

Santa Barbara County

Sheriff's Office

Alternative Sentencing Bureau

Electronic Monitoring/Sheriff's Work Alternative Program



Procedure Manual

Revised, April 11, 2023

Alternative Sentencing Bureau

The Alternative Sentencing Bureau (ASB) was created to assist in the mitigation efforts to reduce jail overcrowding by offering community-based programs for inmates where sentences may be served in-lieu of physical incarceration. To support the local criminal justice system, increase community safety and ensure the effective and safe monitoring of individuals being released from incarceration in the Santa Barbara County Jail System (SBCJS), Santa Barbara Sheriff's Office (SBSO) and Santa Barbara County Probation (PROBATION) have agreed to work in collaboration to provide alternative sentencing to individuals sentenced to serve custody time by the Santa Barbara County Court. SBSO and PROBATION staff will work together to ensure those individuals who are approved to serve their jail commitments are appropriately identified, screened, booked, released, and supervised efficiently and according to agreed procedures and policy. SBSO and PROBATION will promote communication and collaboration amongst staff within each respective agency and any other involved agencies in the County. With the advent of AB109 the program has been expanded to include the placement of inmates who are unable to post bail pursuant to Penal Code §1203.018; those inmates placed on electronic monitoring in-lieu of being released on their own recognizance (pursuant to 2005 court order); as well as involuntary commitments pursuant to Penal Code §1203.016. The ASB operates two distinct programs:

- **Electronic Monitoring (EM):**

Is a home detention program in which inmates are allowed to serve their sentences by means of confinement to his/her place of residence while being monitored by electronic tracking devices. Applications for Electronic Monitoring may be initiated by the applicant, may be mandated by the ASB staff, or PROBATION.

- **Sheriff's Work Alternative Program (SWAP):**

A program in which inmates are allowed to serve sentences by means of performing community service work at an approved and designated work site.

Both EM and SWAP shall be operated in accordance with Sheriff's Office policies and procedures and in compliance with applicable Federal, State and Local laws. (Penal Code §§1203.018, 1203.016, 4024.2 and 1208).

I. **DEFINITIONS:**

Offender: An individual who has been charged or convicted in a criminal case.

Inmate: An individual who is incarcerated in a county correctional facility or an individual who is participating in the EM or SWAP program in lieu of incarceration in a county correctional facility.

Program Staff: ASB (SBSO) and or PROBATION

II. ADMINISTRATION:

ASB is administered under the Chief Deputy of Custody Operations.

- A. Guiding Principal: The operation of the ASB program is to help reduce the Jail's inmate population, while maintaining the highest public confidence, credibility, and public safety.
- B. Communication: Program staff shall communicate and cooperate with other members of the criminal justice community. These agencies include, but are not limited to:
 - 1) Santa Barbara County Courts.
 - 2) Public Defender's Office.
 - 3) District Attorney's Office.
 - 4) Local allied law enforcement agencies; and
 - 5) Community Based Organizations.
 - 6) Private Attorneys
 - 7) State Parole
- C. Custody Records Files: A Custody Records File will be maintained on all offenders assigned under the supervision of the ASB. Files will be scanned and saved into JMS (Jail Management System) after an inmate is released from the program. Criminal history will not be attached. Access to Custody Records Files will be limited to authorized personnel only and files will be maintained in accordance with established policy. Scanned materials will be destroyed to the department policy.
- D. Program Files: Offenders assigned to either EM or SWAP will have a separate Program File maintained within the ASB offices. These files may contain the following:
 - 1) Offender applications/interview notes.
 - 2) Employment verification forms.
 - 3) Offender criminal history information.
 - 4) Santa Barbara County custody encounter histories.

- 5) CLETS summary.
- 6) DMV records.
- 7) Electronic Monitoring and SWAP Rules (signed by inmate).
- 8) Agency reports (i.e., Probation, arrest report, treatment records, etc.).
- 9) On-going notes regarding pre-approved absences, violations, etc.;
- 10) Assigned work site and work schedule information (SWAP).
- 11) Any assessment such as Risk of Violence and Recidivism (ROVAR), or Initial Screening Tool (IST) completed by the PROBATION or SBSO; and
- 12) Any other applicable information as deemed necessary by Program Staff.

E. Program Application: All program applicants must be sentenced to serve time in the Santa Barbara County Jails per Penal Code §1203.016 or qualify as a pre-adjudicated/pre-trial inmate in accordance with Penal Code §1203.018(c). Court ordered sentences from other counties are not accepted.

F. Applications: Applications for Alternative Sentencing Programs (ASB) may be access online, retrieved from the courthouse, or in person at any of the ASB offices in Santa Barbara or Santa Maria. For those incarcerated into a county facility, an application will be made available to in their housing unit.

- 1) Each applicant will be provided with an ASB Application packet that must be completed. The application will include the following information:
 - a) Name and address of applicant.
 - b) Date and place of birth.
 - c) Personal characteristics (race, hair color, eye color, height, weight).
 - d) Social Security number.
 - e) Name, address, phone number of current employer.
 - f) Make, model, year, color, and license plate number of vehicle(s) subject will be using.
 - g) Name and phone number of subject's parole/Probation officer if applicable.
 - h) Emergency contact information.
 - i) A list of medical conditions or restrictions that may affect program

placement (SWAP).

- j) A list of prescribed medications that may alter drug test results will be presented during the application process.
 - k) Type and address of any treatment programs that the applicant is attending.
 - l) Any alternative contact numbers (i.e., cell phone, work phone).
- 2) ASB staff will review the applicant's application and determine if a qualification interview is necessary.
- a) If an interview is necessary, staff will contact the applicant and schedule an interview appointment. Interviews will be conducted by telephone or at any of the ASB offices.
- 3) At a minimum, offenders must satisfy the following requirements:
- a) For pre-adjudicated/pre-trial inmate placement on the program, 30 days or more must have been served in custody for misdemeanor crimes and 60 days or more must have been served for felony crimes prior to acceptance into the program in accordance with Penal Code §1203.018(c).
 - b) No program restrictions noted on the minute order from the sentencing judge.
 - c) No open criminal cases or pending charges, or active bookable warrants in any jurisdiction.
 - d) No recent use of illegal drugs or medical marijuana (may be verified by drug testing).

Note: If, in the opinion of the reviewing Custody Deputy, circumstances are present that indicate a potential threat to public safety, or a failure to follow staff instructions or program guidelines, the applicant may be denied for cause.

- 4) Before placement into the program, SBSO staff assigned to ASB Staff will conduct the following reviews:
- a) Conviction status.
 - b) Criminal History status.
 - c) Jail/Community Programing if applicable.
 - d) Residence status.
 - e) Risk assessment as determined by Probation.
 - f) Risk to community.
 - g) Previous in-custody behavior.

G. Program Denial: Program denial will be done in writing articulating the reason for denial to the applicant. Procedures for appeal will be included with the denial letter.

- 1) The following charges/detainers/registrations/situations will be automatic disqualifiers for ASB Programs, unless exigent circumstances exist, and a supervisor has approved participation:
 - a) PRCS Violations (3455 PC and some subsections)
 - b) Flash Incarcerations (3455(c) PC)
 - c) 290 PC Registrants (sex offender registrants)
 - d) Charge of 187 or 664/187 PC (homicide)
 - e) 457.1 PC Registrants (arson registrants)
 - f) Those with Court Ordered “No Alternative Sentencing” or other specific language that indicates no Alternative Sentencing Programs allowed.
 - g) Stalking (646.9 PCF)
 - h) Rape (261 PC)
 - i) Mayhem (203 PC)
 - j) Torture (206 PC)
 - k) Human Trafficking (236.1 PC)
- 2) The following charges/detainers/situations will be considered on a case-by-case basis:
 - a) 1170(h)(5)(a) PC-Straight Jail Sentences.
 - b) 1170(h)(5)(b) PC-Split Sentence Jail sentence with a mandatory Probation supervision tail).
 - c) 1170(h)(5)(b) Violation of Probation (Violation of Split Sentence supervision).
 - d) 3057 PC (violation of parole).
 - e) 1203.2 PC F.
 - f) High Profile Cases.
 - g) Prior Removals from ASB Programs due to rule infractions/violations
 - h) Those residing outside of the Tri-Counties area (Ventura, Santa Barbara, San Luis Obispo County)-Temporary addresses within the tri-counties will be accepted once verified.

