health care provider must medically clear all inmates for work prior to being placed in the Work Release Program.
7. Employer and salary verification:
 - a. The employer must provide written verification of employment and salary. Included with the verification the business name and address, a copy of the business occupational license, rate of pay for the individual, scheduled work days and hours, supervisor's name, telephone, pager, cellular, fax numbers and e-mail address.
 - b. Employment outside of Palm Beach County is prohibited, unless by specific order of the court.
8. Salary verification: Inmates will provide information verifying their salary. Items used for this purpose could include W-2 forms from the previous year, a copy of their income tax that includes earned salary, or pay stubs prior to incarceration. This information must be provided to the Fiscal Specialist for compliance with the Board of County Commissioner's most recent resolution.
9. The subsistence fee will be paid based upon any specific court orders and resolution from the Board of County Commissioners. The fee will be paid weekly in advance, unless otherwise noted by the unit supervisor.
10. A copy of a valid driver's license, vehicle registration, and proof of insurance must be provided from the inmate or person(s) providing the transportation of the inmate on Work Release or In House Arrest.
11. Identify individual's sponsor, such as a spouse, parent, or friend, who will agree to keep the Unit Staff advised of problems or potential problems involving the participant. Obtain contact information for the sponsor such as work phone, pager number, etc.
12. Create a case file for each participant making certain that all documents and the appropriate checklist are completed in their entirety. The following items should be contained in the file, but are not limited to:
 - a. Synopsis.
 - b. Medical clearance form for work release inmates.
 - c. Programs Agreement.
 - d. Booking card/Court records (court orders/commitments)
FCIC/NCIC Criminal History.
 - e. Employment verification letter.
 - f. Program entry fee (copy of money order).
 - g. Employer wage verification.
 - h. Drivers License.
 - i. Vehicle Registration.
 - j. Auto Insurance card.
 - k. Victim notification (if applicable).
 - l. Gain time notification.
 - m. Administrative order 2.051-5/06.
 - n. Application.
 - o. Monitoring initializing printout/GPS offender report.
 - p. Finance sheet.

- q. Equipment inspection sheet.
 - r. Inmate/residential photographs.
 - s. Computer generated readings/signed by assigned case deputy.
 - t. All correspondence between employers, attorney's, physicians, probation officers, and participates.
 - u. Travel/appointment verification sheets.
- 13. Submit the inmate's case file to the Unit Supervisor, or designee for approval.
 - 14. If the person is approved by the P.B.S.O., or court ordered for participation, a personal interview with the inmate will be conducted and the program explained.
 - 15. All documents contained within the participant's file must have a signature acknowledgement from the participant including the inmate rules and agreement documents.
 - 16. A copy of program rules and fees must be provided to the inmate.
- D. Program Rules and Regulations;
- 1. A Deputy will install either an electronic monitoring device to an operational telephone line in the participant's home, or a Global Positioning Charging Stand and Portable Tracking Device. The participant and members of the household must allow the Unit Staff members to enter the residence for the purpose of installing, maintaining, and periodically inspecting the in house arrest equipment, to check on a participant's welfare and presence, monitor compliance with the program rules, and conduct warrant-less searches to ensure the participant is not involved with any illegal activity, or is in possession of any illegal substances.
 - 2. House Arrest inmates are required to remain within the confines of their residence. They shall be physically within the residence at all times.
 - 3. All computer-generated reports must be reviewed by the Unit Staff for program violations as well as signed and dated as confirmation of adherence. Each type of violation requires a noted explanation from staff. If the report indicates a bonafide or tamper violation, staff must respond and determine the cause through close visual inspection. Any replaced equipment must be forwarded to the distributor with a copy of the violation report for repairs.
 - 4. Any time the person being monitored either tampers with or attempts to tamper with the electronic equipment, they shall be taken into custody immediately.
 - 5. If it is determined the person being monitored was not at his or her scheduled place of work or school while being allowed outside the residence, they shall be taken into custody immediately.
 - 6. Any person taken into custody shall be held without bond.
 - 7. The participant and any other members of the household must allow the Unit Staff members entry into the residence at any time, 24 hours a day, for the purpose of ensuring the participant is conforming to all rules and regulations. Deputies may and shall use any reasonable force to enter the residence if entry is denied.
 - 8. The participant must wear the tamper proof transmitter twenty-four (24) hours a day, seven day per week, during the entire period he/she is in the program.
 - 9. The participant must bear all costs of installing any special adapters necessary for the installation of the electronic equipment and/or expenses for phone calls incurred to monitor this equipment.
 - 10. The participant and members of the household must hang up the phone if they hear a clicking sound emitted from the monitor.
 - 11. In the event of theft, loss, or damage to the monitoring devices, the Unit Deputy will complete a detailed report of the loss including serial numbers of the equipment and replacement value. The participant must reimburse the Palm Beach County Sheriff's Office for the cost of repair or replacement.
 - 12. Loss of receiving signal or receipt of a tamper signal by the monitoring computer shall constitute Prima Facie evidence of a violation, and the computer printout records may be used in Court as proof of these violations.

