



# Virginia Department of Corrections

## Facility Security and Control

### Operating Procedure 435.5

#### *Electronic Technology Supervision Programs*

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### REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

### COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections (DOC). Practices and procedures must comply with applicable State and Federal laws and regulations, American Correctional Association (ACA) standards, Prison Rape Elimination Act (PREA) standards, and DOC directives and operating procedures.

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## DEFINITIONS

**Alerts** - Notices sent to the P&P Officer and/or probationer/parolee by vendor electronic monitoring system alerting all parties of a detected violation of the rules or schedule established for each probationer/parolee.

**Curfew** - A sanction or tool of supervision in which the probationer/parolee is required to remain at home during specific hours determined by the P&P Officer.

**Electronic Monitoring** - A form of supervision in the community utilizing telephone equipment or receiving and transmitting equipment placed on the probationer/parolee and in their residence; this equipment monitors the probationer/parolee twenty-four hours per day via private vendors.

**Exclusion Zone** - An area in which the probationer/parolee is not allowed to enter (e.g., schools; playgrounds, or victim's location).

**Global Positioning System (GPS)** - A means to enhance supervision of high-risk cases that utilizes electronic monitoring and satellite tracking to provide increased surveillance.

**Inclusion Zone** - An area in which the probationer/parolee must stay within a predetermined period of time (e.g., home or work location).

**Location Monitoring Technology (LMT)** - Electronic technology providing on demand and random location checks.

**Notifications** - Process of advising the subscribing agency of selected incidents which are recorded by a probationer/parolee tracking system and that are time-stamped, logged, and reportable.

**Officer** - Any Chief P&P Officer, Deputy Chief P&P Officer, Senior P&P Officer, P&P Officer, or Surveillance Officer, or Facility Unit Head.

**On-Call Officer** - The Officer that is responsible for answering all violation alerts received during their shift.

**Operations Logistics Unit (OLU)** - A Centralized unit to which low risk probationers/parolees are transferred.

**Orientation** - A face-to-face meeting between the Officer and the probationer/parolee; during which the supervising Officer explains the conditions of supervision and the requirements of the Electronic Monitoring Program.

**Point of Contact (POC)** - A single P&P Office staff member designated to manage and secure all the ordering and inventory of all GPS equipment in accordance with DOC procedure and vendor contracts.

**Screening Committee** - The P&P Office authority that assigns probationers/parolees to Electronic Monitoring; members can include Chief P&P Officer (or designee) and/or Deputy Chief P&P Officer and a representative from the Intensive Supervision Program staff. The Screening Committee should use all available information to determine the probationer's/parolee's eligibility and priority for placement on GPS or voice recognition monitoring as well as considering the potential risk exposure to the community and the probationer's/parolee's motivation, receptivity, and potential to benefit from the program.

**Specialist** - The OLU VVBU biometric surveillance specialist assigned to the probationer/parolee.

**Supervising Officer** - The P&P Officer assigned to supervise the probationer/parolee.

**Voice Recognition Curfew Monitoring** - Calls to and from the probationer's/parolee's landline telephone at random or determined times to confirm that the probationer/parolee is in the required location.

**Voice Recognition Monitoring** - A means for probationers/parolees on community supervision to complete required contacts periodically by self-report telephone interviews using biometric voiceprint or facial print authentication to verify the specific probationer/parolee is the person being interviewed or located and complying with their community supervision requirements.

**Voice Recognition Self-Report** - Enables the probationer/parolee to call the monitoring system on a predetermined schedule to confirm compliance with supervision requirements.

**Voice Verification Biometrics Unit (VVBU)** - Unit within the OLU handling low risk probationers/parolees.

## PURPOSE

This operating procedure establishes protocols for the operation of the Department of Corrections (DOC) Electronic Monitoring (EM) Programs using current electronic technologies for probationers/parolees on community supervision and Sexually Violent Predators (SVP) on Conditional Release.

## PROCEDURE

### I. Electronic Monitoring (EM) Program

#### A. Purpose of the EM Program

1. Among the technologies available, the EM Program currently provides the following supervision tools:
  - a. Curfew monitoring
  - b. Record of probationer/parolee movement (not available via voice recognition monitoring)
  - c. Near real time monitoring of a probationers/parolees location
  - d. Notification of program or supervision violations
  - e. Self-report mechanism
2. Supervision utilizing EM may be required by Code of Virginia (COV), Court, or the Virginia Parole Board (VPB).
  - a. COV
    - i. COV §19.2-303, *Suspension or modification of sentence; probation; taking of fingerprints and blood, saliva, or tissue sample as condition of probation*, provides that probationers/parolees under community supervision for certain sexual offenses will be subject to electronic monitoring by means of a Global Positioning System (GPS) tracking device, or other similar device.
    - ii. COV §19.2-295.2:1, *Postrelease incarceration of felons sentenced for certain offenses committed on or after July 1, 2006*, provides that certain sex offenders under post release supervision for failure to register will be subject to EM by means of a GPS tracking device, or other similar device.
    - iii. COV §37.2-908, *Trial; right to trial by jury; standard of proof; discovery*, provides that sexually violent predators under conditional release supervision will be subject to electronic monitoring of their location by means of a GPS tracking device, or other similar device.
    - iv. COV §53.1-131.2, *Assignment to a home/electronic incarceration program; payment to defray costs; escape; penalty*, provides that Courts may assign probationers/parolees to a home/electronic incarceration program in lieu of confinement in a state or local correctional facility.
  - b. The VPB may set use of EM as a special condition for supervision of a parolee under the Parole Board authority.
  - c. The Chief P&P Officer must ensure that all sex offenders required to be on GPS monitoring by law, Court order, or operating procedure are enrolled in GPS monitoring and their GPS equipment is installed immediately on the same day of a probationer's/parolee's sentencing, release from incarceration, or when the court order is received; whichever happens first.
3. Under proper administrative controls, P&P Offices may make discretionary use of EM as a supervision tool for high-risk cases or as a sanction for violation of Supervision Conditions within the following guidelines.
  - a. Releasing inmates who scored four or more on the Static 99R risk assessment but were not determined to be eligible as a Sexually Violent Predator (SVP) will be reviewed for GPS, EM, or a comparable EM placement.
    - i. The expectation would be that this category of probationer/parolee would be initially monitored for three to six months unless the circumstances of the probationer/parolee prevent the use of GPS.

- ii. After a suitable period of supervision and sex offender registration compliance, monitoring may be changed or removed.
- b. Any other sexual offender, especially violent sexual offenders as defined in COV §9.1-902, *Offenses requiring registration*, will be reviewed for GPS placement.
  - i. The expectation would be that this category of probationer/parolee would be initially placed on GPS unless the circumstances of the probationer/parolee do not support the use of GPS.
  - ii. After a suitable period of supervision and sex offender registration compliance, monitoring may be changed or removed.
- c. Probationers/Parolees who have been convicted of a serious or violent offense, which is defined as Murder, 1st, and 2nd Degree, Manslaughter, Abduction, Robbery, Weapon charges, or whose behavior or history justifies referral will be reviewed for EM. Cases will be prioritized as follows:
  - i. Transferred probationers/parolees currently on monitoring.
  - ii. Probationers/Parolees referred by a sentencing Court with a special condition of GPS or comparable monitoring.
  - iii. Technical parole, probation, or post release incarceration violators with monitoring imposed as a special condition or sanction.
  - iv. State inmates who have been denied parole once and may be released on parole or mandatory release thereafter.
  - v. Probationers/Parolees whose behavior or history justifies referral by the supervising Officer.
  - vi. Probationers/Parolees who are in danger of arrest on technical violations.

