

COUNTY OF LOS ANGELES
PROBATION DEPARTMENT
DIRECTIVE

No.	868
Issued:	06/25/02
Post Until:	07/25/02

SUBJECT: ELECTRONIC MONITORING PROGRAM

The Electronic Monitoring (EM) program provides the court with an alternative sentencing sanction to use in lieu of or in conjunction with county jail custody. The EM program is designed for non-violent offenders who must have a working telephone and a residence within California to be eligible. The EM Program is partially funded by fees paid by participants, and service to indigent defendants is available.

Adult Investigation DPOs or Supervision DPOs may make a recommendation to the court for a defendant to participate in EM when a court report is submitted for any sentencing hearing or when reporting potential probation violations.

The Pretrial Services Division determines suitability for the EM Program participation. In doing so, the defendant's complete criminal history is assessed, and a risk assessment scale is administered to determine suitability for EM program participation. Eligibility is determined from the list of excluded charges, which is attached.

Although there is a list of excluded charges, exceptions may be made at the discretion of the Supervision DPO or the Court. These exceptions should be based on the individual defendant's case circumstances and must be communicated to PTS staff at the time of the referral to avoid a notification of ineligibility due to the conviction charge.

Referrals for EM Program participation are made to Pretrial Services Division (PTS), and an assessment report regarding eligibility and suitability will be provided to the DPO making the referral within one business day.

EM Program referrals are made to PTS by telephoning (213) 893-5369 or by faxing a Referral Form (Attached) to (213) 633-4684.

WHEN REFERRING A DEFENDANT TO EM, THE FOLLOWING INFORMATION MUST BE PROVIDED:

- Defendant in custody:
 - Provide the defendant's name, booking number, case number, and "X" number
 - Provide referring DPO name, telephone number and area office

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- Defendant not in custody:
 - Provide the defendant's name, case number, and "X" number
 - Provide referring DPO name, telephone number and area office
 - Provide the defendant's work and home telephone numbers, if available, **OR**
 - Instruct defendant to call EM program staff at (213) 893-5369 within one business day of the referral

PTS will fax the EM Assessment Report to the referring DPO within one (1) business day from referral and will call the DPO to telephonically notify him/her of the completion of the report. Additionally, PTS will make an APS chrono entry indicating the assessment referral and findings.

Investigation DPO:

- Dictate in the "Interested Parties" section of the court report:

"On (date) an assessment was received from PTS in which the defendant was found (suitable/unsuitable or ineligible) for Electronic Monitoring Program."

or

"On (date) a referral was sent to PTS for EMP eligibility. A response has not been received at time of dictation. If a response is received prior to the court date, it will be attached."

Supervision and/or Investigation DPO:

If the assessment from PTS is suitable, do the following:

- Dictate in the "Recommendation" section of the court report:

"It is recommended that the defendant be ordered to complete a suitable period of time in home detention through the Electronic Monitoring Program and that the defendant be further ordered to enroll in said program within 48 hours."

- Attach the Electronic Monitoring Assessment to Court's copy of your report. Retain a copy of the assessment for the Probation file.

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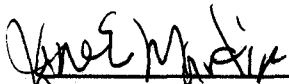
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If the PTS assessment deems the defendant to be *unsuitable* or *ineligible*, do not recommend the defendant's participation in the EM Program.

VIOLATION PROCEDURES FOR SUPERVISION DPOs

- Report violations to the court in accordance with existing procedures

Questions regarding the Electronic Monitoring Program should be directed to the EM Supervisor at (213) 893-5369 or PTS at (213) 974-5821.



Jane E. Martin, Chief
Adult Special Services Bureau



David M. Davies, Chief
Adult Field Services Bureau

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The charges listed in this document are to be used to determine ineligibility except in unusual circumstances where the interest of justice will be served.

