

**SAN JOAQUIN COUNTY PROBATION DEPARTMENT
JUVENILE DETENTION POLICY AND PROCEDURE MANUAL**

TO: ALL STAFF

BULLETIN #: D-1000

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SUBJECT: ALTERNATIVES TO DETENTION

POLICY

The Probation Department employs a variety of alternatives to detention so youth can remain in the community, reserving detention for those youth at greatest risk of reoffending while going through the court process or failing to appear for court.

PROCEDURES

A. Work Project

1. Purpose

- a. The Juvenile Court Work Project Program holds youth accountable by having them perform community service work projects, while avoiding the increased costs and restrictions of detention.
- b. Through hard work, youth will also learn positive work skills and habits.

2. Criteria for Acceptance

- a. The Juvenile Court may order, or the Probation Department may refer youth to the program.
- b. Youth must be physically and emotionally capable of performing moderately difficult labor, accepting supervision in a community setting, and working with other youth.
- c. Youth involved in serious violence or sex offenses are normally not accepted.
- d. Both detained and non-detained youth, prior to participation in the program, require a Work Assignment Instructions/Waiver of

Physical Examination/Authorization to Consent to Treatment form (Attachment A) to be signed by a parent or legal guardian.

- e. If a youth is unable to work due to medical problems, a doctor's clearance will be required prior to re-acceptance into the program.

3. Expectations for Staff

- a. Each Juvenile Detention Officer is responsible for a crew of youth.
- b. In addition to the Critical Task List for each Juvenile Detention Officer job classification, specific duties include:
 - i. Ensure that the youth follow Work Project rules and regulations at all times.
 - ii. Orient youth to the program.
 - iii. Supervise work crew.
 - iv. Instruct youth in the proper use of power and safety equipment.
 - v. Maintain a safe work environment.

4. Expectations for Youth

- a. Youth are expected to comply with Work Assignment Instructions.
- b. Under the supervision of a detention officer, youth are assigned tasks on Probation Department grounds or sites throughout the County of San Joaquin.
- c. Youth must report on time and earn satisfactory grades for quality and quantity of work, acceptance of supervision, safety awareness, and attitude toward peers.
- d. Youth who fail to adjust to the program are referred back to the probation officer and may be terminated from the program.

- 5. With the exception of some holidays, the Work Project Program is conducted on weekends from September through May, and weekdays from June through August.

B. Home Supervision/House Arrest

1. Purpose

Home Supervision/House Arrest provides a less costly and restrictive alternative to Juvenile Detention for youth awaiting court disposition, while still monitoring their adjustment in the community under specific conditions ordered by the Court.

2. Criteria for Acceptance

- a. The Juvenile Court or the Probation Department, subject to review by the Court, may place a detained youth in the program.
- b. In general, youth considered for acceptance are those who would otherwise be detained, but whom the Probation Department or Court believe will comply with the conditions of the program and keep scheduled court appearances.
- c. Youth felt to be a serious threat to the person or property of others, or who are likely to flee the jurisdiction of the Court, are normally excluded.
- d. Both the youth and parent and/or legal guardian must sign the Home Supervision/House Arrest Program Terms and Conditions (Attachment B).

3. Expectations for Staff

- a. The Home Supervision/House Arrest (HS/HA) program operates from the Juvenile Detention Division. However, if a youth is already a ward of the Court, the HS/HA program operates from the Juvenile Division and the supervising probation officer is responsible.
- b. Each Community Supervision Services staff is responsible for supervising specific youth, as well as assisting with the supervision of other youth in the program, as needed.
- c. Specific duties include:
 - i. Maintain daily contact with youth assigned to the program.
 - ii. Monitor each youth's attendance at school, work, and/or specific programs ordered by the Court.
 - iii. Monitor whether youth are at home when not at an authorized location such as school or a treatment program.
 - iv. Monitor each youth's home adjustment.

- v. Provide supportive counseling for each youth, as appropriate.
 - vi. Keep accurate records of each youth's adjustment and provide a summary to the Court or Probation Officer when requested.
 - vii. Return youth who violate terms of the program to Juvenile Detention or schedule a Court Hearing.
 - viii. Provide Court Reminders as appropriate to youth so they are advised of their upcoming court hearing.
- d. Community Supervision Services staff will maintain a level of conduct as reflected in the staff's code of ethics in the exercise of their duties in the community and in their dealings with youth, parents, and other representative agencies.
 - e. Community Supervision Services staff will chrono the youth's progress in JJIS on a minimum of a weekly basis.
4. Expectations for Youth
- a. Youth must comply with the general regulations of the Home Supervision/House Arrest Probation Terms and Conditions as well as any specific conditions ordered by the Court or Probation Officer.
 - b. These include obeying reasonable directions of probation and school officials, attending school unless excused, appearing for interviews with the Probation Officer, staying at home except under authorized circumstances, and appearing in Court when ordered.
 - c. Violations of the Home Supervision/House Arrest Program Terms and Conditions will result in the youth being given a warning, being re-booked into Juvenile Detention, or being set up for an Order to Show Cause Hearing before the Juvenile Court.

