

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 2.051-5/06*

IN RE: POLICIES AND PROCEDURES REGARDING
THE IN-HOUSE ARREST AND COMMUNITY
CONTROL PROGRAMS

_____ :

WHEREAS, the Palm Beach County Sheriff's Office conducts a program known as the In-House Arrest Program (Monitoring Pre-Trial Detainee's, Direct filed Juvenile and Adult, and County Sentenced Adults) and the Department of Corrections, Parole and Probation Office, conducts a program known as the Community Control II Program (Monitoring State Sentenced Adults), both programs will be hereinafter referred to as the responsible agencies; and

WHEREAS, the Palm Beach County Sheriff's Office has agreed to include a limited number of Juvenile Court Detainees in their program as a pilot and should the pilot prove effective shall continue to include Juvenile Court detainees in their program subject to budget constraints.

WHEREAS, both programs rely upon electronic monitoring (Global Positioning Satellite and Radio Frequency) with a transmitter affixed to the ankle of the person to be monitored; and

WHEREAS, in the interest of public safety, persons being monitored must strictly comply with the constraints placed upon them by the Court, and strictly comply with the rules and regulations placed upon them by the Responsible Agency;

NOW and THEREFORE, it is ordered and adjudged as follows:

1. Whenever a person on Community Control II through the Department of Corrections, Parole and Probation Department or In-House Arrest under the Palm Beach County Sheriff's Office is required to be within the confines of his/her residence, he/she shall be physically within the residence at all times, i.e., he/she is prohibited from being outside the residential walls.

2. If an alarm is reported by the monitoring company the responsible agency shall immediately investigate and take appropriate action to determine if there has been a bonafide equipment failure not caused, in any respect, by the person being monitored.

3. In the event the representative of the responsible agency determines that there was no bonafide equipment failure, then the person being monitored shall be taken into custody immediately.

4. Persons on In-House Arrest under the Palm Beach county Sheriff's Office or Community Control II under the Department of Corrections, Parole and Probation shall strictly comply with all constraints placed on them from the Courts, and shall strictly comply with all of the rules and regulations of the responsible agencies.

5. In the event a representative of the responsible agency determines that the person being monitored has not strictly complied with all constraints placed on them by the Court, or strictly complied with all of the rules and regulations of the responsible agency, the person being monitored shall be taken into custody immediately.

6. Any person whose case originated from circuit or county criminal court and who is taken into custody, shall be held without bond and shall, on the next working day, be brought before the judge presiding over his or her case for further disposition at the discretion of the presiding judge.

7. Juvenile Court Procedure: The Juvenile Judge shall sign a detention order placing the juvenile into secure detention with a special temporary release to the Palm Beach County Sheriff's Office In-House Arrest Program and specifying the date of release from secure detention. The juvenile will receive the same court dates that he/she would otherwise be assigned as a secure detainee. Any juvenile from the Juvenile Court who is taken into custody for any violation of the court order or the program's rules and regulations, shall be delivered to the Juvenile Assessment Center and detained at the Palm Beach Regional Juvenile Detention Center on the original secure detention order, and will be released from the In-House Arrest Program on the same date of release specified in the original detention order. The transporting deputy shall provide a written or verbal description of how the juvenile violated house arrest to the Department of Juvenile Justice Probation Officer at the Juvenile Assessment Center, who will convey that information to the Juvenile Detention Center, Court, state attorney and public defender.

8. A copy of this Administrative Order shall be furnished to every person presently being monitored and every person placed on the monitor in the future.

DONE and **ORDERED** in Chambers at West Palm Beach, Florida, this 5th day of May, 2006 *nunc pro tunc* to May 1st, 2006.

Kathleen Kroll
Chief Judge

* order supersedes Administrative Order 2.051-7/98