CHARGE	DESCRIPTION
PC128	PERJURY RESULTING IN CAPITAL PUNISHMENT
PC139(a)	THREAT TO USE FORCE UPON WITNESS OR THEIR FAMILY
PC140	THREATENING WITNESS, VICTIM OR INFORMANT, MISD.
PC148 + ALL SUB SEC	RESIST, DELAY OR OBSTRUCT PUBLIC OFCR.
PC181	SLAVERY
PC186.26	CRIMINAL STREET GANG
PC187(a) + ALL SUB SEC	MURDER
PC189	FIRST OR SECOND DEGREE MURDER
PC192	VOLUNTARY MANSLAUGHTER
PC192(B)	MANSLAUGHTER – INVOLUNTARY
PC203	MAYHEM
PC205	AGGRAVATED MAYHEM
PC207 + ALL SUB SEC	KIDNAPPING
PC209 + ALL SUB SEC	KIDNAPPING FOR RANSOM OR EXTORTION
PC210.5	FALSE IMPRISONMENT – KIDNAP TO EVADE ARREST

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PC211 + ALL SUB SEC	ROBBERY
PC212.5(A)	ROBBERY IN AN INHABITED DWELLING, VESSEL, OR BUILDING IF PERSON CHARGED WITH USING A DEADLY OR DANGEROUS WEAPON PER PC 12022
PC213.5	ROBBERY: INHABITED HOUSE OR TRAILER
PC215 + ALL SUB SEC	CARJACKING
PC217.1 + ALL SUB SEC	ATTEMPT TO KILL SPECIFIED PUBLIC OFFICIALS
PC218	TRAIN WRECKING
PC219 + ALL SUB SEC	TRAIN DERAILING
PC220	ASSAULT WITH INTENT TO COMMIT MAYHEM, RAPE, SODOMY, ORAL COPULATION, OR ANY VIOLATION OF PC SECTION 264.1, 288 OR 289
PC240 + ALL SUB SEC	ASSAULT
PC241.1	ASSAULT
PC242	BATTERY
PC243 + ALL SUB SEC	BATTERY
PC244 + ALL SUB SEC	ASSAULT WITH CHEMICALS
PC245 + ALL SUB SEC	ASSAULT WITH DEADLY WEAPON OR FORCE LIKELY TO PRODUCE GREAT BODILY INJURY
PC246 + ALL SUB SEC	SHOOTING AT INHABITED DWELLING, BUILDING, OCCUPIED MOTOR VEHICLE

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PC261 + ALL SUB SEC	RAPE
PC262 + ALL SUB SEC	SPOUSAL RAPE
PC264 + ALL SUB SEC	RAPE IN CONCERT WITH FORCE AND VIOLENCE
PC266 + ALL SUB SEC	ENTICEMENT OF FEMALE UNDER 18 FOR PROSTITUTION
PC267	ABDUCTION OF PERSON UNDER 18 FOR PROSTITUTION
PC271	DESERTION OF CHILD UNDER 14
PC272	CONTRIBUTING TO DELINQUENCY OF PERSON UNDER 18
PC273a + ALL SUB SEC	WILLFUL CRUELTY OF A CHILD
PC273d + ALL SUB SEC	CORPORAL PUNISHMENT OF A CHILD
PC273.5(A)	CORPORAL INJURY OF SPOUSE, COHABITANT OF OPPOSITE SEX, OR MOTHER OR FATHER OF HIS OR HER CHILD
PC285	INCEST
PC286 +ALL SUB SEC	SODOMY
PC288 + ALL SUB SEC	LEWD ACTS ON A CHILD UNDER 14
PC288a + ALL SUB SEC	ORAL COPULATION
PC288.5	THREE OR MORE ACTS OF SUBSTANTIAL SEXUAL CONDUCT WITH CHILD UNDER 14
PC289 + ALL SUB SEC	PENETRATION BY FOREIGN OBJECT