- 3) Per California Penal Code 1203.016(e), the court may recommend or refer a person to the correctional administrator for consideration for placement in the home detention program. The recommendation or referral of the court shall be given great weight in the determination of acceptance or denial. At the time of sentencing or at any time that the court deems it necessary, the court may restrict or deny the defendant's participation in a home detention program.
- 4) Potential denial examples, include, but are not limited to:
 - a) Institutional history of inmate discipline or involvement in assaults against inmates or staff, possession of serious contraband, drugs, weapons or reports of insubordination (IDR).
 - b) History of escape, escape attempts, or other indicators of flight risk potential.
 - c) Poor record of performance or high-risk factors provided by the Probation Department.
 - d) Presence of an evidence-based risk assessment which indicates a high likelihood for the offender to reoffend.
 - e) Severity of current charges.
 - f) High profile cases and out of tri-county will be considered case by case basis.
 - g) Absence of residence and/or phone are also potential denials as well.
- 5) Appeals will be in writing/electronic mail (no telephone calls) and directed in the following order:
 - a) Senior Custody Deputy, Alternative Sentencing Bureau
 - b) Custody Sergeant, Alternative Sentencing Bureau
 - c) Custody Lieutenant, Alternative Sentencing Bureau

At each level of appeal, the reviewing staff member will review the application, reason for denial, appeal letter, and respond to the applicant in writing.

- H. Program Placement: Determination of specific program placement is at the sole discretion of the ASB staff and Custody Administration and will be based on what best suits the needs of the department as well as the applicant. The application, review and booking process for both programs are consistent.
- 1) Length of sentence may be a determining factor in program placement but shall not be a determining factor in program acceptance or denial.

- 2) Offenders who are sentenced under Penal Code §1170(H)(5)(A) or Penal Code §1170(H)(5)(B) shall have an IST and/or COMPAS assessment completed by Probation Department or designated Sheriff's Office staff and on file prior to placement on the program.

I. Jail Transfers: Inmates incarcerated in Santa Barbara County Jail facilities can apply for program participation. The applications for Alternative Sentencing will be available in each housing unit in our correctional facilities. Custody Deputies assigned to ASB will be frequently distributing applications and aiding those who need help with completing the application. Furthermore, they will provide every sentenced inmate with a program application and maintain records of those who refuse to apply for the program.

- 1) Inmates transferred from the jail shall have an IST and/or COMPAS assessment on file prior to placement on the program.
- 2) Program staff screening inmates for program participation will notify all listed individuals on inmates with an active "Victim Notification Alert." The notification will be made prior to transferring the inmate into the community release programs and it will be documented in the inmate's JMS file.
- 3) Before enrolling into a program, a memorandum will be sent to Custody Records, Classification, Property, and Probation Officers notifying them of the new enrollment into the program.

J. Program Removals:

- 1) This is the responsibility of all personnel assigned to ASB. Offenders who violate the rules, regulations or conditions of either program or choose not to agree to the terms and conditions of either program are subject to removal from the program and immediate return to physical custody in the following manner:
 - a) The recommended method of program removal is to take the offender into custody during an office visit. Either at ASB office or PROBATION office.
 - b) If the offender fails to report to the ASB or PROBATION office, a field arrest may be accomplished if the violation is of a serious nature and immediate action is required.
 - c) Program staff will pursue a warrant of arrest for offenders who fail to show up at an ASB office and who are not arrested in the field.

III. **ELECTRONIC MONITORING**

A. **SBSO Booking Process:**

- 1) Inmates may be required to submit to a drug screening test during the application process, placement onto the program, or during program participation. A positive drug test may result in disqualification and/or removal from the program.
- 2) The inmate will be booked into the Jail Management System.
- 3) The inmate will be fingerprinted and photographed.
- 4) The inmate will be thoroughly briefed on the rules, regulations, and procedures for the EM Program.
- 5) Prior to, or on the date of booking, the inmate will read and sign the following documents:
 - a) EM and SWAP rules which contains the following:
 - (1) An escape clause and waiver of extradition.
 - (2) A responsibility for equipment clause.
 - (3) A controlled substance use clause.
 - (4) A consent to search waiver.

B. **EM Participant Contract (This will be responsibility of PROBATION):**

- 1) The inmate's work program, curfew, inclusion (exclusion if applicable) and scheduled times away from their residence will be determined and entered the web-based offender management system.
- 2) The inmate will be given complete instructions concerning the operation and charging of the EM equipment and a "tag" (GPS Monitoring Device) will be attached to the inmate's ankle. If the inmate is missing limbs that would prevent ankle placement of the device, then the device shall be placed in a location that is secure to the inmate, a Supervisor will be notified prior to placement.
- 3) Equipment operation will be verified in the EM monitoring system before the inmate leaves the office.
- 4) The inmate may have additional conditions of participation in the EM program (residential treatment program participation, treatment group attendance, etc.). These additional conditions will be documented and presented to the inmate at

time of booking or during a meeting with ASB staff. Whenever possible, these conditions should be based on an inmates' needs as verified by an evidence-based needs assessment.

C. Program Requirements:

- 1) Unrestricted access to the place of residence for PROBATION staff to conduct random, unannounced home checks.
 - a) Residence may include a residential treatment program or a community shelter.
- 2) Adequate access to an active telephone (cellular or residential).
- 3) Adequate access to electricity for unit charging purposes.

D. Restricted Items: Firearms, alcohol, and illegal drugs (including medical and recreational marijuana) are prohibited from being in the residence or in the possession of the offender during the program period.

E. Rules/Regulations:

- 1) As part of the orientation process, inmates placed on EM will be advised of the rules and regulations of the program and will be provided with a written copy of the rules.
- 2) Scheduled locations may include, but are not limited to, places of employment, court, schools, day reporting centers, Probation, and parole locations and medical or program appointments. PROBATION staff may authorize overnight, or other absences as appropriate and such absences must be documented in the inmate's file. ASB sergeant may authorize out of tri-county overnight stay.
- 3) Inmates will not be allowed to visit casinos, bars, or similar businesses, unless employed there or given authorization by program staff. Employment in these areas must have prior approval by Program staff.
- 4) Inmates must remain at their scheduled location, unless they have an approved schedule deviation, or in the case of an emergency such as a fire, medical emergency, or threat to their personal safety. Any out-of-range violations will be considered an unapproved absence, unless the event involves an equipment malfunction, or the event was momentary in nature.
- 5) Unauthorized absences may be excused in the case of a medical or other type of emergency. In all cases, the inmates must advise Program staff as soon as practical and must present evidence (receipt) of medical treatment and/or the nature of the emergency.