#### B. Assignment to the EM Program

1. Each P&P Office will maintain an established practice, i.e., Screening Committee and/or Supervisory review/approval, to review cases to determine placement on the EM Program, the appropriate technology and supervision requirements, changes in method of EM, and removal from EM.
2. The various technologies available for EM have differing capabilities that will be considered in selection of the appropriate technology for a specific case.
  - a. A probationer/parolee may be shifted from one technology to another as needed to assist in proper supervision.
  - b. The following technologies are ranked in general order of most restrictive to less restrictive; additional information on capabilities of each technology may be found in the technology specific sections of this operating procedure, training materials, and information provided by the vendor.
    - i. Active GPS - an EM tool that allows for “near real time” monitoring of the probationer’s/parolee’s location and curfew and can give immediate alerts to violations.
    - ii. Voice Recognition Curfew Monitoring (VRCM) - randomly confirms the probationer’s/parolee’s location based on preset schedules.
    - iii. Voice Recognition Self-Reporting - allows the probationer/parolee to self-report on a preset schedule without requiring an in-person meeting with the Officer.
3. To the extent allowed by the authority requiring monitoring, the screening process will select the appropriate EM technology and supervision requirements based on the probationer’s/parolee’s assessed risk level.
  - a. After demonstrating a period of compliance at one level of monitoring, the Screening Committee and/or Supervisor may step the probationer/parolee down to a less restrictive technology.
    - i. The COV outlines that failure to register as sex offender cases are to be monitored by GPS or other comparable electronic means.
    - ii. When a probationer/parolee has proven compliant on GPS for a minimum of 90 calendar days, the supervising Officer may recommend stepping down to VRCM.
    - iii. The intent of the monitoring legislation was to be able to verify a probationer’s/parolee’s whereabouts, which can be accomplished by establishing a curfew and periodically verifying a probationer’s/parolee’s compliance via the landline telephone and voice recognition system.

- b. If a probationer/parolee is not fully compliant at one level of monitoring, the Screening Committee and/or Supervisor may step the probationer/parolee up to a more restrictive technology in lieu of violation proceedings.
  - c. If appropriate, compliant sex offenders who have been on supervision, completed treatment or successfully completed at least one-half of their supervision period, and a reduced level of supervision is supported by the risk assessment instruments, must be supervised on Voice Monitoring Self-Report with minimum contacts once documented risk reassessment is completed and approved by a Supervisor as follows:
    - i. One home visit every 90 days.
    - ii. One personal contact every 90 days.
    - iii. Self-report will happen once a month.
- C. Location Monitoring Technology (LMT) Step Down Incentive for Failure to Register (FTR) Probationers/Parolees
1. LMT may be utilized as incentive for compliant probationers/parolees as a step down from active GPS monitoring. LMT will be the lowest level of EM approved for FTR cases. LMT covers only the EM requirement for FTR cases and must not be used to meet any contact requirements.
  2. LMT may be approved after the case is reviewed by the Chief P&P Officer or designee.
  3. Eligible probationers/parolees must meet the following criteria:
    - a. Cannot have any GPS violation due to their direct negligence. Negligent violations include Exclusion Zone Violations, Inclusion Zone Violation, Battery Violations, Possible Cell Jamming, and all Tamper Violations.
    - b. The one-time 100-dollar GPS supervision fee must be paid in full. An additional 100-dollar fee will not be charged if active GPS monitoring equipment is reinstalled during the same supervision period.
    - c. Must have a compatible phone and service provider.
  4. Probationers/Parolees who are deemed by their supervising Officer not compliant with LMT must be returned to active GPS monitoring.
    - a. If the monitored individual does not respond to one of the in-coming calls, the supervising Officer must formally address the issue. If the monitored individual does not respond a second time, they will be removed from LMT and returned to active GPS monitoring.
    - b. If the monitored individual receives an outside fence violation, the supervising Officer will investigate to determine it is not a drift point. If it is not a drift point, the supervising Officer must formally address the non-compliance. If a second verified fence violation occurs, the monitored individual must be removed from LMT and returned to active GPS monitoring.
    - c. If the probationer/parolee is returned to active GPS monitoring, they may be incentivized with LMT after an additional 90 days of active GPS monitoring compliance.
    - d. Probationers/Parolees who have been removed from LMT two times during the same supervision period will not be eligible for LMT for the duration of their supervision period.
  5. Training
    - a. Any Officer using LMT must receive formal training before this technology can be used.
    - b. The designated Deputy Chief of the Sex Offender Programs and Monitoring Unit and the services vendor will provide appropriate training for all Officers utilizing LMT.
    - c. All Officers who utilize LMT to monitor FTR sex offenders will be required to complete a refresher training during each calendar year that is approved by the designated Deputy Chief of the Sex Offender Programs and Monitoring Unit.
  6. Supervising Officer Responsibilities:
    - a. Ensure orientation of a probationer/parolee placed on LMT occurs on the first day.

- b. Enroll the probationer/parolee into Voice Recognition Monitoring under the surveillance tab in VACORIS.
- c. Establish boundaries and curfews.
- d. Explain that the probationer/parolee must maintain the schedule and request any deviations from the schedule in advance.
- e. Discuss the possible consequences of violations with the probationer/parolee.
- f. Obtain and witness the signature of the probationer/parolee on the LMT rules.
- g. Instruct the probationer/parolee to download the Shadowview Mobile Application for appropriate cellphones (smartphones) and complete the enrollment process. Alternatively, instruct the probationer/parolee using a landline on the procedure for enrollment, to include user number, password number, and toll-free number to call for enrollment and response to curfew reminders.
- h. Provide the probationer/parolee with a copy of the Voice Recognition Monitoring rules.
- i. Make changes in the Shadowview Officer Application if the probationer/parolee rules, boundaries, curfews, or scheduled change.
- j. Upon receipt, analyze alerts, phone calls, text messages, and emails on all electronically monitored cases under their supervision, document all reports of non-compliance in the probationer/parolee case *Notes*, investigate reports of violation, and take appropriate action.

#### 7. Alerts

- a. Assigned Officers will receive notification of LMT violations through email each business morning from Shadowtrack and can be verified through the integration of VACORIS *Notes*.
- b. The assigned Officer will document actions taken to resolve alerts and appropriately detail each violation. A Supervisor will review these reports and address unresolved violations.
- c. Each business morning, the designated Deputy Chief of the Sex Offender Programs and Monitoring Unit, and/or the Chief of the Sex Offender Programs and Monitoring Unit, acting as back up, will review unresolved violations.
  - i. For all unresolved violations that are one day old, the designated Chief P&P Officer and Regional Administrator will be notified.
  - ii. For any violation lingering after three days, the designated Regional Operations Chief and Chief of Corrections Operations will be notified.

