

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR SANTA ROSA COUNTY, FLORIDA**

**ADMINISTRATIVE DIRECTIVE SRCAD 2016-5
(*Vacates Administrative Directive SRCAD 2012-3*)**

**RE: Global Positioning Systems (GPS), House Arrest, Wearable Alcohol Monitor,
and Drug Patch Standards**

WHEREAS, Global Positioning System (GPS) technology, House Arrest, Wearable Alcohol Monitors, and Drug Patches are currently used as an effective means of monitoring within the Pretrial Release and County Probation Programs in Santa Rosa County, and.

WHEREAS, Global Positioning System (GPS) technology, House Arrest, Wearable Alcohol Monitors, and Drug Patches are currently used as an effective means of monitoring as a bond condition or condition of sentence, not necessarily under the supervision of the Pretrial Release and County Probation Programs in Santa Rosa County, and

WHEREAS, there is a need for uniform procedural and technology standards for private for-profit vendors/providers in order to provide effective and efficient monitoring services; it is therefore,

ORDERED that:

1. The preferred provider of GPS and House Arrest supervision services in Santa Rosa County is and shall be the GPS and House Arrest service provided by the Santa Rosa County Sheriff's Office.
2. There may exist in some cases circumstances which make it impossible or impractical for the Santa Rosa County Sheriff's Office to provide GPS or House Arrest supervision services to an individual client. Upon such a finding by a court of competent jurisdiction, that court may authorize the Defendant to use a private GPS or House Arrest provider from a list to be established by the Santa Rosa County attorney. This list will also include private Wearable Alcohol Monitoring and Drug Patch providers.
3. Private providers of GPS, House Arrest, Wearable Alcohol Monitoring and/or Drug Patch services must agree to be subject to comply with all orders of the administrative judge, the judge setting bond, and/or the trial judge with authority over the case.

4. Businesses or individuals seeking to provide private GPS, House Arrest, Wearable Alcohol Monitoring and/or Drug Patch supervision services, must apply to the Santa Rosa County attorney to be placed on the list of authorized private GPS, House Arrest, Wearable Alcohol Monitoring and Drug Patch providers. The County Attorney will appoint County Probation to review the application, interview the provider and employees, perform a background check, and thoroughly investigate the applicant's ability and fitness to perform the duties necessary to ensure the supervision of the Defendant while out on bond and in certain cases, the safety of the alleged victim.
5. At a minimum, the applicant will provide, and if approved, will continue to provide:
 - a. Releases for criminal history and credit information: Applicants may submit a criminal history at their expense, though County Probation reserves the right to perform an additional criminal history check. Or, applicant may initially opt for County Probation to perform a criminal history check at the expense of \$25 (twenty-five dollars) per individual.
 - b. All equipment, including computer equipment, for inspection regarding suitability for use, accuracy and reliability.
 - c. Access to the premises from which the applicant will conduct business, and any monitoring stations if outside the business.
 - d. Copies of all operating procedures or manuals for the GPS, House Arrest, Wearable Alcohol Monitoring and/or Drug Patch service, any agreements which the defendants will be required to sign and amendments thereto.
6. The applicant will:
 - a. Use equipment with a battery life of at least thirty-six (36) hours under normal operating conditions for GPS, House Arrest and Wearable Alcohol Monitoring.
 - b. Provide recharging equipment to the defendant and require the battery be recharged sufficiently to ensure it will not lose power.
 - c. Utilize equipment which will provide an alarm condition upon entry into an exclusion zone, discharge of the battery, or tampering with the connective strap for GPS, House Arrest and Wearable Alcohol Monitoring services.

- d. Have the ability to speak directly to the defendant twenty-four hours a day whether through the device itself or via cellular telephone communication for GPS or House Arrest services.
- e. Monitor the defendant's location twenty-four hours a day with immediate automated notification to a monitoring person of any alarm condition for GPS services.
- f. Place the monitoring equipment on the defendant prior to the defendant's physical release from jail, instruct the defendant fully regarding the policies and procedures regarding the equipment including charging, tampering with the strap or equipment, and exclusion zones, and provide a map of the exclusion zones to the defendant when utilizing GPS, House Arrest, Wearable Alcohol Monitoring services, and/or apply Drug Patch.
- g. Maintain adequate approved written procedures for alarm conditions. Written procedures MUST include:
 - i. GPS and House Arrest services: IMMEDIATE NOTIFICATION TO THE SANTA ROSA COUNTY SHERIFF'S DEPARTMENT OF ANY ALARM CONDITION AS WELL AS THE CURRENT POSITION OF THE DEFENDANT. The current position must also be updated as it changes so as to facilitate the immediate taking into custody of the defendant. Should the current position not be known; for example, if the strap has been cut and the equipment abandoned, then the last known position of the defendant as well as any information in the provider's possession (including but not limited to the name, address, and all contact information regarding the person who posted the bond, the names and contact information of any family members, and the names and contact information of any other individuals known to the provider) which the provider believes might be helpful in apprehending the defendant or which is sought by law enforcement must be immediately provided to law enforcement.