C. Electronic Monitoring Program/Global Positioning Satellite (EMP/GPS)

1. Purpose

A 24-hour home detention program, Electronic Monitoring Program/Global Positioning Satellite (EMP/GPS) shares the same purpose as regular Home Supervision/House Arrest; however, with the use of an electronic device placed on each youth, it can provide a higher level of monitoring.

2. Criteria for Acceptance

- a. Appropriate youth are those who fit the criteria for regular Home Supervision/House Arrest, but are believed to need a higher level of monitoring of their whereabouts per the Detention Risk Assessment Instrument (DRAI).
- b. In addition, this may include selected Home Supervision/House Arrest failures, who have completed one-third of their commitment time and demonstrated good behavior while in detention, youth with a history of flagrant curfew violations, and youth with special needs, such as health care problems, which are difficult to meet while incarcerated.
- c. Youth must live in San Joaquin County and have a residence that is accessible to Probation Department staff.
- d. Both the youth and parent or legal guardian must sign the Electronic Monitoring Program Terms and Conditions (Attachment C).

3. Expectations for Staff

- a. Explain the monitoring equipment and the unique aspects of the program to the youth and parent or legal guardian.
- b. Install the monitoring equipment on the youth and instruct the youth and parent or legal guardian regarding how to install the field-monitoring device to their home telephone, if necessary and any specific equipment instructions.
- c. Act as liaison and maintain consistent communication with the company providing the electronic monitors and service components.
- d. Monitor the data provided by the service company on a daily basis and take appropriate action based on that data.
- e. Staff shall follow up on all alerts (i.e. strap tamper, power loss, power restored, in-out, etc.).
- e. Provide Court Reminders as appropriate to youth so they are advised of their upcoming court hearing.
- f. Community Supervision Services staff will chrono the youth's progress in JJIS on a minimum of a weekly basis.

4. Expectations for Youth

- a. Youth must comply with the regulations of the Electronic Monitoring Program/Global Positioning Satellite Terms and Conditions
- b. These are similar to conditions of regular Home Supervision/House Arrest, but include very specific directives about the monitoring equipment and an order “to remain at (their) residence at all times, except as approved by (their) EMP/GPS officer.”
- d. Should a youth fail to adhere to the conditions of the contract, he/she may be returned to Court for modification of disposition and/or booked into Juvenile Detention.

D. Reconnect Day Reporting Center

The Probation Department also refers appropriate youth to the Reconnect Day Reporting Center as an alternative to detention. This program is run by probation officers in conjunction with the San Joaquin County Office of Education.



**JUVENILE COURT WORK PROJECT - WORK ASSIGNMENT
INSTRUCTIONS**

Minor's Name: ISD CORPORATION TEST Minor's DPO: Duane Blevins
Address: 234 N HARDING AV STOCKTON CA 95205 Phone #: (209) 345-3456

As a condition of your probation, the San Joaquin County Juvenile Court has ordered you to participate in the Juvenile Court Work Project for a period of 45 days. You will begin Work Project on Friday, January 1, 2016.

Unless you are found to be physically unable to work, you will report to the work project coordinator at Juvenile Hall (535 W. Mathews Road, French Camp CA) by 8:00 a.m. each day. You are to be transported to and from Juvenile Hall by your parent or legal guardian. Any other transportation arrangement must be cleared through your Probation Officer and the work project coordinator when you report to the program.

Your work day will end at 3:00 p.m. You will be permitted a one-half-hour lunch break (a lunch meal will be provided).

You must dress ready for work. No shorts, hats, sleeveless shirts, gang colors, sandals or flimsy shoes are to be worn.

Your illness is the only acceptable excuse for being absent. If, because of illness, you are unable to show up for work, you must telephone the work project coordinator at Juvenile Hall at 468-4239 by 7:45 a.m. on each day of absence. Any day you miss because of illness must be made up. Absences will be verified by your Probation Officer.

Any absence which is found to be illegitimate could cause you to be in violation of your probation and you may be required to appear in Juvenile Court for further disposition of your case.

You will be evaluated daily on your attitude and work performance as follows: quality of work, quantity of work, acceptance of supervision, safety awareness, and your attitude toward peers. The grading system used will be: O = Outstanding, F = Fair, P = Poor (no credit). Your grades will be forwarded to your Probation Officer, and will become part of your permanent folder upon completion of your commitment.