#### D. EM supervision

1. Officers must receive training through a formal training session, which is required to utilize GPS EM or on-the-job training in each of the following areas for each technology they utilize:
  - a. Capabilities and limitations of the technology.
  - b. Support required from the probationer/parolee, i.e., landline telephone, facilities to recharge batteries, etc.
  - c. Installation, operation, maintenance, and removal of the equipment.
  - d. Enrollment procedures.
  - e. Supervision requirements including monitoring, alerts, and responses to alerts.
  - f. Integration of EM with other supervision tools and methods.
2. Additional information for GPS EM may be found in the GPS monitoring software and under the Help Section provided by the vendor.
3. The Officer is responsible for:
  - a. Installation of equipment including any equipment to be placed on the probationer/parolee and equipment to be installed in the probationer's/parolee's home.
  - b. Enrollment of the probationer/parolee into any monitoring software program.
  - c. Probationer/parolee orientation including signing consent forms, program rules, and agreements;

- use and operation of the equipment; alert responses; curfews, exclusion zones; etc., as appropriate.
  - d. Establishing monitoring requirements and integration with other supervision methods based on the requirements of the authority that placed the probationer/parolee on EM, supervision level, and local P&P Office practice.
  - e. Recovery of equipment from the probationer/parolee and the probationer's/parolee's home when it is no longer being used.
  - f. Maintain proper documentation and reporting of EM supervision events, equipment utilization, alerts, responses, etc.
4. The Screening Committee and/or Supervisor must authorize EM removal or step-down to a less restrictive method of EM.
  5. The requirements of the authority that placed the probationer/parolee on EM, supervision level, and local P&P Office practices will guide sanctions to be applied for violation of EM Program requirements. The Screening Committee and/or Supervisor must authorize step up to a more restrictive method of EM Program.

#### E. EM Program fee collection procedure

1. Probationers/parolees participating in the GPS program must pay a fee of 100 dollars. There is currently no fee for Voice Recognition Monitoring.
2. The Chief P&P Officer or a designated Supervisor may waive EM fees if the fee will impose undue hardship on the probationer/parolee.
  - a. Each case will be evaluated for the probationer's/parolee's ability to pay EM fees when placed on EM and again at the conclusion of EM.
  - b. Unless the fee is waived with the approval of the Chief P&P Officer, or a designated Supervisor, no probationer/parolee will be removed from the EM Program until the fee is paid in full.
  - c. The 100-dollar GPS Monitoring fee for all SVPs on Conditional Release cannot be waived by the Chief P&P Officer and must be collected before the GPS equipment is removed and surveillance is terminated if the supervision status is terminated by the Circuit Court (Note: P&P Officers must submit the status of payment in each SVP Progress Report).
  - d. Payments made to P&P Officers will be managed in accordance with Operating Procedure 210.2, *Cash Management*, using *Community Corrections Cash Management Log 210\_F4* and *GPS Fees Submission 210\_F5*.
3. A receipt will be issued and date of payment noted in VACORIS on the *Surveillance* tab under *Community Supervision/Offender Pages*.
  - a. Payments will be made by certified check, cashier check, or money order made payable to the Virginia Department of Corrections or Treasurer of Virginia.
  - b. Payments that are not distributed to the General Accounting Office at DOC Headquarters must be deposited in the bank within one working day.
  - c. If the P&P Office is not set up to make State deposits, fee payments will be forwarded to the General Accounting Office at DOC Headquarters within one working day in accordance with Operating Procedure 210.2, *Cash Management*.

## II. Global Positioning System (GPS) Monitoring

### A. Active GPS Monitoring

1. The system records a probationer's/parolee's location once every minute and communicates through cellular technology.
2. The system provides "near real time" reporting of probationer/parolee alerts through e-mail and/or text messages to the supervising or on-call Officer.
3. The unit will call in once every hour to automatically upload stored information.



4. The unit will report the violations as they occur if the unit has current access to cell phone service. If not, the violation will be reported when cell phone service is reestablished.
5. *Locate Now* can be performed to upload the most recent tracking points and the Officer can contact the probationer/parolee on the GPS Bracelet. If applicable, the Officer can also use the GPS Cell Phone to call the probationer/parolee.
6. All probationers/parolees under GPS monitoring must have an assigned Officer. The assigned P&P District and Officer must match in the GPS monitoring software and VACORIS.

#### B. Training

1. The designated Deputy Chief of the Sex Offender Programs and Monitoring Unit and the services vendor will provide appropriate training for all Officers utilizing GPS Monitoring of probationers/parolees. No staff without this training will utilize GPS Monitoring.
2. All Officers who utilize GPS monitoring for probationers/parolees and/or serve in GPS on-call positions will be required to complete a refresher training during each calendar year that is approved by the designated Deputy Chief of the Sex Offender Programs and Monitoring Unit.

#### C. Equipment assignment and control

1. Each Chief P&P Officer will identify a GPS Point of Contact (POC) and a back-up POC in their respective P&P Office.
  - a. The name will be provided to the designated Deputy Chief of the Sex Offender Programs and Monitoring Unit.
  - b. Any changes in the POC will be communicated immediately to the designated Deputy Chief of the Sex Offender Programs and Monitoring Unit.
2. Shipment of equipment will occur directly between the P&P Office and the GPS vendor.
  - a. Requests for equipment will be sent to: [vadocequipmento@vadoc.virginia.gov](mailto:vadocequipmento@vadoc.virginia.gov).
  - b. The *Electronic Monitoring Equipment Order 435\_F11* will be used to place orders.
  - c. The designated Deputy Chief of the Sex Offender Programs and Monitoring Unit will approve orders.
3. The POC will:
  - a. Be responsible for the ordering and managing of GPS inventory in the P&P Office.
  - b. Maintain an updated inventory log on all equipment, listing all GPS equipment by equipment number and status. The POC may use a report generated by the vendor or create their own inventory log.
  - c. P&P Offices with nine or more active units will maintain a shelf unit inventory.
    - i. Inventory will not exceed 30 percent of the active units the P&P Office has in use.
    - ii. P&P Offices with eight or less active GPS cases can have two GPS Bracelets on shelf inventory.
    - iii. Requests for equipment return slips will be sent to [va.info@scramsystems.com](mailto:va.info@scramsystems.com) and [vadocequipmento@vadoc.virginia.gov](mailto:vadocequipmento@vadoc.virginia.gov).
    - iv. When GPS Bracelets/equipment have been removed, the POC will complete an *Electronic Monitoring Equipment RMA Return 435\_F12*.
    - v. Every effort will be made to have the equipment returned to the GPS vendor immediately, the *Electronic Monitoring Equipment RMA Return 435\_F12* should be submitted no later than by the end of the following working day.
  - d. Ensure all equipment at the P&P Office is kept in a secure location accessible to appropriate staff.
4. No later than the fifth of each month, the POC and Chief P&P Officer will receive a list of equipment assigned to their P&P Office.
  - a. Within two working days of the fifth of each month the POC or Chief P&P Officer will review the list and report that it is accurate or will identify the discrepancies.