13. Any interruption of telephone or electric service must be documented and verified with copies placed into the files of those involved. Participants shall be remanded into custody for loss of electrical or telephone service.
14. Participants may not work longer than 12 hours a day, including travel as stipulated by the court order. Inmates may not work more than six days a week without prior authorization of the Unit Supervisor.
 - a. Work schedules will include travel time on a very stringent basis.
 - b. Any changes in the established work schedules must be requested in writing and approved by signature and date prior to inception.
15. Participants cannot leave for work, school, or an appointment earlier than the hours approved. A program representative must approve any change in the work/school schedule. Any approved changes must be provided in writing at least 24 hours before the occurrence. The changes must be updated in the computer system prior to permitting the participant to change their work/school hours. Failure to return to the detention facility or home within the specified time could result in removal from the program and / or escape charges being filed.
16. Without prior authorization of the Unit Supervisor, work is not authorized on holidays (New Year's Eve, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving or Christmas) or other days which the employer does not conduct normal business.
17. Participants must go directly to their place of employment or school and return directly to the detention facility or their approved residence, as applicable. Participants shall not go anywhere else without the specific prior authorization of a program representative except for emergency medical care. (Notification will be made to the program representative as soon as possible who will provide written reports with details of the incident.) Students shall not leave the school campus at any time.
18. Employers are responsible for providing health care for any on the job injury the inmate receives. The facility's contracted health care provider will be provided with copies of all medical reports without delay. Any other illness or injury to any Work Release inmate shall be provided by or coordinated through the Sheriff's inmate health care provider.
19. In House Arrest participants are responsible for providing all costs for their health care.
20. If participants are terminated from their place of employment or resign their position during the hours they are scheduled to work, they shall return immediately to the detention facility or their place of residence and notify a program representative. The Unit Representative will complete written reports and make certain the host computer schedule is changed to "no schedule" before the participants next scheduled workday.
21. Participants cannot change employment, school, or place of residence without the specific and prior approval of a program representative and completion of all documents.
22. Participants cannot leave Palm Beach County while they are in the Work Release or In-House Arrest Program without specific order from the court.
23. Consumption, possession or attempted possession of any alcoholic beverage is strictly prohibited.
24. Possession, attempted possession, or use of any controlled substance, or other drug not prescribed by a physician is prohibited. (FS 893)
25. All participants are subject to periodic unannounced testing for determining use of alcohol and/or drugs.
26. Firearms are prohibited, and shall not be in the residence, or vehicle at the residence, or any vehicle utilized to transport the participant.