- ii. GPS and House Arrest services: Immediate communication with the defendant and detailed, turn by turn instructions how to quickly leave the exclusion zone and report for an equipment check.
 - iii. GPS, House Arrest, Wearable Alcohol Monitoring and Drug Patch services: Weekly reporting to the provider for equipment check (to ensure the equipment is in good operating order, sufficiently charged, the strap is secure, intact, and has not been subjected to tampering) as well as a review of policies and procedures, including the specific exclusion zones.
 - iv. GPS and House Arrest services: Notification to the defendant that should the defendant fail to follow the approved procedures, tamper with the equipment or strap, or violate the exclusion zone, the provider reserves the option to go “off bond” and have the defendant re-arrested without further warning. Said notification must be in writing, read to the defendant, and a copy given to the defendant when the equipment is placed on the person of the defendant.
 - v. Wearable Alcohol Monitoring and Drug Patch services: If a client is either on bond or a sentence, not on Pretrial Release or under the supervision of County Probation, providers must notify the Office of the State Attorney if a defendant violates.
- h. Read all orders of the Administrative Judge regarding GPS providers and bonds, including but not limited to the invocation of emergency procedures for detention of GPS and House Arrest monitored defendants during an emergency, and certify in writing that said orders have been reviewed, the intention and willingness to comply with those orders, and to instruct the defendant on the defendant’s obligations with regard to such orders.
7. County Probation is authorized and empowered to assist in the implementation of this order and ensure compliance with its terms by all GPS, House Arrest, Wearable Alcohol Monitoring and Drug Patch service providers and applicants in Santa Rosa County, as well as providing a recommendation to the Santa Rosa County attorney regarding an applicant’s qualifications. County Probation and the Santa Rosa County Sheriff’s Department are directed to advise the Santa Rosa Attorney of any reason why an

application should not be granted, or having been granted, why authorization to be a GPS, House Arrest, Wearable Alcohol Monitoring and Drug Patch service provider should be revoked.

8. County Probation may provide a list of those entities who have already been inspected, who have been providing GPS, House Arrest, Wearable Alcohol Monitoring and Drug Patch services supervision services for at least one year, in business with appropriate documentation, and whom County Probation recommends be allowed to provide services. Providers on that list may continue to provide services pending approval of an application. All others must cease providing GPS supervision services and must pick up and return to jail any defendant they are supervising for placement with an approved GPS provider. If the unapproved provider is also a bondsman, then any monetary bond posted with the unapproved provider will remain in place and the unapproved provider will continue as the bondsman. In that event, the defendant may be released once an approved GPS provider enrolls the defendant into his supervision and a GPS unit is placed on the defendant.

Any written notification of revocation of authorization to be a GPS, House Arrest, Wearable Alcohol Monitoring and/or Drug Patch services provider shall be made at the last known business address of the provider. Immediately upon notification, all providers will provide access and copies of all information regarding the location of all defendants currently being monitored or under the supervision of the provider. Additionally, the GPS/House Arrest provider will assist in locating and placing in custody all such defendants. All such defendants will be taken into custody and returned to the Santa Rosa Jail. Said defendants, if they are otherwise in compliance, will be allowed to contract with a new, approved GPS provider as soon as practical and will be allowed access to a telephone to do so from the jail.

DONE AND ORDERED in chambers at Milton, Santa Rosa County, Florida, this
25TH day of August 2016.

/s/ JOHN F. SIMON, JR. _____

JOHN F. SIMON, JR.
ADMINISTRATIVE JUDGE

Copies to:

The Honorable Linda Nobles, Chief Judge
All Santa Rosa County Judges
The Honorable Donald C. Spencer, Clerk of Court
The Honorable Wendell Hall, Sheriff
The Honorable Bill Eddins, State Attorney
The Honorable Bruce A. Miller, Public Defender
Board of County Commissioners
Tony Gomillion, Santa Rosa County Administrator
Roy Andrews, Esquire, Santa Rosa County Attorney
Santa Rosa County Probation
Robin M. Wright, Trial Court Administrator
Brooke Jones, Court Operations Manager