- b. These reviews will be sent to the designated Deputy Chief of the Sex Offender Programs and Monitoring Unit with a copy to the Regional Administrator.
5. Equipment Installation - The Officer will:
- a. Verify that adequate cellular coverage is present and/or phone lines are installed at the probationer's/parolee's residence.
  - b. Establish that equipment is available as soon as possible after sentencing. The Department of Behavioral Health and Developmental Services, Court, or the VPB will be notified if there is a delay in the installation of the EM equipment.
  - c. Ensure the GPS equipment is charged for a minimum of two hours prior to installation.
  - d. Verify the identifying information (name, local address, zip code, etc.) is correctly entered into VACORIS and that the case is assigned to them.
  - e. Make an entry in VACORIS on the *Surveillance* tab under *Community Supervision/Offender Pages* documenting the date that EM began and the type of GPS equipment. The 1-piece is the GPS Bracelet and the 2-piece is the GPS Bracelet and a GPS Cell Phone (SVP cases will only be supervised on GPS utilizing the GPS Bracelet and the GPS Cell Phone.).
  - f. Install the GPS equipment; see Help Section in the GPS monitoring software if needed.
  - g. If the GPS Beacon is used, the Officer will install it in the probationer's/parolee's home.
  - h. Conduct a test of the equipment to verify the equipment is functioning properly.
    - i. The Officer will conduct a *Locate Now* to ensure the GPS Bracelet is calling in, as well as view the tracking points to confirm the equipment is properly tracking before the probationer/parolee leaves the P&P Office.
    - ii. The Officer will send a "test" message to the GPS Bracelet to verify it is available to receive messages and vibrate. This could also serve as an opportunity to demonstrate to the probationer/parolee how to acknowledge messages/alerts sent to the GPS Bracelet.
6. When the GPS equipment is ready to be deactivated, an entry will be made in VACORIS on the *Surveillance* tab under *Community Supervision/Offender Pages* documenting the GPS end date and ending status. Next, log into the GPS monitoring software, select *Locate Now*, and unassign the GPS equipment.
7. Equipment Retrieval - The Supervising Officer will:
- a. Equipment is retrieved upon the conclusion of the GPS monitoring period. Every effort will be made to have equipment returned to the GPS vendor immediately, an *Electronic Monitoring Equipment RMA Return 435\_F12* should be submitted no later than by the end of the following business day.
  - b. When equipment cannot be retrieved, the supervising Officer in cooperation with the P&P Office's POC will complete a *Lost/Damaged/Absconder Equipment Report 435\_F13* which must be submitted to [vadoequipmento@vadoc.virginia.gov](mailto:vadoequipmento@vadoc.virginia.gov) the next working day after discovery.
  - c. File a warrant with law enforcement or contact your Commonwealth Attorney's Office if equipment is stolen or maliciously damaged by a probationer/parolee and copy the Regional Office with an Internal Incident Report; see Operating Procedure 038.1, *Reporting Serious or Unusual Incidents*.
  - d. When a SVP on Conditional Release tampers with or otherwise circumvents GPS, the supervising Officer must seek a criminal warrant from the Magistrate under COV §37.2-912C, *Conditional release; criteria; conditions; reports; penalty*.

#### D. Supervising Officer Responsibilities

1. The supervising Officer will complete the following tasks for probationers/parolees on GPS monitoring:
  - a. Verify the identifying information (name, local address, zip code, etc.) is correctly entered into VACORIS and that the case is assigned to them.

- b. Ensure GPS monitoring is started on the Surveillance Tab in VACORIS.
  - c. Log into the GPS monitoring software 10-15 minutes after starting GPS monitoring on the Surveillance Tab, select probationer/parolee, assign equipment, create and map zones, and establish zone schedules, if applicable.
  - d. Ensure the appropriate contacts for the alerts are correct for their P&P Office.
  - e. Place the offender type in the GPS monitoring software. Acceptable types to use are Conditional Release (SVPs), Sex Offender-High Risk, FTR (Fail to Register), Sex Offender (does not fall into the other three sex offender categories), Medical Clemency, Domestic Violence, Gang, Drug Related, Parolee, and Sanctioned (does not fall into any other category).
  - f. Include applicable remarks in the Comments/Notes section in the GPS monitoring software.
  - g. Place an updated picture of the probationer/parolee in the GPS monitoring software.
  - h. Establish an appropriate radius for the probationer's/parolee's residence and other zones.
  - i. Place curfew schedules in the GPS monitoring software. The schedule will incorporate adequate time allowances for the probationer's/parolee's travel to and from approved scheduled activities away from the residence.
    - i. If the Officer is unable to develop a curfew schedule in the GPS monitoring software, the Officer must obtain approval from the Chief P&P Officer or designee to omit a schedule and document in VACORIS *Notes*.
    - ii. Approvals will be noted in VACORIS on the *Surveillance* tab under *Community Supervision/Offender Pages* and in VACORIS *Notes* indicating approval with an explanation why the curfew plan could not be developed.
  - j. Develop GPS rules that are specific, realistic, and tailored to the needs of the probationer/parolee and along with established boundaries and curfews are developed within the restrictions provided by the Court or VPB.
2. Probationer/Parolee Orientation - The Supervising Officer will:
- a. Ensure orientation of a probationer/parolee placed on GPS monitoring occurs on the first day of monitoring.
  - b. Complete and have the probationer/parolee sign the *GPS Monitoring Rules 435\_F15* including discussion of boundaries, hardware rules, restrictions, schedules, curfews, and off-limit areas as follows:
    - i. Inclusion Zones: These set the curfew, which requires the probationer/parolee to stay within the zone surrounding the probationer's/parolee's residence or other designated areas in which the probationer/parolee must be during specified periods. An *Inclusion Zone Violation* will alert the supervising Officer and or on-call Officer if the probationer/parolee violates the Inclusion Zone.
    - ii. Exclusion Zones: These areas, which the probationer/parolee will avoid must be called by their description when recorded in the GPS monitoring software so they can be easily identified for example: "Miller School" or "Green Day Care Center."
    - iii. Establish boundaries and curfews.
    - iv. Explain that the probationer/parolee must maintain the schedule and request any deviations from the schedule in advance.
    - v. Disclose to the probationer/parolee that they must follow all care and maintenance instructions (e.g., GPS Bracelet charging).
    - vi. Discuss risks with the probationer/parolee when equipment maintenance procedures are not followed.
    - vii. Discuss with the probationer/parolee the possible consequences of violations.
    - viii. Obtain and witness the signature of the probationer/parolee on the *Electronic Monitoring Equipment Assignment and Receipt 435\_F16* and *GPS Monitoring Rules* acknowledging receipt of the rules and equipment.
    - ix. Advise the probationer/parolee of the requirement to pay a 100-dollar GPS fee prior to