- 6) Changing place of scheduled location or telephone number without prior approval of the Program staff is not permitted.
- 7) Damage or loss of monitoring equipment may result in program removal and the inmate being held financially and criminally responsible.
- 8) Consumption or use of alcoholic beverages or illegal drugs (including medical and recreational marijuana) is prohibited and may result in program removal.
- 9) Abuse, misuse or taking any prescribed medication in a manner other than specifically instructed by a physician is prohibited and may result in program removal.
- 10) Being arrested or charged with any crime including a misdemeanor traffic violation, while on the program, is prohibited and may result in program removal.
- 11) Associating with ex-felons, persons with a criminal history, gang members, or any person that Program staff advises the inmate not to associate with is prohibited and may result in program removal.
- 12) Allowing a social gathering of more than two (2) adults (other than residents) at their home without approval by Program staff is prohibited and may result in program removal.
- 13) Possessing, transporting, or using any type of firearm/weapon or police radio/scanner while on the program is prohibited and may result in program removal.
- 14) Lying to or being uncooperative with Program staff or law enforcement officers is prohibited and may result in program removal.
- 15) Inmates may be permitted a scheduled time away from their residence as approved by Program staff. Inmates who are unemployed may request scheduled time away from their residence to seek employment. The inmates may be required to advise program staff of the locations in which they applied for employment. Failure to follow staff orders may result in this privilege being revoked.
- 16) Minor rule violations may result in documented verbal warnings and potential reductions of scheduled time away from their residences. Continual minor rule violations may result in program removal and return to jail.
- 17) Major rule violations may result in program removal and return to jail. Examples of major rule violations include, but are not limited, to the following:
 - a) Continuous violation of curfew restrictions.

- b) Tampering with any part of the EM equipment.
- c) Unauthorized absence from a scheduled location.
- d) Testing positive for illegal drugs, recreational and medical marijuana and/or alcohol.
- e) Violation of protective orders and exclusion zones.

F. Field Operations/Supervision/Search and seizures/ residence searches/home contacts:

- 1) As of July 1st, 2022, the monitoring of offenders enrolled in the electronic monitoring program, will be performed by the Probation Department that has been agreed upon in the Memorandum of Understanding (MOU). The MOU has been attached to this policy. See attachment #

G. Escapes:

Escapes, for the purposes of this manual shall be defined as the cutting/tampering or rendering the bracelet strap and/or monitor inoperable resulting in the activation of an alert to the Monitoring Center. The escape will trigger the following sequence of events:

- a) The Monitoring Center will notify the corresponding Probation Officer.
 - (1) If there is no response from the Probation Officer, the Monitoring Center will notify the next appropriate level of command in the following order: Senior Deputy Probation Officer, Supervising Probation Officer, and then Manager until notification is made.
- b) PROBATION will identify the escapee and determine the location and time that the first cutting/tampering of the bracelet strap or rendering the bracelet strap and/or monitor inoperable occurred.
- c) Notification is made to the next level of supervision, in the same order noted above, until notification is made to the appropriate staff member. The notification will be made to both Sheriffs personnel and PROBATION supervisors.
- d) PROBATION will attempt to contact the inmate utilizing all contact telephone numbers available.
- e) Program staff will advise Dispatch and the affected area law enforcement agency of the escapee and his/her identifying information.

- f) Program staff will complete an administrative notification form and forward it to the ASB supervisors and custody records.
- g) PROBATION will complete an Be-on-the-Lookout (BOLO) and forward this information to Dispatch and tri-county law enforcement agencies.
- h) PROBATION staff will complete a warrant request form as soon as practical.
- i) Program staff will complete an offense report as soon as practical identifying all the steps performed in the escape procedure.
- j) Program staff will prepare a package containing all pertinent information obtained from the inmate's file and secure this information pending further investigation.

H. In Custody Deaths:

In the event of a program participants death, reference attached Custody Operations Policy Section 376 Community Release Programs.

I. **SHERIFF'S WORK ALTERNATIVE PROGRAM (SWAP) This will be responsibility of Sheriff's Personnel**

a. Residence Requirements:

- i. An active telephone (cellular or residential).
 - 1. Residence may include a residential treatment program or community shelter.

b. Booking Process:

- i. Inmates may be required to submit to a drug screening test. A positive drug test (including medical and recreational marijuana) may result in disqualification.
- ii. The inmate will be booked into the Jail Management System.
- iii. The inmate will be fingerprinted and photographed.
- iv. The inmate will be thoroughly briefed on the rules, regulations, and procedures of the Sheriff's Work Alternative Program.
- v. The inmates will be required to watch a safety video of accidents, causes and prevention.

- vi. The inmate will be given a swap card with a work site schedule for delivery to the assigned work site supervisor where signatures will be obtained.
 - vii. The inmate will be advised of scheduled workdays and hours and provided with instructions on where to report on assigned days.
- c. The inmate will be required to complete their final day of SWAP work at one of the SWAP offices. The SWAP offender will be required to bring their swap card with them on their final day of work.
- d. Restricted Items:
- i. Use of cell phones is restricted while at the job site.
 - ii. Use of alcohol and illegal drugs (including medical or recreational marijuana) is prohibited during the incarceration period.
 - iii. Possession of any kind of weapons on the work sites is prohibited.
- e. Rules/Regulations:
- i. All missed work assignments will be scheduled for make-up days.
 - ii. Unexcused absences from the worksite may result in program removal and return to custody.
 - iii. Inmates shall follow all rules and regulations as set forth by the supervisor at the work site.
- f. Supervision:
- i. Day to day supervision at the work site will be completed by the work site supervisor (work site supervisors are provided with information on supervision requirements, included in Attachment B).
 - 1. Program participants are required to report to the Program staff and work site supervisors of any/all injuries they may experience at any work site.
- g. Work Sites:
- i. Interested work sites shall complete a work site application and work crew supervisor guidelines forms for each employee who will be supervising SWAP offenders.
 - ii. All valid work sites will have on file a current Memorandum of Understanding (MOU) with the Alternative Sentencing Bureau office,

which details how workers compensation claims will be administered should a SWAP offender be injured at any of the work sites. Santa Barbara County Departments (Parks Department, Public Works, etc.) are exempt from this requirement as workers compensation claims are administered through the County of Santa Barbara for these agencies.

ATTACHMENTS:

- A) Electronic Monitoring Program Response Protocol
- B) Sheriff's Work Alternative Program Work Site Documents
 - 1. Alternative Sentencing Bureau SWAP Worksite Application.
 - 2. Alternative Sentencing Bureau SWAP Work Crew Supervisor Guidelines.
 - 3. Memorandum of Understanding for SWAP Work Sites;
- C) Santa Barbara County Sheriff's and Santa Barbara County Probation Memorandum of Understanding
- D) Custody Operations Policy and Procedures 376 Community Release Programs
- E) Custody Operations Policy and Procedures 206 Significant Incident and In-Custody Deaths

ATTACHMENTS

A) Electronic Monitoring Program Response Protocol

As of July 1st, 2022, the monitoring of offenders enrolled in the electronic monitoring program, will be performed by the Probation Department that has been agreed upon in the Memorandum of Understanding (MOU). The MOU has been attached to this policy. See attachment C.

B) Sheriff's Work Alternative Program Work Site Documents

Santa Barbara Sheriff's
Alternative Sentencing Bureau
812-A W. Foster Road
Santa Maria, CA 93455
(805) 934-6157
SMEM@SBSHERIFF.ORG

Sheriff's Alternative Sentencing Bureau

Alternative Sentencing Bureau S.W.A.P.
Worksite Application

Santa Barbara Sheriff's
Alternative Sentencing Bureau
4436-A Calle Real
Santa Barbara, CA 93110
(805) 681-4221
SBEM@SBSHERIFF.ORG

Date: _____

Name of Worksite(s): _____

Contact Person(s) & Number(s): _____

Address or location of Worksite(s): _____

Fax and e-mail: _____

Number of Workers Requested: _____ Males: _____ Females: _____

Days and Hours to Work: _____

Spanish speaking? Yes / No Are Light Duty/Light Work positions available? Yes / No

Duties to be Performed (please be specific): _____

Additional Information: _____

Please enclose a map or location of where inmate is to report. **Contact the SWAP office for approval prior to assigning any other tasks or special jobs. Should you have any questions, call the SWAP office immediately.**

Remember: A Work Crew Supervisor Guidelines form must be signed by each person who supervises inmates (One form per supervisor). Please notify our office immediately of any changes.