27. Participants shall not engage in or have contact with persons engaged in any illegal activity. Participants shall not be in the presence of convicted felons.
28. Work Release inmates shall not keep smoking products, jewelry, or money in excess of \$20.00 in their assigned Work Release locker. The Sheriff's Office will not be responsible for any property placed into these lockers.
29. The employer must sign an agreement stating they will notify a program representative if the participant fails to report for work for any reason, arrives late for work, leaves earlier than the end of normal working hours, or is terminated from employment.
30. Participants will pay a scheduled daily fee to participate in the program unless waived by the courts. The Palm Beach County Board of Commissioners resolution establishes this fee. The participants will be given a receipt for all financial transactions of their account.
 - a. All program participants must be paid, at a minimum, one (1) week in advance.
 - b. A negative balance is not permissible and shall be cause for immediate removal from the program.
31. PBSO will not accept cash payments. Payment will be made either by money order, preapproved business checks or deducted from the inmate's account maintained by the Sheriff's Office. If it becomes necessary to accept money orders in the field, the employee shall issue a receipt to the inmate. The money orders should be surrendered to the Fiscal Specialist on either the date of collection or on the next business day and a receipt issued for those funds.
32. Any inaccuracies with inmate bank accounts will be documented and forwarded directly to the software provider with copies forwarded to the Commander of the respective division.
33. In case of computer failure, the Fiscal Specialist will ensure that manual records and billing systems are properly maintained.
34. The Fiscal Specialist should make daily bank deposits of the collected revenues. The specialist should also conduct a monthly review of the entries posted by the PBSO accounting section to verify that collected revenues are accurately posted to the correct ledger codes.
35. All collected subsistence fees shall be placed in an officially designated secure location.
36. Computer access is limited to authorized personnel with security codes. Employees will not share security codes with other employees.
37. Policies and procedures should be reviewed at least annually or at the request of an employee assigned to the section.
38. Participates attending school shall not leave the school campus at any time. A Court Order is required to participate in any extracurricular, or off campus activities. If a student is suspended, or drops out of school, they shall immediately return to their residence and notify their case deputy.

E. Written Agreement:

Participants in the Work Release and In House Arrest Programs shall agree in writing that they:

1. Are participating voluntarily and have not been coerced or threatened in any manner.
2. Shall abide by all rules and regulations of the program and are aware that violation of these rules and regulations:
 - a. Shall cause their immediate removal from the program without notice.
 - b. May be cause for a disciplinary report to be processed.
 - c. May be cause for them to appear before the court for disposition by a Judge.
3. Understand that all monies earned by them while participating on the program and held by the Sheriff's Office are subject to forfeiture in accordance with F.S.S. 951.24. Such monies will be turned over to the general fund of Palm Beach County.
4. A copy of the signed agreement will be provided to the participant.

F. Facility Sign Out and Sign in Procedures:

The Shift Sergeants will assign a deputy to process inmates departing to and returning from their Work Release employment.

1. Prior to departing the Work Release processing area, inmates must show their identification band to the assigned deputy for identity verification. The deputy should confirm the approved date and timeout on the work release roster, and ensure the Work Release Roster is completed accurately.
2. Deputies will also make certain that inmates with any designated "holds" or other restrictions as indicated on the Work Release sign out roster do not leave the secure perimeter of the facility until cleared.
3. Inmates returning from Work Release must show their identification band to the assigned deputy and sign in on the Work Release Roster.
4. The assigned deputy will verify the time and identity of the inmate returning and ensure the Work Release Roster is properly completed.
5. The deputy will immediately report discrepancies or rule violations to the Shift Supervisor and notify the Unit Office during business hours, or the on-call officer as necessary, forwarding written reports by the morning of the next business day.

G. Monitoring Procedures:

Specific caseloads are assigned and do not exceed 30 inmates. The staff member shall make unscheduled job site and or residence/school checks of participants under their charge. These checks will be documented and made at least weekly.