- completion of GPS supervision unless the fee is waived due to undue hardship on the probationer/parolee (Note: The Officer can start collecting the fee in increments prior to the probationer/parolee being removed from GPS).
- x. Activate the probationer/parolee in the GPS monitoring software.
  - xi. Provide the probationer/parolee with a copy of the *GPS Monitoring Rules* and *Electronic Monitoring Equipment Assignment and Receipt*.
3. Monitoring Data - The Supervising Officer will:
- a. Upon receipt, analyze all alerts, phone calls, text messages, and e-mails on all EM cases under their supervision, document all reports of non-compliance in the probationer/parolee case *Notes*, investigate reports of violations, and take appropriate action.
  - b. Review GPS summaries on a routine basis for probationers/parolees under the Officer's supervision by reviewing the tracking points and comparing them with the probationer's/parolee's schedule to confirm that the probationer/parolee complies with the approved daily schedule.
  - c. Make changes in the GPS monitoring software if probationer/parolee rules, boundaries, curfews, or schedules change.
- E. Alerts - Due to the various reasons for alerts, the on-call Officers must investigate each alert and determine the appropriate action.
1. For all alerts
    - a. All Officers supervising GPS cases and Chief P&P Officers will ensure their contact information is accurately entered in the GPS monitoring software for each of the GPS cases under the P&P Office's supervision.
    - b. The Chief of Corrections Operations authorizes overtime as needed for on-call Officers to ensure a timely response to GPS violations; see Operating Procedure 110.2, *Overtime and Schedule Adjustments*.
      - i. DOCTime – GPS overtime
      - ii. On-call Officers are eligible for personal vehicle mileage reimbursements for response related travel; see Operating Procedure 240.1, *Travel*.
      - iii. All P&P Offices will have a quarterly rotating duty schedule of on-call Officers for GPS coverage on file with the Regional Administrator and designated Deputy Chief of the Sex Offender Programs and Monitoring Unit.
        - (a) Changes for the primary on-call Officer and the back-up on-call Officer must be updated weekly in the GPS monitoring software.
        - (b) Any schedule changes within the quarter will be updated in the GPS monitoring software, submitted on the P&P Office's current "on-call schedule" and emailed to the designated Deputy Chief of the Sex Offender Programs and Monitoring Unit with a copy to the Regional Administrator.
        - (c) Use of state vehicles by on-call Officers is governed by Operating Procedure 323.1, *Vehicle Acquisition, Operation, and Maintenance*.
    - c. The on-call Officer will log into the GPS monitoring software to determine the status of the probationer/parolee alert(s) and whether it has cleared. If no computer or Internet access is available, the on-call Officer can contact the GPS Monitoring Center to inquire about the probationer/parolee status.
    - d. The Officer will document actions taken to resolve the alert and place the appropriate detail in the GPS monitoring software. If after investigating the alert, the P&P Officer is unable to clear the event, the P&P Officer can log a note in the GPS monitoring software. When the violation has cleared, the P&P Officer will close the violation.
    - e. Apart from *Communication Failure*, the designated Deputy Chief or Chief of the Sex Offender Programs and Monitoring Unit must approve any suspension of an alert. Any changes to a suspension time must be communicated to the designated Deputy Chief or Chief of the Sex Offender Programs and Monitoring Unit for adjustment.

- f. Each business morning, the GPS vendor will send a report to the P&P Office email account if there are violations that have not been closed. A Supervisor will review these reports and address any violations that have not been closed.
  - g. Each business morning, the designated Deputy Chief of the Sex Offender Programs and Monitoring Unit, and the Chief of the Sex Offender Programs and Monitoring Unit as back up, will review unresolved violations.
    - i. For all unresolved violations that are one day old, the Chief P&P Officer and Regional Administrator will be notified.
    - ii. For any violation lingering after three days, the Regional Operations Chief and Chief of Corrections Operations will be notified.
  - h. Additional actions for specific alerts are as follows.
2. Location Failure - The GPS satellites are unable to acquire the GPS Bracelet to give a current location point.
    - a. The on-call Officer will contact the probationer/parolee and instruct the probationer/parolee to go outside away from the building for 15 minutes to an area with a clear view of the sky.
    - b. The Officer will then send a *Located Now* command to the GPS Bracelet through the GPS monitoring software to see if the GPS Bracelet is able to re-establish tracking points.
  3. Communication Failure – The GPS Bracelet was prevented from calling the server to transmit its information.
    - a. The on-call Officer will contact the probationer/parolee and instruct them to stand outside for 15 minutes; this may mean them having to leave their location to acquire a stronger cellular signal.
    - b. The on-call Officer will select *Locate Now* while the probationer/parolee is outside to force the unit to call in.
    - c. If the violation does not clear and there was a battery event, ensure the battery for the GPS Bracelet is not dead.
    - d. If the violation still does not clear, make further attempts to contact the probationer/parolee with instructions to report to a designated meeting area.
    - e. If the violation does not clear and the on-call Officer is unable to reach the probationer/parolee, a field visit may be necessary, and the Supervisor will be promptly consulted for case handling instructions.
    - f. If an Officer believes an exception to the *Communication Failure* notification is appropriate, the Chief P&P Officer must complete the *GPS Communication Failure Notification Waiver 435\_F17* and submit it to the Regional Administrator for approval and signature.
      - i. The Chief P&P Officer will forward the signed (can be an electronic signature) waiver to the designated Deputy Chief of the Sex Offender Programs and Monitoring Unit or the Chief of the Sex Offender Programs and Monitoring Unit in the Deputy's absence.
      - ii. The designated Deputy Chief or Chief of the Sex Offender Programs and Monitoring Unit will communicate the exception to the GPS vendor.
      - iii. On a monthly basis, the Chief P&P Officer must review all cases in waiver to ensure the status continues to be appropriate.
  4. Exclusion Zone Violation
    - a. If the alarm has immediately cleared, the on-call Officer may contact the probationer/parolee to question their activities and to instruct them to avoid the designated area.
    - b. If the alarm does not clear, the on-call Officer will contact the probationer/parolee and direct them to leave their current location immediately. If the investigation leads to verification that the probationer/parolee intentionally traveled through an exclusionary area, the supervising Officer will investigate the violation further.
    - c. If there is no response to attempted contacts or if the alarm does not clear, the on-call Officer will investigate further and may contact local law enforcement and/or respond to the location.

5. Inclusion Zone Violations
  - a. The on-call Officer will contact the probationer/parolee and question their whereabouts and reason for being outside their approved area.
  - b. The on-call Officer will check the probationer's/parolee's approved schedule to verify the schedule is entered accurately in the database.
  - c. If the investigation leads to verification that the probationer/parolee had an unauthorized absence from the approved residence or other approved location, the on-call Officer will determine whether to instruct the probationer/parolee to return to their inclusion zone, to update the zone, or if an immediate issuing of a PB-15 *Arrest Authority* or Emergency Custody Order (ECO) is appropriate.
  - d. The supervising Officer will input schedule changes to avoid future violation notifications, if needed.
6. Battery Critical – The battery in the GPS Bracelet needs to be charged to avoid shutdown.
  - a. The on-call Officer will contact the probationer/parolee and instruct the probationer/parolee to plug in their GPS Bracelet. The supervising Officer will verify the GPS Bracelet was charged for the required minimum two hours per day.
  - b. If the GPS Bracelet is still not charging, ensure that a green flashing light turns on when the GPS Bracelet is placed on the charger. If no lights turn on, replace the charger.
  - c. If replacing the charger does not correct the issue, replace the GPS Bracelet.
7. Potential Dead Battery – The battery for the GPS Bracelet is probably dead and the unit has shutdown.
  - a. The on-call Officer should contact the probationer/parolee and instruct them to charge their GPS Bracelet immediately; see Battery Critical troubleshooting if the GPS Bracelet fails to charge.
  - b. If unable to contact the probationer/parolee, the on-call Officer should go to the probationer's/parolee's last known location and instruct them to charge the GPS Bracelet.
  - c. If unable to locate the probationer/parolee, the on-call Officer should conference the case with a Supervisor to determine if the issuance of a PB-15 *Arrest Authority* or ECO is appropriate.
  - d. If determined that the probationer/parolee is an absconder, the on-call Officer will call the Operations and Logistics Unit (OLU) per Operating Procedure 038.1, *Reporting Serious or Unusual Incidents*.
8. Possible Cell Jamming- A device is disrupting the cell signal and the GPS Bracelet is unable to transmit information.
  - a. The on-call Officer will select *Locate Now* and contact the probationer/parolee to ask what type of electronic equipment is near them.
  - b. If the Officer is unable to determine any equipment that may be causing the jamming, a visit to the location may be warranted.
9. Battery Critical Beacon - The Beacon battery is in a critical state and needs to be charged.
  - a. The on-call Officer will instruct the probationer/parolee to plug the Beacon in to a power source.
  - b. The on-call Officer may determine from the probationer/parolee that something is causing the loss of power.
  - c. If there is no power in the home, the on-call Officer will ask when they will be able to have their service restored.
    - i. The probationer/parolee will be instructed to seek an alternate location for charging.
    - ii. Once an alternate location is determined, the on-call Officer will develop a charging schedule.
  - d. If the outage is due to inclement weather, refer to the Inclement Weather section of this operating procedure.
10. No Motion - The probationer/parolee has indicated no movement for a significant amount of time.
  - a. The on-call Officer will contact the probationer/parolee. If the contact is successful, meet the probationer/parolee at a location to verify the GPS Bracelet is still intact on the ankle and operating