Worksite Supervisor Name

Worksite Supervisor Signature

Alternative Sentencing Staff Name & Signature

Date

1. Scheduled workdays for program participants will be arranged by the Sheriff's Work Alternative Program (S.W.A.P.) Office and the participant. Changes cannot be made without prior approval by the S.W.A.P. Office.
2. The maximum number of inmates assigned to each site will be determined by the work site agency with the approval of S.W.A.P.
3. Supervisors will conduct visual monitoring of inmates as often as possible.
4. Supervisors do not have peace officer powers and should not physically restrain any inmate unless the circumstances make this absolutely necessary. In the event of a 'walk-away' or any type of trouble, the supervisor will contact the S.W.A.P. Office. In case of extreme emergency, call 9-1-1.
5. No contact is permitted between an inmate and any unauthorized person. This includes visitation by family members or friends during lunch or on work breaks. Anyone seeking to speak with an inmate will be referred to the S.W.A.P. Office. Nothing may be given to or received by an inmate while at a work site. Telephone calls may be permitted with approval by the work site supervisor.
6. Inmates are not allowed to have phones, radios, mp3 players, books, magazines, newspapers, etc. unless on break. Inmates are not allowed to leave for lunch. Inmates are to provide their own lunches at the work site.
7. Supervisors are responsible for providing proper tools and equipment and will provide the necessary training in the use of said equipment. The County and work site are accountable for the work assignments given. Inmates will not be assigned to tasks for which they have not been completely trained and are not qualified to perform. Inmates may be used to instruct other inmates, but this should be closely monitored by the work crew supervisor. Under no circumstances will any inmate be allowed to exercise authority over another inmate.
8. Inmates will not be assigned hazardous work. All injuries will be reported to the S.W.A.P. Office immediately. In case of an emergency, 9-1-1 will be called. All injury/illness incidents should be documented and a written report detailing all particulars will be submitted to the S.W.A.P. Office. Generally, the work site agency's standard industrial accident report will suffice for proper documentation.
9. **INMATES MUST WEAR ORANGE SAFETY VESTS AT ALL TIMES.**
10. S.W.A.P. inmates are not to operate ANY type of motorized vehicle regardless of their driver's license status. This includes electric carts, tractors, etc. However, riding lawn mowers may be used if the inmates are properly instructed in their use.

Santa Barbara Sheriff's
Alternative Sentencing Bureau
812-A W. Foster Road
Santa Maria, CA 93455
(805) 934-6157
SMEM@SBSHERIFF.ORG

Sheriff's Alternative Sentencing Program

Alternative Sentencing Bureau Work Crew Supervisor Guidelines

Santa Barbara Sheriff's
Alternative Sentencing Bureau
4436-A Calle Real
Santa Barbara, CA 93110
(805) 681-4221
SBEM@SBSHERIFF.ORG

11. Under no circumstances will inmates be used to work on private property or to provide personal services.
12. Inmates are NOT to possess or have access to any drugs or alcohol.
13. Any inmate who refuses to follow directions or orders, violates any of the above rules, or whose job performance is unsatisfactory, will be reported to the S.W.A.P. Office immediately.
14. Inmates who fail to appear for their scheduled workday will be reported to the S.W.A.P. Office, and the failure to appear will be noted on the inmate's program card. PLEASE CALL WITHIN 30 MINUTES PAST THE INMATE'S REPORTING TIME.

I have read and agree to abide by the above statement.

Work Crew Supervisor Name

Work Crew Supervisor Signature

Date

Worksite

Memorandum of Understanding
Between Santa Barbara Sheriff's Office and _____

This Memorandum of Understanding establishes guidelines for the use of County Jail inmates performing community services, and guidelines for handling "Workers' Compensation" claims by any County Jail inmate whose claim for injury arises out of, or occurs during a time that inmate was performing work under the direction of _____.

Santa Barbara County Sheriff's Office may assign SWAP inmates to perform community service for _____, at their designated work site. The number of workers assigned varies depending on availability and will be coordinated by Sheriff's Office staff.

_____ will provide County Jail inmates with: On-site safety instruction, appropriate personal protective equipment (including, but not limited to: hearing protection and eye protection), instruction regarding the use of any equipment, an explanation of the work to be done, and supervision of work performed.

_____ will determine the community service work to be performed by County Jail inmates, which will generally be limited to: Litter pickup, weed removal, and light labor. After on-site safety training by _____, County Jail inmates may operate light power tools such as lawn mowers and weed trimmers, but will not operate heavy power tools such as chain saws and jack hammers.

Santa Barbara County Sheriff's Office will not provide any deputies or custody deputies on-site. If any County Jail inmate leaves the work area without authorization, _____ will not attempt to physically restrain that inmate, but will immediately notify the Santa Barbara County Sheriff's Office, Alternative Sentencing Bureau.

County Jail inmates will be transported to and from the work site only in _____ owned vehicles.

If a County Jail inmate submits a "Workers' Compensation" claim for the industrial injury that arises out of, or occurs during a time that inmate was performing work under the direction of _____:

- Santa Barbara County will administer the claim; and,
- _____ will indemnify Santa Barbara County of all costs incurred as a result of the claim, including: All benefits paid to or on behalf of the injured worker or their dependents; investigation costs; administration costs of the claim (consisting of an initial file set up charge of \$45.00 and thereafter a flat rate charge of \$120.00 per month for each month or portion of a month that the file remains open); medical-legal costs; litigation costs; and settlement costs.

_____ will indemnify Santa Barbara County for any civil penalties by Cal/OSHA that arise from a County Jail inmate under supervision of the _____.

Upon written notice, either party may terminate this Memorandum of Understanding at any time.

BY: _____ Date: _____ BY: _____ Date: _____
Bill Brown, Sheriff XXXX, YYYY
Santa Barbara Sheriff's Office ZZZZZZZZ

Agreement Regarding Use of SWAP Inmates in Work Programs

This Agreement Between the County of Santa Barbara through the Office of the Sheriff (“COUNTY”) and _____ (SWAP Participant) establishes terms and procedures for the use of County Jail inmates performing community service employment for the SWAP Participant, and terms for handling “Workers’ Compensation” claims and other claims arising out of or occurring during a time a SWAP Program inmate was performing work under the direction of the SWAP Participant, also known as “Workforce Coordinator.

Santa Barbara County Sheriff’s Office may assign SWAP inmates to perform community service for the SWAP Participant, at their designated work site. The number of workers assigned varies depending on availability and will be coordinated by Sheriff’s Office staff.

SWAP Participant will provide County Jail inmates with:

- On-site safety instruction, appropriate personal protective equipment (including, but not limited to hearing protection and eye protection),
- Complete instruction regarding the use of any equipment,
- A full explanation of the work to be done,
- Adequate supervision of work performed.

SWAP Participant will determine the community service work to be performed by County Jail inmates, which will generally be limited to:

- Litter pickup,
- Weed removal,
- Manual chores,
- Miscellaneous light labor.
- The general nature of the work to be performed will be reported to the Alternative Sentencing Bureau office by SWAP Participant prior to assignment of the inmates.

After on-site safety training by SWAP Participant, County Jail inmates may, in the discretion of the SWAP Participant, operate light power tools such as lawn mowers and weed trimmers, but will not operate heavy power tools such as chain saws and jack hammers.