At no time are you to leave your assigned work area without permission.

Immediately report all injuries to your counselor.

Do not bring radios, jewelry, cosmetics, tools, or lunches when you report for work.

**WAIVER OF PHYSICAL EXAMINATION FOR JUVENILE COURT WORK
PROJECT**

This is to certify that ISD CORPORATION TEST, DOB: 07/20/1991

is physically capable of participating in a work project involving physical labor. I hereby give

Attachment A

my consent for participation in this program without a physical examination.

Parent or Guardian

AUTHORIZATION TO CONSENT TO TREATMENT OF MINOR

I/We, the undersigned, as parent(s) having legal custody or as the person(s) having legal custody or as legal guardian(s) of above minor do hereby authorize the San Joaquin County Probation Department, or that department's designee as agent for the undersigned to consent to any X-ray examination, examination, anesthetic, medical or surgical diagnosis or treatment and hospital care which is deemed advisable by, and is to be rendered to said minor under the general or special supervision and advice of any physician and/or surgeon licensed under the provisions of the Medicine Practice Act. This consent shall also be applicable to any X-ray examination, examination, anesthetic, dental or surgical diagnosis or treatment and hospital care to be rendered to said minor by a dentist(s) who is licensed under the provisions of the Dental Practice Act.

It is understood that this authorization is given in advance of any specific diagnosis, treatment or hospital care being required, but is given to provide authority and power on the part of our aforesaid agent, or his designee, to give specific consent to any and all such diagnosis, treatment, X-ray examination, examination, anesthetic, medical or dental surgical diagnosis or treatment and/or hospital care which the aforementioned physician(s) and surgeon(s) and/or dentist(s) in the exercise of their best judgement may deem advisable.

This authorization is given pursuant to the provisions of Section 6910 of the Family Code of California.

Parent or Guardian

Minor's Signature

Address

Phone #

Witness

Date

0490

Home Supervision/House Arrest Program
San Joaquin County Probation Department

C.S.S. CASEWORKER: _____
CASE WORKER'S DAY OFF: _____
CASE WORKER'S TELEPHONE #: _____

TERMS AND CONDITIONS

I understand that my placement in the Home Detention Program is (voluntary) (mandatory) and I agree:

- 1) To reside at the residence located at (address) _____
(city) _____ (zip) _____, California, County of San Joaquin.
Phone _____ ☐ Home ☐ Cell
- 2) To call in at least once a day (whether I have a phone or not) and to have my parent/legal guardian with me to verify that I am with them and following the rules, unless otherwise notified by P.O..
- 3) To be under the constant supervision of my parent/legal guardian at all times unless I am in school or at work. I understand that I can only work if employed prior to being assigned to the program. If not, I may not seek employment until I have completed the program.
- 4) If I am leaving home other than to school or work, it is to be with my parent/legal guardian and they are to call my CSS caseworker to inform him/her of our departure and return.
- 5) Not to use or possess controlled substances not prescribed by a physician. (No street drugs or alcohol).
- 6) Not to associate with persons deemed undesirable by CSS, parent/ legal guardian or the court.
- 7) Not to associate with known or suspected gang members.
- 8) To attend school regularly (truancies, suspensions, and expulsions are violations) and report any problems at school to CSS caseworker immediately.
- 9) To obey all laws, school rules/officials and parent/legal guardian.
- 10) To report any and all law enforcement contact during HS/HA program and appear as directed by P.O.
- 11) If I break any law, am suspended or expelled from school, fail to follow parent/legal guardian's instructions, fail to call in on a daily basis, or immediately inform my CSS caseworker of any changes, I may be Violated and brought back to court.
- 12) Probation Officers will randomly call or visit youth on HS/HA.

I have reviewed, and agree to follow, the above terms and conditions of the Home Detention Program. I also understand that failure to comply with any of the above conditions may result in my immediate return to Juvenile Detention custody and further Court action.

I, the youth participant, and we, the parent(s) or guardian(s) agree to all of the conditions of the Program.