correctly.

- b. If unable to contact the probationer/parolee, request a welfare check from local law enforcement and conduct a physical inspection to ensure the GPS Bracelet is still intact on the ankle, if appropriate.

#### 11. Tamperers

- a. All tamper violations require an immediate response within one hour of notification to the on-call Officer. In the event the tamper clears without intervention, the tamper protocol will still be followed and all equipment must be changed out.
- b. Tamper violations include:
  - i. Strap Tamper - The strap on the GPS Bracelet has been compromised or removed.
  - ii. Device Tamper- The back plate on the GPS Bracelet that secures the GPS Bracelet has been separated or damaged.
  - iii. Beacon Housing Tamper - The Beacon housing has been compromised and/or tampered with.
- c. The on-call Officer will complete the following actions in the event of a tamper.
  - i. Contact the probationer/parolee and question their activities that lead up to the alert to determine the cause of the violation notification.
  - ii. Instruct the probationer/parolee to report to a designated meeting location for an inspection of the GPS Bracelet.
  - iii. Contact with probationers/parolees after normal business hours and weekends must be held at a location that is chosen by the on-call Officer to ensure their safety is not compromised. If the contact cannot be held in a public location deemed safe, the on-call Officer will be accompanied by another Officer or local law enforcement.
  - iv. If the inspection verifies that, the probationer/parolee has tampered with the equipment. The Supervisor will be promptly consulted and a PB-15 *Arrest Authority* or an ECO may be issued for the probationer/parolee.
  - v. If the inspection verifies that the probationer/parolee did not tamper with the equipment, the on-call Officer will install new equipment. Install a new GPS Bracelet, back plate, and strap.
  - vi. If a Beacon Housing Tamper occurs during business hours, the Beacon will be inspected at the residence and replaced if no sign of a tamper. If the Beacon Housing Tamper occurs after business hours, it will be inspected and replaced on the next business day or sooner if the GPS Bracelet goes into some other type of violation.
- d. Any tamper violation that cannot be resolved must be reported to the Chief P&P Officer and documented.
- e. Any tamper violations not resolved in accordance with this operating procedure, will be immediately reported to the Chief P&P Officer and Regional Administrator with a copy to the Regional Operations Chief and Chief of Corrections Operations.

#### F. Absconders

1. When the Officer has reasonable belief that a probationer/parolee with GPS monitoring has absconded from supervision, the Officer must contact the OLU (804-372-4447) within one hour; see Operating Procedure 038.1, *Reporting Serious or Unusual Incidents*, and contact local law enforcement and provide any relevant information to aid in apprehension.
2. The Officer will contact a Supervisor for approval to issue a PB-15 *Arrest Authority* or ECO for the probationer/parolee and manage the case in accordance with Operating Procedure 920.6, *Violation of Supervision Conditions*.

#### G. Outpatient/inpatient medical procedure

- a. The supervising Officer will verify with a medical professional the level of care needed and if the procedure requires the removal of the GPS Bracelet.
- b. If the GPS Bracelet stays on, the supervising Officer will request any appropriate waivers from the

designated Deputy Chief of the Sex Offender Programs and Monitoring Unit or the Chief of the Sex Offender Programs and Monitoring Unit in the Deputy's absence.

- c. If the GPS Bracelet will be removed, the supervising Officer or the on-Call Officer will unassign the GPS Bracelet and remove it, if able, prior to the procedure.
- d. If the equipment is unassigned, it will be retrieved within two business days of hospital admittance.
- e. Prior to completion of the procedure or hospital discharge, the supervising Officer will establish a day/time to meet with the probationer/parolee to reinstall the equipment immediately upon release.

#### H. Transfer of Supervision between P&P Districts

1. GPS cases will not be transferred until the home plan has been investigated.
2. If the probationer/parolee is living in the receiving P&P District, the sending P&P District will monitor the alerts pending investigation of the case. The sending P&P District will also update the new address in VACORIS and map the address in the GPS monitoring software. During the transfer process, both the sending and receiving P&P Districts will coordinate the handling of GPS alerts that cannot be handled over the phone or in person by the sending P&P District; phone and email information for the receiving P&P District's on-call Officer will be obtained.
3. The receiving P&P District will complete the transfer investigation within seven working days. If the home plan is accepted, the receiving P&P District must assign the case in VACORIS as soon as possible to an Officer who will update the contacts for the alerts to ensure their P&P District's information is accurately entered in the GPS monitoring software to receive alerts.
4. Sex offenders have additional requirements for transfer and supervision; see Operating Procedure 735.3, *Supervision of Sex Offenders in Community Corrections*.

#### I. Intrastate travel

1. Travel outside of the probationer's/parolee's travel area, but still within the state, requires approval of the supervising Officer and will be appropriately documented.
2. The supervising Officer must notify the Senior Sex Offender P&P Officer of the impacted P&P District, or other designee, if travel out of the area is approved for overnight. This notification will include the name and DOC number of the probationer/parolee, the address of where they will be staying, and the phone number of the probationer/parolee. It will also include the name and cell phone number of the GPS on-call Officer in the P&P District.
3. The Senior Sex Offender P&P Officer, or other designee, of the impacted P&P District will notify the approving P&P District's supervising Officer of the impacted P&P District's GPS on-call Officer and cell phone number in case assistance is needed in the handling of a violation.