Santa Barbara County Sheriff’s Office will not provide any deputies or custody deputies on-site. If any County Jail inmate leaves the work area without authorization, SWAP Participant personnel will not attempt to physically restrain that inmate, but will immediately notify the Santa Barbara County Sheriff’s Office, Alternative Sentencing Bureau.

County Jail inmates will be transported to and from the work site only in vehicles owned by the SWAP Participant.

Prior to participating in the SWAP program and as a requirement for execution of this Agreement the Swap Participant shall provide the County with a copy of their certificates of auto and liability insurance and Worker’s Compensation Insurance coverage in a form and amounts satisfactory to the County Risk Manager. Those approved certificates shall be incorporated in this agreement by reference and attached hereto. Any subsequent changes to those insurance

certificates shall be forwarded to the County for approval. By its participation in the ongoing SWAP program the SWAP Participant/Workforce Coordinator its current insurance coverage.

If a County Jail inmate submits a “Workers’ Compensation” claim or other claim for an injury that arises out of participation in the SWAP Program, or occurs during a time that inmate was performing work or travel under the direction of SWAP Participant, it is agreed, that:

- For purposes of Worker’s Compensation law, the SWAP Participant shall be deemed the employer of the SWAP inmate.
- SWAP Participant will administer the claim and pay all costs associated with the claim; and,
- SWAP Participant will indemnify Santa Barbara County of all costs incurred as a result of the claim, including: All benefits paid to or on behalf of the injured worker or their dependents; investigation costs; administration costs of the claim; medical-legal costs; litigation costs; and settlement costs.
- SWAP Participant will administer and defend all claims arising out of the use of jail inmates in the SWAP Program.

SWAP Participant will indemnify and defend Santa Barbara County for any civil penalties by Cal/OSHA or other regulatory agencies that arise from the duties carried out by a County Jail inmate under supervision of the SWAP Participant or their employees or agents. SWAP shall indemnify, defend and hold County and County’s agents, officers and employees, harmless from and against all claims, damages, losses, causes of action and expenses, including attorneys’ fees, for any personal injury, bodily injury, loss of life or damage to property, violation of any federal, state or municipal law, ordinance or constitutional provision, or other cause which arise out of, relate to, or result from the activities or omissions, negligent or otherwise, under this Agreement.

All notices required to carry out this Agreement shall be directed to:

County of Santa Barbara:
Santa Barbara Sheriff’s Department
Attn: Alternative Sentencing Bureau
4436 Calle Real
Santa Barbara, CA 93110
(805) 681-4221

SWAP Participant:

() _____ - _____

Upon written notice, either party may terminate this Agreement at any time as to future use of inmates, but all previous use shall be covered under this agreement.

The signatory of the Workforce Coordinator hereunder certifies that he/she has authority to act for and bind the SWAP Participant to this Agreement.

Bill Brown,
Sheriff-Coroner

Approved as to Form:

Michael C. Ghizzoni
County Counsel

BY: _____ Date: _____

By: _____
Michelle Montez
Senior Deputy County Counsel

Workforce Coordinator:
Name of SWAP Participant -- Legal Entity: _____

By: _____
Name of Individual signing: _____
Capacity of Individual signing: _____

**C) Santa Barbara County Sheriff's and Santa Barbara County Probation
Memorandum of Understanding**

**SANTA BARBARA COUNTY
ALTERNATIVE SENTENCING BUREAU
MEMORANDUM OF UNDERSTANDING**

Between

**Santa Barbara County Probation Department
and**

Santa Barbara County Sheriff's Office.

Effective September 1, 2023

I. Purpose

The purpose of this memorandum of understanding (MOU) is to set forth the responsibilities of the Santa Barbara County Probation Department (PROBATION) and the Santa Barbara County Sheriff's Office (SBSO) as they relate to the Alternative Sentencing Program (ASP) and the use of Global Positioning System (GPS) technology for the electronic monitoring (EM) of individuals. To support the local criminal justice system, increase community safety and ensure the effective and safe monitoring of individuals being released from incarceration at the Santa Barbara County Jail (SBCJ), PROBATION and SBSO have agreed to work in collaboration to provide alternative sentencing to individuals sentenced to serve custody time by the Santa Barbara County Superior Court. PROBATION and SBSO staff will work together to ensure those individuals who are approved to serve their jail commitments on EM are appropriately identified, screened, booked, released and supervised efficiently and according to agreed upon procedures and policy. PROBATION and SBSO will promote communication and collaboration amongst staff within each respective agency and any other involved agencies in the County.

II. Mission

The mission of the ASP is to offer quality community-based programs for qualified individuals wherein their jail sentences ordered by the Superior Court qualify to be served in the community in-lieu of physical incarceration.

III. Goals

- A. Mitigate jail overcrowding by offering community-based programs where sentences may be served in-lieu of physical incarceration.
- B. Provide a home detention program in which individuals are allowed to serve sentences or are released in lieu of bail by means of confinement to their place of residence while being monitored by electronic tracking devices.
- C. Process applications for EM early in the criminal justice proceedings.
- D. Identify and respond efficiently to individuals housed in the SBCJ to screen for possible release on EM to reduce the jail population.
- E. Complete an evidence-based assessment to determine risk, need, and responsivity on all EM applicants.
- F. Refer individuals accepted to EM to appropriate services, resources and treatment, as needed.

- G. Respond rapidly to EM violations and address the situation with the lowest level of intervention with the objective of keeping the individual in the community, when appropriate.
- H. Make timely notifications to PROBATION and SBSO Management in the event an individual escapes or absconds from EM supervision.
- I. Provide supervision to individuals to ensure compliance with program regulations, which may include the completion of searches or drug testing as authorized by the terms of release.
- J. Coordinate efforts with local law enforcement agencies to respond to locate and apprehend absconders.
- K. Provide support and encouragement to those individuals who comply with the terms and conditions of their EM.
- L. Gather, collect, and make information and data on the EM program available to stakeholders.

IV. Management

The SBSO and PROBATION agencies will assign personnel to the ASP and said staff will directly report to those in their direct chain of command, unless otherwise noted in the Procedural Manual. The assigned SBSO Sergeant and PROBATION Supervising Deputy Probation Officer (SPO) will work to resolve issues at their level whenever possible. Any issues that need to be raised to a higher level will follow the chain of command within each organization. Staff working for SBSO and PROBATION should be aware of the other agency's chain of command and attempt to communicate at similar levels, i.e. Supervisor to Sergeant, Probation Manager to Lieutenant or Commander, and Deputy Chief Probation Officer to Chief Deputy unless a resolution cannot be reached between agencies and escalation to another level is required.

Management from both agencies should attend regularly scheduled meetings to discuss the overall operation of the program, program objectives and goals, and troubleshoot any issues or concerns within the program. Any immediate concerns with staff or the program will not wait for a monthly meeting and will be handled as soon as possible.

Management from both agencies will review any trainings and discuss attendance of staff if deemed mutually beneficial for the EM program and assigned staff.

V. Facilities, Equipment and Property

The ASP will operate out of the Santa Maria SBSO Substation and the Main Jail. PROBATION and SBSO staff will be assigned to the aforementioned locations as their primary worksites and may be required to travel to the other facility location. Shared office space will be provided and utilized at each area worksite with all large furniture (desks, chairs, filing cabinets, etc.) provided by the SBSO. A County phone line with voicemail will be set up in each area office. Computers or lap-tops will be set up and maintained by PROBATION and SBSO IT staff, respectively. All officer-specific equipment (uniforms, body armor, personal radios, firearms, restraints, flash lights, etc.) will be provided by each staff's respective agency.