Signature of Parent

Date

Signature of Participant

Date

Printed Name of Participant

Signature of Staff

Date

DIST: White – Community Supervision Services Yellow – Parent/Youth Pink – Probation Officer

Attachment B

San Joaquin County Probation Department
Electronic Monitoring Program

C.S.S. P.O.: _____
P.O. Work Hours: _____
P.O.'s TELEPHONE #: _____

TERMS AND CONDITIONS

(Initial) I understand that my placement in the Home Detention Program is (voluntary) (mandatory) and I agree:

- _____ 1) To reside at the residence located at (address) _____ (city) _____
(zip) _____, California, County of San Joaquin, which has an operating number (209) _____.
- _____ 2) To remain at the above residence at all times, except as approved by my CSS offer, and to report all emergencies or incidents immediately. Written documentation will be provided, including the date, time and where I go when out of the home. Any legitimate appointment may be approved by P.O. 48 hours in advance.
- _____ 3) To wear a tamper-proof, non-removable ankle bracelet 24 hours a day during the entire commitment to home detention. You are to report any problems with the EMP equipment.
- _____ 4) That the loss of receiving signals, the receipt of a tamper signal, or the receipt of a signal indicating absence from my residence is evidence of a violation of my home detention program. (A computer printout may be used in Court as physical evidence of an electronic Monitoring violation).
- _____ 5) To hang up my telephone immediately when I hear a computerized sound caused by the receiver/dialer. (Failing to hang up the telephone or disengaging the monitor devices are violations of the program rules). All other residents of my household willingly agree to abide by these conditions.
- _____ 6) To maintain an operative telephone line into my residence and to any and all expenses to the telephone service. (There must be a telephone jack available that is compatible with Electronic Monitoring System).
- _____ 7) To discontinue call waiting, three-way lines, call forwarding, caller identification, fax, internet, answering machines and/or other electronic equipment, 800, 900 and/or *82 blocks, or any long distance blocks on the telephone line during the electronic monitoring period. Voicemail or cordless phones are not allowed.
- _____ 8) That I and other residents agree to grant admittance to my residence to the EMP officer or other law enforcement at any hour of the day or night. To submit my person, vehicle, or place of residence to search and seizure at any time of the day or night, with or without a probable cause and with or without a search warrant, by any EMP officer or other peace officer. Confine all animals to allow free access to residence by law enforcement/EMP officer.
- _____ 9) That I will be held financially responsible and legally liable for any damage to, or loss of, the equipment. (The ankle transmitter is valued at \$570.00 and the monitor is valued at \$1,320.00.)
- _____ 10) Not to use or possess controlled substances not prescribed by a physician. (No street drugs or alcohol.)
- _____ 11) Not to associate with persons deemed undesirable by EMP officer of my parent/guardian. Not to associate with known or suspected gang members.
- _____ 12) To attend school regularly (truancies and/or suspensions are violations) and report any problems at school to CSS caseworker immediately.
- _____ 13) To abide by all instructions of the Court, EMP officer, and/or probation officer. You are to appear as directed by PO. You are to report any and all law enforcement contacts.
- _____ 14) That I hold harmless and indemnify the County, its officers, agents and employee, and the company providing the electronic monitoring equipment from any and all claims, costs, and/or damages that may result from wearing the monitoring device or tampering with the monitoring device.
- _____ 15) To physically return all equipment to Juvenile Detention and Electronic Monitoring Program. I also understand that failure to comply with any of the above conditions may result in my immediate return to Juvenile Detention custody and further Court action.

I have reviewed, and agree to follow, the above terms and conditions of the Home Detention and Electronic Monitoring Program. I also understand that failure to comply with any of the above conditions may result in my immediate return to Juvenile Detention custody and further Court action.

TRANSMITTER: _____ MONITOR: _____

This equipment is the property of San Joaquin County and BI Monitoring Corporation. IT is expensive equipment for which we have legal and financial responsibility during the term of my placement on the Electronic Monitoring Program. I (we) promise to protect and take care of this property. I will report problems with, or damage to, the equipment to the Electronic Monitoring staff immediately upon detection. I (we) promise to reimburse for any damage to the equipment. If I do not return the equipment intact to the EMP program upon demand, or upon reaching the end of the program participation (whichever comes first), I realize that I may be charged with **Felony Theft**.

ELECTRONIC MONITORING PROGRAM GUIDELINES

The following guidelines will be implemented and enforced by all CSS Probation Assistants and Juvenile Probation Officers when dealing with youth who are released on EMP.

1. Youth may continue to work (if already employed) but will not be allowed to look for employment while on EMP.
2. Youth may attend church (with parent) only if she or she has not or is not violating EMP rules, and only after being on EMP for two (2) weeks with good behavior.
3. Youth may not do yard work, go shopping, pick up siblings from school or leave with their parents because they are unable to stay at home alone.
4. All previously planned vacation are to be approved by the Judge prior to being assigned to EMP.

I, the youth, and we, the parent(s) or guardian(s) agree to all of the conditions of the Program.

Signature of Parent

Date

Signature of Participant

Date

Printed Name of Participant

Signature of Staff

Date

Dist: White – Juvenile Probation Yellow – Parent/Youth