#### J. Interstate travel

1. Out of state travel while on GPS may be permitted and if allowed, the following must occur:
  - a. Travel must be in accordance with Operating Procedure 920.4, *Interstate Transfer of Supervision* and Operating Procedure 735.3, *Supervision of Sex Offenders in Community Corrections*, registry requirements, and approved by the Chief P&P Officer or designee on a *Travel Permit - Out of State 920\_F3*.
  - b. In compliance with Supervision Conditions; see Operating Procedure 920.1, *Community Case Opening, Supervision, and Transfer*, and any special instructions; see *Sex Offender Special Instructions 735\_F18*.
  - c. Out of state travel must be for work purposes or family emergencies only. No leisure travel will be approved.
  - d. Out of state travel will be limited to 24 hours but must not exceed 72 hours. For timeframes greater than 72 hours the Unit Head or designee must approve.
  - e. Out of state travel will not exceed 100 miles from the Commonwealth of Virginia, if possible.



- f. The probationer/parolee must provide secondary contact information in the event of an emergency or GPS violation.
  - g. The probationer/parolee must make prior arrangements for transportation back to the Commonwealth of Virginia in the event of an emergency or GPS violation.
2. SVPs on Conditional Release Supervision are not permitted to travel out of state unless out of state travel is documented in their Conditional Release Order.

#### K. Jail incarceration

1. P&P Districts will become familiar with and/or establish a process with their local jail for handling probationers/parolees on GPS who are arrested or who are ordered to serve weekend jail time.
2. When an on-call Officer verifies a probationer/parolee is incarcerated, they will attempt to determine why the probationer/parolee is incarcerated, the incarceration period, and the location of the equipment.
  - a. If the equipment remains on the probationer/parolee and the probationer/parolee is to remain incarcerated, the on-call Officer and/or supervising Officer must update the home zone and schedules as needed to avoid any future violations. If waivers for alerts are appropriate, the on-call Officer and/or supervising Officer will contact the designated Deputy Chief of the Sex Offender Programs and Monitoring Unit or the Chief of the Sex Offender Programs and Monitoring Unit in the Deputy's absence.
  - b. If the GPS Bracelet was cut off, end GPS monitoring in VACORIS, select *Locate Now*, resolve any violations, and unassign the equipment in the GPS monitoring software. If unable to unassign the equipment, the on-call Officer and/or supervising Officer will contact the GPS Monitoring Center for assistance.
  - c. GPS Bracelets that are deactivated and GPS Cell Phones, if applicable, will be retrieved within two business days or the next business day after a holiday. If the probationer/parolee is incarcerated in another jurisdiction that is not near the supervising P&P District, the supervising Officer will reach out to the appropriate P&P District to request they pick up the equipment and include the equipment with one of their returns. The GPS POC will be included in this correspondence.
3. When the supervising Officer verifies a probationer/parolee is serving weekend jail time, they will confirm the timeframe in which the probationer/parolee will be serving their weekend sentence, to include the start and end time for the jail sentence.
  - a. If the equipment is to remain on the probationer/parolee, the supervising Officer must contact the designated Deputy Chief of the Sex Offender Programs and Monitoring Unit to request any necessary waivers.
  - b. If the equipment is removed from the probationer/parolee, the supervising Officer will establish a day and time to meet with the probationer/parolee to remove the equipment and a day and time to immediately reinstall upon release.

#### L. Inclement weather

1. In cases of inclement weather (hurricanes, tornadoes, earthquakes, and flooding) where there may be significant power outages and accompanying GPS issues, the Chief of the Sex Offender Programs and Monitoring Unit will work with the GPS Monitoring Center in determining how to handle notifications.
2. Information will be sent out to employees via email regarding appropriate actions to take.

#### M. Legal inquiries

1. DOC is the owner of the GPS records; however, the GPS vendor is the custodian. If the vendor receives a subpoena for records, they will contact DOC prior to releasing them.
2. If an Officer receives a request for GPS records, they will contact the Chief or designated Deputy Chief of the Sex Offender Programs and Monitoring Unit to get approval to release those records.

#### N. Access to GPS monitoring software

1. Officers who no longer need access to the GPS monitoring software due to change in job status (e.g., termination of employment) must have their GPS cases reassigned within two to three days of their separation date or move to a new position.
2. The Chief P&P Officer or Supervisor/designee will send an email to the designated Deputy Chief of the Sex Offender Programs and Monitoring Unit indicating the Officer no longer needs access to the GPS monitoring software.

### III. Voice Recognition Monitoring Programs

#### A. Initiating Voice Recognition Monitoring

1. When connecting a probationer/parolee to the surveillance module in VACORIS, the P&P Officer is to select the surveillance *type* Voice Recognition Services and the specific *service* desired. The Officer is to select the *service* Mobile App where the service is available.
  - a. Smart phones using the Mobile App service allows the full range of services available. In all instances, where available, the Mobile App service should be employed.
  - b. Cell phones, that are not smart phones, allow only interview, as the cell phone cannot be located.
  - c. Landlines allow for voice and location, provided it is not a transferrable location landline.
2. Enroll the probationer/parolee in via the vendor computer application or the vendor officer app platform.
  - a. Create an interview schedule in the vendor computer application or vendor officer app if the probationer/parolee is being transferred to the OLU, or if remaining in the P&P District and an interview schedule is desired.
  - b. Transfer the supervisee to the OLU at the appropriate time thereafter.

#### B. District Voice Verification/Supervision Program

1. Use of voice/facial recognition services may be employed as both sanctions and incentives within the parameters of local P&P District operating practices.
2. Cases supervised in the P&P District may be placed in the district Voice Recognition Program in addition to other supervision requirements in accordance with local P&P District operating practices.
3. Any probationer/parolee under supervision experiencing compliance problems may be placed in the district Voice Verification/Supervision Program as a sanction or enhancement on a limited basis for:
  - a. Curfew
  - b. Self-reporting
  - c. Mobile App for location and virtual contact purposes
  - d. Drug screening protocol
4. The probationer's/parolee's supervision will remain with the supervising Officer/staff member to monitor compliance.
5. Assignments to the district Voice Verification/Supervision Program will be administered according to P&P District local operating practices documented in an Implementation Memorandum for this operating procedure; see Operating Procedure 010.4, *Operating Procedure Management*.
6. Enrollment
  - a. The Officer must do the following:
    - i. Create or update the probationer's/parolee's information in the Voice Recognition Monitoring services vendor's internet database or via the vendor's smartphone officer App.
    - ii. Provide to the probationer/parolee instruction and orientation using written, verbal, and/or video resources.

- iii. Review with the probationers/parolee the program rules and P&P District expectations. Individual P&P District Implementation Memorandums will speak to their specific expectations.
- iv. Obtain the required voiceprint and facial print (where applicable).

#### 7. Monitoring

- a. The Voice Recognition Monitoring vendor will advise the Officer if the probationer/parolee fails to properly complete a required curfew check or self-report.
- b. Based on supervision requirements and individual P&P District Implementation Memorandums, the Officer will respond to confirm the probationer's/parolee's location and take appropriate actions to ensure public safety; see Operating Procedure 735.3 *Supervision of Sex Offenders in Community Corrections* and Operating Procedure 920.1, *Community Case Opening, Supervision, and Transfer*.