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PC289.5	RAPE AND SODOMY
PC368 + ALL SUB SEC	GBI OR MENTAL SUFFERING OF DEPENDENT ADULT
PC404.6	INCITEMENT TO RIOT
PC405b	LYNCHING
PC417 + ALL SUB SEC	EXHIBIT DEADLY WEAPON
PC417.1	EXHIBIT FIREARM IN PRESENCE OF OFFICER
PC417.25 + ALL SUB SEC	EXHIBIT LASER SCOPE AT A PERSON-THREATENING MANNER
PC417.3	EXHIBIT FIREARM IN PRESENCE OF VEHICLE OCCUPANT
PC417.4	EXHIBIT IMITATION FIREARM IN THREATENING MANNER
PC417.6 + ALL SUB SEC COMMISSION	INTENTIONALLY INFLICTING GBI WHILE IN THE OF PC417, PC417.1 OR PC417.8
PC417.8	EXHIBIT A FIREARM WITH THE INTENT TO RESIST ARREST
PC451 + ALL SUB SEC	ARSON
PC452 + ALL SUB SEC	UNLAWFULLY CAUSING FIRE
PC453 + ALL SUB SEC	POSSESSION OF EXPLOSIVES OR FLAMMABLE MATTER
PC454 + ALL SUB SEC	ARSON

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PC455	ATTEMPT ARSON
PC464	BURGLARY WITH EXPLOSIVES
PC487(c)	GRANT THEFT PERSON
PC519 + ALL SUB SEC	EXTORTION
PC646.9 + ALL SUB SEC	STALKING
PC647.6	ANNOY/MOLEST CHILD WITH PRIOR FELONY CONVICTION
PC653f + ALL SUB SEC	SOLICIT COMMISSION OF CERTAIN OFFENSES
PC664	ANY ATTEMPT OF ANY VIOLATION ON THE EM LIST
PC12034(c)	PERSONALLY SHOOTING FROM A MOTOR VEHICLE
PC12303.1	CARRYING OR PLACING EXPLOSIVE ON COMMON CARRIER
PC12303.2 EXPLOSIVES	POSSESSION OF DESTRUCTIVE DEVICES OR IN PUBLIC PLACES
PC12303.3	POSSESSION OF EXPLODING OR DESTRUCTIVE DEVICE OR EXPLOSIVE WITH INTENT TO INJURE
PC12308	EXPLOSION OF DESTRUCTIVE DEVICE WITH INTENT TO COMMIT MURDER
PC12309	UNLAWFUL EXPLOSION CAUSING BODILY INJURY
PC12310	EXPLOSIVE DEVICE WHICH CAUSES MAYHEM

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PC12312

**POSSESSION OF MATERIALS WITH INTENT TO
MAKE DESTRUCTIVE DEVICE OR EXPLOSIVE**

PC12355 + ALL SUB SEC BOOBYTRAP CAUSING GBI ENHANCEMENTS

**ANY CHARGES/CONVICTIONS THAT HAVE THE FOLLOWING ENHANCEMENT(S)
SHOULD BE CONSIDERED VIOLENT:**

CHARGE	DESCRIPTION
PC667.10	SEX CRIMES (REPEAT OFFENDER) AGAINST AGED/UNDER 14
PC667.6(a)	SEX CONVICTION WITH PRIOR SEX CONVICTION
PC667.6(b)	SEX CONVICTION WITH TWO OR MORE PRIOR SEX CONVICTIONS
PC667.7	GBI WITH PRIOR VIOLENT FELONY CONVICTION
PC667.8(a)	KIDNAPPING TO COMMIT SEX OFFENSE
PC667.8(b)	KIDNAPPING TO COMMIT SEX OFFENSE, VICTIM UNDER 14
PC1203.09	VIOLENT FELONIES AGAINST AGED
PC12021.5	STREET GANG CRIMES W/FIREARM
PC12022 + ALL SUB SEC	USE OF FIREARM IN COMMISSION OF A FELONY
PC12022.4	FURNISH A FIREARM TO ANOTHER FOR AIDING AND ABETTING ANOTHER TO COMMIT A FELONY
PC12022.5 + ALL SUB SEC	USE OF FIREARM IN COMMISSION OF FELONY