Vehicles will be provided and maintained by staff's respective agencies if travel is required during work hours and for work related duties.

VI. Responsibilities

The staff assigned to the ASP in each agency will be responsible for the following:

SBSO:

- A. The screening of all applications, for individuals in or out of custody, for EM eligibility.
- B. Complete the booking, housing and re-housing of all individuals.
- C. Calculate custody credits and provide the start and completion dates to PROBATION.
- D. Ensure all EM agreements and enrollment packets are completed and kept on file.
- E. Approve or deny individuals who apply for EM.
- F. Review any appeals that are received from any EM application denials.
- G. Advise PROBATION of all individuals who are approved for EM, in writing, immediately upon approval, and document such notification in the case file.
- H. Notify all victims of an individual being released as required by the law and notify PROBATION of all victims.
- I. Create and maintain a violation decision guide and consult with PROBATION prior to approval or subsequent edits/modifications.
- J. Review all EM violations committed by individuals returned to custody to determine the extent of their intervention, i.e. a short period of incarceration and return to EM or to finish their Court ordered sentence, and notify PROBATION of the determined intervention.
- K. Complete all re-booking/housings upon the individual being returned to the SBSO custody.
- L. Confer with PROBATION if an individual is being returned to EM, to allow for coordination of release and placement on EM.
- M. Complete a criminal report for escapees.

PROBATION:

- A. Screen all individuals prior to being accepted for EM by using the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) tool, specifically, the Risk of Violence and Recidivism/Inventory of Needs (ROVAR/ION) assessment.
- B. Complete an intake and all required GPS documentation.
- C. Install the GPS device and review the equipment with the individual.
- D. Make any necessary referrals to treatment programs or other needs as identified in the Inventory of Needs or after discussing potential community barriers with the individual.
- E. Set up exclusion zones and inclusion zones and review all schedules and zones with the individual.
- F. Review the requirements and agreement of the EM program with each individual, securing the individual's signature.
- G. Ensure the GPS tracking is established and the equipment is working properly prior to releasing the individual.
- H. Monitor all EM individuals using contracted GPS program software.
- I. Respond to GPS EM alerts/issues including: Low Battery, Critical Battery, Dead Battery, No GPS, Message Gap, Exclusion Zone, Inclusion Zone.
- J. Complete Be On the Lookout (BOL) notices and submit to local law enforcement for any absconders.
- K. Immediately notify SBSO and PROBATION Management staff in the event of an individual's escape, cut strap, or absconding.
- L. Complete arrest warrant requests and obtain the Judges authorization/signature per established protocol.

- M. Arrest and return individuals to the NBJ or Main Jail upon major violations as previously agreed upon and as outlined in the Violation Decision Guidelines.
- N. Retain discretion to respond to minor violations of program rules not amounting to a major violation as outlined in the Violation Decision Guide.
- O. Confer with SBSO prior to returning any individual to SBSO custody for violations that do not meet the automatic re-booking criteria or if the violation response is not outlined in the Violation Decision Guidelines.
- P. Complete and maintain all EM contracts.
- Q. Maintain EM equipment inventory.

SBSO and PROBATION:

- A. SBSO and PROBATION upon learning of information that may affect an individual's EM status, will communicate in writing to ensure both agencies are aware, i.e. holds, warrants, new arrests, potential violations or other issues that would affect the EM agreement.
- B. SBSO or PROBATION may remove the GPS tag from the individual upon verifying the successful completion of the court ordered jail sentence.

VII. Documentation

In general, the following guidance is provided:

SBSO and PROBATION will both be responsible for documenting notes in their respective case management systems. To ensure collaboration, SBSO and PROBATION will provide means for information sharing regarding individuals as they progress through EM. This would be limited to case note summaries and other information as agreed upon by both agencies.

VIII. Multi-Agency Administrative Concerns

All SBSO and PROBATION personnel will conform to their agency's policies and procedures. There are a number of administrative issues or situations pertaining to individual team members that may arise. Those include, but are not limited to:

- A. Citizen Complaints
- B. Employee Evaluations
- C. On-Duty Accidents
- D. On-Duty Injuries
- E. Officer Involved Shooting
- F. Discharge of Firearm
- G. Use of Force
- H. Audio/Video Recording Devices

Each agency has in place an administrative process for addressing the situations listed above. Should these situations occur, the involved staff's agency will be notified immediately. It will remain the responsibility of the involved staff's agency to address those situations pursuant to their own administrative process. All agencies involved in a critical incident which involves the loss of life or use of deadly force will have the opportunity to observe other agency interviews with their own employee.

IX. Contract and Funding

Each agency's assigned personnel will be funded by the respective agency.

The SBSO and Probation Department have agreed to use a combined contract for GPS technology which will be maintained by the Probation Department. The contract will provide services and support for the enhanced supervision of adult and juvenile clients, who are under the supervision by the Probation Department, including adult pretrial services clients released to the Pretrial Supervision Program and those in the ASP. This MOU between the Probation Department and SBSO only involves the clients placed on EM through ASP which may or may not be realigned clients. Each agency will use separate and distinct Originating Agency Identifier (ORI) numbers to ensure the billing is routed to the appropriate agency to be reviewed per each agency's procedures.

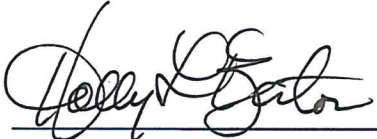
Either of the parties has the right to terminate this MOU upon no less than thirty (30) day written notice to the other party.

The parties execute this formal cooperation MOU for the purpose as stated above.

Name:  8/29/23
Bill Brown

Title: Sheriff - Coroner

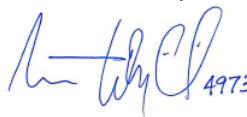
Agency: Santa Barbara County Sheriff's Office (SBSO)

Name: 
Holly L. Benton

Title: Chief Probation Officer

Agency: Santa Barbara County Probation Department (PROBATION)

Santa Barbara County Sheriff's Office
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CHAPTER 3 OPERATIONS	376. Community Release Programs	
Page 1 of 7	Revision Date: 1/2017	Review Date: 1/2019
Issued By:  4973 Chief Custody Deputy	Issued Date:	Effective Date:
Related Orders: PC § 1208.2; P&P § 206		

I. PURPOSE:

Overcrowding in our jail facilities and court ordered population capacity limits have made it necessary to explore and implement various programs that provide alternative methods of serving a jail sentence.

II. POLICY:

It is the policy of Custody Operations to offer alternative sentencing programs to qualified applicants and to make every effort to accommodate alternative sentencing as recommended by the courts.

III. DEFINITIONS:

The Alternative Sentencing Bureau (ASB) operates two distinct community release programs; Electronic Monitoring (EM) and the Sheriff's Work Alternative Program (SWAP).

Electronic Monitoring (EM) – A home detention program in which inmates are allowed to serve sentences or are released in lieu of bail by means of confinement to his/her place of residence, while being monitored by electronic tracking devices. Applications for EM may be initiated by the applicant or may be mandated by ASB staff.

Sheriff's Work Alternative Program (SWAP) – A program in which inmates are allowed to serve sentences by means of performing community service work at an approved and designated work site.

IV. PROCEDURES:

EM AND SWAP:

Our first obligation in considering the applicant's eligibility to participate is to protect the safety and best interest of the community. We are also obligated to place the participant into program options that best suit the needs and obligations of Custody Operations and that best protect the restrictions and needs of the participant. To accomplish this, we depend upon various agencies and individuals such as judges, probation officers, attorneys, employers, and other

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interested persons for input and recommendations concerning each applicant; however, the Sheriff's Office reserves the right to determine who will be accepted to the program, and where within the program that individual will serve their time.