### C. OLU VVBU

#### 1. Transfer requirements to the OLU

- a. Sex offender cases are excluded for transfer to the OLU if the active supervision is for a sex offense or if any present or historical conviction requires registry with the Virginia State Police.
- b. COMPAS risk/needs assessment supports Level Low supervision.
- c. All initial case opening documentation must be reviewed and pertinent probationer/parolee information entered into VACORIS (i.e., current address, phone number, urine screen results, Live Scan, confirmed State Identification (SID) Number, Photo, height, weight, hair and eye color, deoxyribonucleic acid, environmental summary, Court order (or documented request for one, and documentation of any P&P District procedures reviewed); see Operating Procedure 920.1, *Community Case Opening, Supervision, and Transfer*).
- d. A Home Visit is not required, prior to transfer, if the transfer is within the first 90 days of case opening.
- e. Probationers/parolees cannot be under terms of supervision with conditions or instructions requiring active involvement and follow up by an Officer.
- f. Restitution and other court monetary obligations are not prohibitions from transfer to the OLU. If restitution is ordered, the probationer/parolee must have an established method of payment approved by the sentencing Court or the sentencing P&P District and entered in VACORIS *Notes*.
- g. A criminal record check, in accordance with COV 53.1-145, *Powers and duties of probation and parole officers*, local P&P District protocols, and Operating Procedure 920.1, *Community Case Opening, Supervision, and Transfer*, must be conducted no more than 30 calendar days prior to referral. The supervising Officer will confirm and document.
  - i. The instant offense obligation for a probationer/parolee from a Virginia Court is documented by the Virginia State Police via the Central Criminal Records Exchange (CCRE).
  - ii. If the instant offense obligation for a probationer/parolee from a Virginia Court is not documented by the Virginia State Police via the CCRE, the supervising Officer has notified the Virginia State Police in accordance with COV 53.1-145, *Powers and duties of probation and parole officers*.
- iii. No new arrest or convictions appear in the probationer's/parolee's VACORIS *Notes*.
- h. The probationer/parolee is deemed capable of participating unless an exemption is approved by a Supervisor in the P&P District.
  - i. The probationer/parolee must be at least six months from Minimum Expiration Date (MED).
  - j. The probationer/parolee must have a SID number confirmed via LIVESCAN.
- k. The Officer will update VACORIS and create the appropriate *Notes* to provide a summary of the probationer's/parolee's current supervision adjustments.
- l. Prior to transfer to the OLU, the probationer/parolee will be notified by the P&P Officer that travel outside of the Commonwealth of Virginia requires permission from OLU staff.

#### D. Transfer Process to the OLU

1. Officers will submit all cases on active supervision with a Correctional Offender Management Profiling for Alternative Sanctions-R Community Corrections or Supervision Level Review supporting Level Low supervision to a Supervisor for a level review and consideration for transfer to the OLU.
2. When a Supervisor approves the level change, the case will be assigned to Level Low supervision unless extenuating circumstances indicate otherwise.
3. The supervising Officer will complete the probationer's/parolee's "voice print" and "facial print" where applicable for probationers/parolees according to the vendor's specification.
4. The supervising Officer will establish the interview monitoring schedule for the probationer/parolee if the case is being transferred to the OLU.
5. The supervising Officer will transfer the case to the OLU for supervision by the VVBU.
6. The OLU VVBU staff will assign the case to the program if accepted or notify the referring P&P Office of the denial, cause, and any relevant follow up instructions by *Special Entry* in the probationer's/parolee's VACORIS *Notes* and case handling instructions.

#### E. OLU Supervision Protocol

1. Upon notification from the Voice Recognition Monitoring vendor of the probationer's/parolee's failure to properly complete a required contact, the Officer/staff member will respond to confirm the probationer's/parolee's location and take appropriate actions to ensure public safety; see Operating Procedure 920.1, *Community Case Opening, Supervision, and Transfer*.
2. Routinely review the dashboard and manage resolution of exceptions or review unresolved infractions with the sentencing P&P District's Voice Verification/Supervision Program Coordinator.
3. Conduct an annual review of each case to assess eligibility for early release.
4. Consult with the sentencing P&P District via VACORIS investigations, at least 120 days prior to the probationer's/parolee's MED regarding their supervision release plan.
5. Record case activities in accordance with Operating Procedure 920.1, *Community Case Opening, Supervision, and Transfer* for:
  - a. New arrests and convictions
    - i. Notify the sentencing P&P District via VACORIS investigations.
    - ii. Develop case handling response with sentencing P&P District which may include transfer of the case to the sentencing P&P District.
    - iii. The OLU VVBU Specialist will document the sentencing P&P District decision in the probationer's/parolee's VACORIS *Notes*.
  - b. Changes in employment, phone number, or address.
  - c. Documentation and use of prescribed medication.
6. Ensure each probationer/parolee has a current confirmed SID number.
  - a. Travel requests will be considered on a case-by-case basis.
  - b. Notify the sentencing P&P District who is responsible for approving and issuing the travel permit in cases where travel is out of the country.

#### F. Transfer from the OLU

1. After consultation with the sentencing P&P District, a probationer/parolee can be removed from OLU and transferred back to the sentencing P&P District.
2. The OLU VVBU Specialist will document the sentencing P&P District decision in the probationer's/parolee's VACORIS *Notes*.
3. The OLU VVBU Supervisor may override the above criteria in extenuating circumstances.

Documentation will be placed in the probationer's/parolee's VACORIS *Notes* noting the reasons for retaining the case on Voice Recognition Monitoring.

4. Where disagreement occurs between the Supervisors of the OLU VVBU and Supervisors of the sentencing P&P District, regarding which unit must provide supervision, the P&P District's position should be honored.
5. Cases where the only supervision requirement is an obligation beyond MED should be transferred to the sentencing P&P District.

G. The OLU VVBU, in collaboration with the vendor, is responsible for Officer and specialist training regarding expected and requested use of voice recognition monitoring services.

## REFERENCES

COV §9.1-902, *Offenses requiring registration.*

COV §19.2-295.2:1, *Postrelease incarceration of felons sentenced for certain offenses committed on or after July 1, 2006.*

COV §19.2-303, *Suspension or modification of sentence; probation; taking of fingerprints and blood, saliva, or tissue sample as condition of probation.*

COV §37.2-912C, *Conditional release; criteria; conditions; reports; penalty.*

COV §37.2-908, *Trial; right to trial by jury; standard of proof; discovery.*

COV §53.1-131.2, *Assignment to a home/electronic incarceration program; payment to defray costs; escape; penalty.*

COV §53.1-145, *Powers and duties of probation and parole officers*

Operating Procedure 010.4, *Operating Procedure Management*

Operating Procedure 038.1, *Reporting Serious or Unusual Incidents*

Operating Procedure 110.2, *Overtime and Schedule Adjustments*

Operating Procedure 210.2, *Cash Management*

Operating Procedure 240.1, *Travel*

Operating Procedure 323.1, *Vehicle Acquisition, Operation, and Maintenance*

Operating Procedure 735.3, *Supervision of Sex Offenders in Community Corrections*

Operating Procedure 920.1, *Community Case Opening, Supervision, and Transfer*

Operating Procedure 920.4, *Interstate Transfer of Supervision*

Operating Procedure 920.6, *Violation of Supervision Conditions*

## ATTACHMENTS

None

## FORM CITATIONS

*Community Corrections Cash Management Log 210\_F4*

*GPS Fees Submission 210\_F5*

*Electronic Monitoring Equipment Order 435\_F11*

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