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PC12022.55	INTENTIONAL INFLICTION OF GBI OR DEATH BY DISCHARGING FIREARM FROM VEHICLE
PC12022.7	INFLICTION OF GBI IN COMMISSION OF FELONY
PC12022.75	ADMINISTER CONTROLLED SUBSTANCE AGAINST VICTIM'S WILL
PC12022.8	INFLICT GBI IN COMMISSION OF CERTAIN SEX OFFENSES
PC12022.85 + ALL SUB SEC	SEXUAL OFFENSE WITH KNOWLEDGE THAT HE OR SHE HAS AIDS OR HIV
PC12022.9 + ALL SUB SEC	INTENTIONAL INFLICTION OF INJURY UPON PREGNANT VICTIM WHICH TERMINATES PREGNANCY
PC12022(a)	PRINCIPAL ARMED WITH FIREARM
PC12022(b)	PERSONAL USE OF WEAPON OTHER THAN FIREARM
PC12022.3(a)	USE FIREARM SEX CASE
PC12022.3(b)	ARMED FIREARM SEX CASE
PC12022.5(a)	PERSONAL USE OF FIREARM
PC12022.7	INFLICTION OF GREAT BODILY INJURY
PC12022.8	GBI IN CONNECTION WITH CERTAIN SEX OFFENSES
PC12022.9	GBI CAUSING TERMINATION OF PREGNANCY

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HEALTH AND SAFETY CODES

CHARGE	DESCRIPTION
HS11154 + ALL SUB SEC	PRESCRIBING, ADMINISTERING OR FURNISHING CONTROLLED SUBSTANCES
HS11155	PHYSICIAN SURRENDERING CONTROLLED SUBSTANCE
HS11351	POSSESSION OR PURCHASE FOR SALE OF CERTAIN SPECIFIC OR CLASSIFIED CONTROLLED SUBSTANCES
HS11351.5	POSSESSION OR PURCHASE FOR SALE OF COCAINE BASE
HS11352 + ALL SUB SEC	ILLEGAL TRANSPORTATION, SALE, FURNISHING OF CERTAIN SPECIFIC OR CLASSIFIED CONTROLLED SUBSTANCES
HS11353	PERSON 18 YEARS OR OVER USING MINOR IN SALE, TRANSPORTATION, OR GIVING TO A MINOR CERTAIN SPECIFIC OR CLASSIFIED CONTROLLED SUBSTANCES
HS11353.5	ADULT PREPARING TO SELL TO MINOR DRUGS OR NARCOTICS
HS11354(a)	PERSON UNDER 18 YEARS USING MINOR IN SALE, TRANSPORTATION, OR GIVING TO A MINOR CERTAIN SPECIFIC OR CLASSIFIED SUBSTANCES
HS11359	MARIJUANA: POSSESSION FOR SALE
HS11360(a)	MARIJUANA: TRANSPORTATION, SALE, FURNISHING

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HS11361 + ALL SUB SEC	MARIJUANA: PERSON 18 YEARS OR OVER USING MINOR IN SALE, TRANSPORTATION, GIVING TO MINOR
HS11366	MAINTAINING PLACE FOR SELLING, GIVING, USING OF CERTAIN SPECIFIC OR CLASSIFIED CONTROLLED SUBSTANCES
HS11366.5(b)	ALLOWING LOCATION TO BE FORTIFIED FOR SALE
HS11366.6	USING FORT LOCATION FOR SALE
HS11378	POSSESSION OF CONTROLLED SUBSTANCES FOR SALE
HS11378.5	POSSESSION OR PURCHASE FOR SALE OF PCP
HS11379 + ALL SUB SEC	TRANSPORTATION, SALE OF CONTROLLED SUBSTANCES
HS11379.5 + AL SUB SEC	TRANSPORTATION, SALE OF PCP
HS11379.6(a)	MANUFACTURE OF PCP
HS11380	SOLICITING MINOR RE CONTROLLED SUBSTANCES
HS11383(a)	POSSESSION OF PRECURSORS WITH INTENT TO MANUFACTURE METHAMPHETAMINE
HS11383(b)	POSSESSION OF PRECURSORS WITH INTENT TO MANUFACTURE PCP
HS11390	CULTIVATION OF MUSHROOMS
HS11391	TRANSPORTATION OF MUSHROOMS