Once it is determined that an applicant qualifies for a community release program, the participant will be classified and assigned to an appropriate program option. A uniform program participation fee is charged according to each participant's ability to pay. A participant's acceptance or rejection from participating in either program option may not be made based upon the applicant's ability to pay.

Program assignment is based upon several classifying factors, which may include the participant's health (both physical and mental), work status, criminal history, age, current criminal charges, and any other factor considered significant by ASB staff.

All inmates in community release programs are subject to search and/or drug testing by any law enforcement agent, as designated by the Sheriff, at any time during their participation in a community release program. Participants will sign a search and seizure waiver as part of the booking process in order to participate in a community release program.

Participants serve in an assigned program at the discretion of ASB staff. Participants may be moved from one program to another when staff determines that circumstances justify such a move.

EM:

The EM program allows qualified individuals to continue their employment or continue their full-time education while completing their court ordered sentence. Participants are confined to their residence after work or during non-school hours. A Global Positioning System (GPS) electronic monitoring device may monitor each participant twenty-four (24) hours a day. Other electronic monitoring devices may be utilized as the technology in this field advances and changes. Offenders assigned to EM are subject to home visits by ASB program staff.

SWAP:

SWAP allows qualified individuals to serve their jail sentence performing general labor work at approved work sites within the community on a pre-approved schedule completed by ASB staff. Inmates will receive one (1) day of jail credit for each eight (8) hour workday completed. These inmates live at their place of residence and can arrange their SWAP work schedules to accommodate their personal schedules. Each inmate will be required to perform eight (8) hours of general labor at ASB. Staff will conduct periodic random work site checks.

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LOCATION OF RESIDENCE:

The participant's preferred place of residence will be within the County of Santa Barbara. Residences outside of Santa Barbara County will be reviewed on a case-by-case basis. Residences must be within the State of California. Residence may include residential treatment programs or temporary living situations determined on a case-by-case basis.

RESTRICTED EMPLOYMENT:

Certain types of employment may not be accepted. This may include employment that would require the handling of alcohol, firearms, and/or out of area travel. Self-employment may be restricted depending on the type of business. ASB staff will make all efforts to support a participant's employment situation in an attempt to help the participant successfully complete their sentence.

APPLICATION PROCESS:

Each application will be reviewed on its own merits and all of the circumstances of each case will be considered in determining whether an applicant will be accepted. In addition, the following process will be completed before determining acceptance to either EM or SWAP:

WRITTEN APPLICATION:

Pertinent information provided on the application must be verified as part of the review process. This information may include home address, relevant telephone numbers, employer, and other information as determined to be pertinent by ASB staff.

HISTORY:

A thorough criminal history check of each applicant is completed, as well as a review of the current charges and/or conviction status.

INTERVIEW PROCESS:

Applicants may be scheduled for an interview and are required to provide all necessary documentation concerning their current residence, employment, and sentence status. All information provided during the interview is subject to verification.

PROGRAM ACCEPTANCE:

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The Sheriff has delegated final authority concerning acceptance or non-acceptance into the ASB programs to the Programs Lieutenant. An applicant who is denied acceptance to the program will be advised of the reason(s) for denial in writing. The courts may recommend placement for EM; however, it is up to the EM unit to determine appropriateness of the person recommended.

APPEAL PROCESS:

The appeal process, as described, is an administrative function, not a judicial process. As such, this process is not a hearing with a hearing officer and witnesses. If a denied applicant, wishes to refer the officer reviewing his/her appeal to a witness, they may provide contact information, and that witness will be contacted with their input, or that input may be submitted in writing with the appeal itself. The appeal shall be submitted in writing through the chain of command as listed below:

1. ASB Sergeant
2. Lieutenant

BOOKING PROCESS:

On the scheduled booking date, each participant's information will be entered in the Jail Management System (JMS). All participant's fingerprints and their photograph will be collected and entered LiveScan. ASB staff opens and maintains an Inmate's Custody Record File on each active participant. This file includes the participant's original application, background information, original program agreement and any other pertinent information.

FEES:

A non-refundable application fee is required for applicants who are applying whom are not currently incarcerated. A daily maintenance fee is charged to each participant and is set by the sliding fee schedule, which has been approved by the Board of Supervisors. This fee is based on each applicant's ability to pay. All payments shall be made in exact cash, by cashier's check, Visa, MasterCard, or money order. Maintenance fees will be collected on a schedule as determined by ASB staff. All fees paid are non-refundable. An exception may be made if the court orders a change in the original sentence or by the Unit Lieutenant or designee in exceptional circumstances.

COUNTS:

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Computer counts are conducted both on the JMS and with the monitoring system at the start of each workday and at the end of each workday. Additional counts may also be conducted throughout the day as necessary. Counts are checked against each other and compared to the booking log maintained in each ASB office to verify the number of participants on each program.

FIELD OPERATIONS:

Field operations includes field checks pertaining to inmates throughout the community. Field checks may be randomly conducted. The purpose of the field check is to confirm compliance with the program rules as well as ensure the safety of the community. Each contact will be logged on the field check card noting the date, time and the deputy who conducted the check. The field check deputy should make every effort to be discrete and unobtrusive so as not to affect the work site operation. A field check may be conducted at the participant's place of residence, employment, or any public location. Field supervision enhances the community's confidence in the program by demonstrating that custody staff is monitoring the behavior and activities of participants. Field checks will be conducted as determined necessary by ASB staff to ensure that EM equipment is functioning properly and that participants are adhering to program rules.

PROGRAM RULES VIOLATIONS:

Violation statuses for each EM participant will be reviewed regularly; and ASB staff shall address all violations appropriately. Immediate staff notification shall be required for all bracelet strap tamper and removal alerts. When this occurs, the ASB deputy will assess the situation and take the necessary corrective action. Program rule violations may result in a reduction of approved privileges, criminal charges, removal from the program, and/or inmate disciplinary action.

INTERNAL JAIL DISCIPLINARY ACTIONS (Inmate Disciplinary Report):

Some program violations, citations, or re-arrests for minor violations of the law may be addressed by the use of the Inmate Disciplinary Report (IDR), as described in section 363. Inmate Discipline. In all cases, the inmate is entitled to and shall receive all due process considerations.

INCIDENT NOTIFICATION:

When a notable incident occurs, proper notification of department personnel is required. Incidents may include, but are not limited to participant escape, participant death, critical injury, or deputy injury. Notifications shall occur in the following order:

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1. ASB Senior Custody Deputy
2. ASB Sergeant
3. Lieutenant
4. Commander
5. Chief Deputy, Custody Operations
6. Undersheriff

MEDICAL CARE:

People that have special medical needs will be considered for participation in these programs. If accepted, participants are allowed to continue with the care provided by their own doctor. Medical costs associated with continued treatment are the sole responsibility of the participant. Medical treatments for injuries or illness that occur while on in-home monitoring are the sole responsibility of the participant.

Pursuant to department procedures and applicable state law, Santa Barbara County Worker's Compensation covers participants in SWAP, who are injured on a County SWAP work site. Authorized work sites not covered under the County of Santa Barbara shall have a signed Memorandum of Understanding (MOU) on file between the organization and the Sheriff's Office. This MOU will specify the guidelines for handling workers compensation claims for injuries that arise out of or occur during a time that the inmate was performing work under the direction of the respective organization.

ASB STAFF POLICY:

FIREARMS PROFICIENCY STANDARDS:

ASB staff has a duty to respond to violations and the potential exists that they may be required to perform an enforcement action or to retake a participant into custody during any field operation. Therefore, it is the policy of Custody Operations that all deputies assigned to the ASB must meet the minimum firearms quarterly qualification and proficiency standards as required by the Training Bureau. The Division Commander, for legitimate operational concerns, may grant a temporary exception.