H. Probationers on In-House Arrest

1. Individuals court ordered on In-House Arrest as a condition of probation make contact with the Alternative Custody Unit located at the Sheriff's Office Stockade Detention Facility for the purpose of initiating the In-House Arrest electronic monitoring system. The probationers will not be booked because the In-House Arrest Program, in this situation, is providing a monitoring service to the court and the individual has not been sentenced to jail incarceration.
2. The Clerk of Court will provide a copy of the court disposition commitment advising of the probationary condition for In-House Arrest to the Alternative Custody staff.
3. In the event an individual does not make contact with Alternative Custody staff at the Stockade to implement the In-House monitoring system, designated Alternative Custody staff shall provide written notice to the Probation Office, and sentencing Judge of the individual's failure. It is the responsibility of the Probation Officer, not Sheriff's Office personnel, to seek an arrest capias from the Judge.
4. Alternative Custody personnel shall maintain an up-to-date database of all probationers participating in the In-House Arrest Program. This list will consist of at least the following information;
 - a. Participants full name.
 - b. Date of birth.
 - c. Court case number.
 - d. Judge or Court Division ordering the In-House Arrest Program and probation.
5. Probationers participating in the In-House Program are subject to all rules, regulations, and financial requirements as incarcerated inmates participating in this program.
6. An Alternative Custody Unit staff member will personally check probationers in the In-House Arrest Program at least weekly.
7. If an Alternative Custody Unit staff member determines a probationer has violated In-House Arrest Program rules and regulations, that staff member shall collect the transmitter and monitor. A written report outlining the details of the violations must be prepared on the day of occurrence and forwarded to the assigned Probation Officer and sentencing judge for their action.

I. Removal from the Program:

A participant's failure to comply with any rule or regulation of either program, tampering with the transmitter/monitor, or violation of any condition defined in writing or imposed by the courts shall be cause for immediate removal from the program.

1. In the case of an individual sentenced to In House Arrest as a condition of probation, the Probation Officer and sentencing judge will be notified of any violations by written report for their appropriate action.
2. Any individual who violates the In House Arrest or Work Release Program shall be immediately returned to custody, and a report detailing the violation will be forwarded to the individuals judge.

J. Escape:

If a participant escapes or fails to return to the detention facility or their residence by the designated time, the Case Deputy or On-call Deputy shall:

1. Make attempts to locate the inmate utilizing known names and phone numbers of the inmate's family and friends.
2. Issue a "BOLO" (Be On the Look Out) for the inmate through the Sheriff's Office Teletype Section for escape (Work release) or "Violation of PBSO In House Arrest." The Alternative Custody Office will also enter a Pick-up order in the PALMS System during business hours, or by the Main Detention Center Booking Tech's after hours.
3. Notify the appropriate Division Supervisor.
4. Collect copies of all reports and submit them to the presiding judge and State Attorney's Office.
5. The State Attorney requires the following documents to file on Work Release or In House Arrest inmates:
 - a. Arrest/Notice to Appear.
 - b. Probable Cause Affidavit.
 - c. Bench Warrant.
 - d. Offense Report Form.
 - e. State Attorney Intake Report.
 - f. Dictated Offense Report.
 - g. Incident Report.
 - h. Work Release Log.
 - i. Work Release Agreement.
 - j. Original Court Stats.
6. If a pre-trial or sentenced individual was ordered by the court into the In House Arrest Program, the Judge who issued the order shall be notified as soon as violation is verified and during normal business hours. The Alternative Custody Supervisor will maintain a record of such notification. The Alternative Custody Unit will prepare a Probable Cause Affidavit and Bench Warrant for the signature of the presiding Judge.
7. If the individual was ordered by the court to participate in the In House Arrest Program as a condition of probation, the Probation Officer and sentencing Judge shall be notified as soon as violation is verified and during normal business hours. The Alternative Custody supervisor will maintain a record of such notification.

L. Alternative Custody On-Call Duties:

There will be a deputy sheriff on-call twenty-four (24) hours a day from the Alternative Custody Unit. The on-call deputy will be responsible for the proper response to all activity that takes place after normal business hours for the unit. Deputies assigned to the Alternative Custody Unit, are issued departmental pagers, and are responsible for carrying their issued pager at all times.

1. The on-call deputy will also be responsible for properly reacting to computer-generated pages from the CSI host computer and the GPS system.

2. The on-call deputy will be responsible for documenting all after hours activity on the log.
3. The on-call deputy will immediately notify the unit supervisor of all unusual activity that takes place after normal business hours.
4. On-call deputies will, when necessary, and at the direction of the Unit Supervisor, physically respond to the location of incidents involving In House Arrest and Work Release inmates.
5. The Unit Supervisor will generate an on-call schedule. The on-call rotation method is at the supervisor's discretion.