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KEY CONTROL:

Keys issued and/or used by ASB staff at both the Santa Maria and Santa Barbara offices will be controlled and accounted for. Keys granting access to the building and offices are issued to each employee assigned to that location. Each employee is accountable for the key issued to him/her. Keys used in both offices will be secured and kept out of plain view when staff is not in the office. Any loss or inability to account for all keys will be reported immediately through the ASB chain of command.

E) Custody Operations Policy and Procedures 206. Significant Incident and In-Custody Deaths

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CHAPTER 2 OPERATIONS	206. Significant Incident and In-Custody Deaths	
Page 1 of 5	Revision Date: 1/2017	Review Date: 1/2019
Issued By:  Chief Custody Deputy	Issued Date:	Effective Date:
Related Orders: GC § 27491.3; IMQ #114, P&P 204		

I. PURPOSE:

The purpose of this policy is to ensure that deputies respond to significant incidents and in-custody deaths in an appropriate and responsible manner and accurate reporting is comprehensive and thorough.

II. POLICY:

In the event of a significant incident (as defined in P&P 204. Significant Incident Notifications) or in-custody death (this includes deaths of hospitalized and Alternative Sentencing inmates), and to facilitate adequate and appropriate response which includes complete and accurate reporting, the following procedure will be followed and the appropriate individuals shall be notified immediately.

III. DEFINITIONS:

IV. PROCEDURES:

RESPONSE TO SIGNIFICANT INCIDENT AND IN-CUSTODY DEATHS:

1. Deputy Responsibilities:
 - a. The initial responding deputy on scene will immediately assess the situation and request assistance. A deputy shall exercise sound judgment and care with due regard for life and property when responding to an emergency call.
 - b. The On-Duty Supervisor will be immediately notified.
 - c. All significant incident scenes will be treated as a criminal investigation until determined otherwise.
 - d. The initial responding deputy will initiate the original report; all others on scene will submit supplements to the original. All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard, or assimilated by any other sense, and any actions taken.
2. On-Duty Supervisor Responsibilities: It is the policy of the Sheriff's Office that available supervisory and management control will be exercised over all significant incidents.

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CHAPTER 2 ADMINISTRATIVE	206. Significant Incident and In-Custody Deaths	
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The On-Duty Supervisor of the initial responding deputy, or if unavailable, the nearest supervisor will be responsible for the following:

- a. Immediately ascertain all reasonably available information to continuously assess the situation and risk factors associated with the incident, in order to ensure that all policies established by Custody Operations and Lexipol are adhered to;
- b. Exercise management and control of the incident even if not engaged in it;
- c. Ensure that the number of deputies responding are no more than necessary to maintain security and control;
- d. Ensure that the proper radio communication is being used; and
- e. Ensure all documentation is complete and accurate.

The supervisor has the final responsibility for the coordination and control of an incident, and shall be in overall command until relieved by a Lieutenant.

SECURING THE SCENE AND INVESTIGATION PROCEDURES:

If a death or serious injury occurs as the result of a suicide (attempt), accident, or criminal act, preservation of the crime scene is essential. It will be the responsibility of Custody Operations personnel to isolate the area immediately after determining that a subject is deceased, or has been removed from the area for purposes of transportation to a hospital, in an effort to save his/her life. All reasonable efforts will be made to prevent any physical evidence from becoming contaminated.

1. For investigative purposes, information contained within the Inmate's Custody Record File and medical file will be made available to authorized Santa Barbara County Sheriff's investigative personnel. This procedure applies to those cases where a death or serious injury occurs and the patient-doctor privilege is not compromised.
2. Government Code § 27491.3 requires all personal property belonging to the deceased inmate be collected, inventoried, and an appropriate receipt prepared for the Coroner's Bureau deputy to sign when he/she takes possession of the property from the On-Duty Supervisor.

PREVENT CONTAMINATION OF EVIDENCE AND PREVENT DESTRUCTION OF INFORMATION:

In order to prevent contamination of any evidence, and also to prevent destruction of any information that may aid in the investigation, the following steps will be taken by the jail staff:

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CHAPTER 2 ADMINISTRATIVE	206. Significant Incident and In-Custody Deaths	
Page: 3 of 5	Revision Date: 1/2017	Review Date: 1/2019

1. All monies belonging to the inmate(s) will be handed over to the On-Duty Supervisor in an appropriate money envelope. The On-Duty Supervisor will maintain the money until released to the investigator.
2. All property to include, personal, clothing and bulk property, will be handed over to the On-Duty Supervisor. They will release all property to the investigating deputies, or a deputy of their designation, totally intact. At no time will personnel of Custody Operations open the property bag(s).
3. If the death of an inmate occurs outside a cell, the cell will be locked and sealed until investigating deputies are prepared to search it. Other occupants of the cell will not be allowed to return to the cell for any reason until the investigating deputies give their approval. Investigators will conduct a thorough search of the cell and any property belonging to the deceased will be gathered at that time.
4. If the death occurs inside a cell, the cell will immediately be locked and sealed until investigators complete collecting evidence and searching the cell. Other occupants of the cell will be searched and secured in a different location, and will not be allowed to return to the cell for any reason until the investigating deputies give their approval.
5. The On-Duty Supervisor will complete the 206. In-Custody Death/Serious Injury Checklist and ensure all proper log entries are made pertaining to the death.
6. In any criminal investigation, witnesses, suspects, informants, etc., will be separated for subsequent interviews. A list of individuals who may possess pertinent information relative to the investigation will be provided to the responding Risk Assessment Unit (RAU)/Criminal Investigations Division (CID) personnel.
7. The On-Duty Supervisor will coordinate the activities of the investigation with the on-scene RAU and CID personnel. Complete cooperation will be extended to the deputies during their investigation.
8. The On-Duty Supervisor will see that all deputies involved in the incident write a report (one report by the primary deputy, supplemental reports by the remaining involved deputies) stating, in detail, their actions concerning the incident.

NOTIFICATIONS:

1. Refer to the 205. Significant Incident Alert Notification List.

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2. The Jail Operations Supervisor will contact the CID Lieutenant.
3. In the event of a serious injury/illness where death is likely to occur, the Jail Operations Lieutenant or designee will make every attempt to notify the inmate's family.
4. In the event of a death, it shall be the responsibility of the Coroner's Bureau to notify the inmate's next of kin.

SECONDARY NOTIFICATIONS:

Within ten (10) days after an in-custody death, the Coroner's Bureau shall report, in writing, to the California Attorney General's Office, on behalf of Custody Operations, all the facts in their possession concerning the death, as required by Government Code § 12525. In addition to notifying the California Attorney General's Office, Custody Operations shall notify the following agencies within ten (10) days of the in-custody death, pursuant to applicable State Law or County Ordinance:

1. Santa Barbara County Board of Supervisors
2. Santa Barbara County Grand Jury
3. California Youth Authority (juvenile death)

MEDICAL REVIEW:

In the event of an in-custody death (excluding Alternative Sentencing inmates), a medical review will be conducted within thirty (30) days of the death. This review will be performed to thoroughly assess the conditions surrounding the inmate's death. The review team shall include the county health authority or their designee, Administrative Lieutenant or designee, responsible physician and other health care and supervision staff who are relevant to the incident. This includes Mental Health psychiatrist and County Counsel.

NEWS RELEASES:

Should members of the media contact the Shift Commander for information, they are to be referred to the Public Information Officer.

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Personnel are to refrain from making comments, statements or conversation to the media or general public unless authorized to do so by their supervisor.