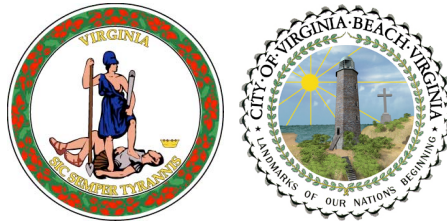


OFFICE OF THE SHERIFF



CITY OF VIRGINIA BEACH

MEMORANDUM

To: Virginia Beach Bar Association
Via: Jean Keary, Executive Director and Ed Booth
From: Lieutenant R. Jamison
Date: May 17, 2017
Subject: Home Monitoring Program

I am Lieutenant R. Jamison with Virginia Beach Sheriff's Office. I am contacting you to give further information and in an effort to gain clarity on the procedures of the subject program.

As you know the purpose of this program is to offer an alternative to the Judges that would allow them to sentence offenders in lieu of a consecutive time-in-jail sentences. This allows offenders whose charges and criminal history are appropriate for the program to continue their employment (for example).

There are three components of the JASP. They are the Electronic Home Incarceration Program (EHIP), Offender Support Unit (OSU), and the Weekender Program.

We would like to remind all that the screening and determination of suitability for the program is not done by the Sheriff's Deputies. This is done with the offender's counsel obtaining the criminal history of his/her client. If there is a prosecutor opposing, the information is shared. If there is no prosecutor the information is still obtained. In each case, the Judge will make the determination on whether the offender is placed in the program or not.

All candidates will be given a urinalysis to detect drug usage when they report for the program.

Once under the JASP umbrella, the Sheriff's Office Deputies may move a participant to a program that is more appropriate for their evolving situations.

Insight on the programs:

Electronic Home Incarceration Program

Offenders qualifying for this program will serve their time at their homes. A tracking device will be attached to their lower limb in the ankle proximity. This device will allow tracking of the offenders as they move to authorized destinations and areas. If the offender moves outside authorized destinations and areas, he/she will be subject to violation and returned to the jail facility to complete their jail sentence in consecutive days.

Fees:

Fees for EHIP are -\$50.00 processing fee and \$18.00 per day for the remainder of the sentence.

Selection of Candidates for EHIP

1. Criteria:

- a. No conflict or charges contrary to Virginia Code **53.1-131.2**
- b. Sentenced to twelve months or less.
- c. Candidate must have reliable transportation in order to meet curfew times
- d. Candidate must be sentenced with no pending court cases.
- e. Candidate must be free of any and all detainers.
- f. Candidates will agree to waive their 4th Amendment Rights.

The candidate (offender) must live and work in Virginia Beach.

2. Criminal History Background:

The EHIP candidate and his/her attorney are responsible for obtaining a Criminal History Background Check from the State Police, DMV records, and vehicle and personal information inquiry into local, state, and national files to determine if the individual meets the above criteria or has any outstanding warrants. They shall present this information to the court and/or Commonwealth Attorney prior to their hearing.

- 3.** All eligible EHIP candidates shall be required to secure employment prior to participation in the program. The EHIP staff shall contact the candidate's employer to develop a schedule which meets the needs of the employer as well as the candidate,

once the candidate is chosen to participate in the program. Participants must maintain employment while participating in the program.

Once sentenced to the EHIP, Sheriff's Office will interview candidate for compliance with the following:

1. Candidates Personal Information:

- a. Current address.
- b. Address of nearest relatives.
- c. Proof of driver's license, motor vehicle insurance, city decal, and valid inspection.

2. Employment Background:

- a. Verification of employment with employer.
- b. Length of time employed.
- c. Reliability of employer.
- d. Nature of work.
- e. Method of payment for hours worked.
- f. Amount of hours to work each week.

3. Participant Requirements:

- a. Meeting established curfews.
- b. Mandatory participation in substance abuse, educational classes and participation in substance abuse counseling if deemed necessary by court order.
- c. Payment towards fines, restitution court and costs ordered by the court.
- d. Adherence to all program rules and regulations.
- e. Participants will be required to pay for the cost of the equipment as well as monitoring fees. Fees are fifty dollar startup fee and eighteen dollars per day.

4. Program Participation Outside of the Virginia Beach Correctional Center

- a. Program participants are permitted to attend educational and rehabilitative programs as mandated by § 53.1-131 in the *Code of Virginia*.

Offender Support Unit

The Offender Support Unit allows candidates to serve their sentence on a detail either inside or outside of the jail. Inmates assigned to work in the jail will be taken in by the Intake Deputies. Some offenders may be utilized to work at sites outside of the facility, such as Animal Control or the City Garage. The candidates selected to participate in the Offender Support Unit will be released daily until their sentence is served. This program will be limited by the number of available job sites and amount of participants each can allow. If all available positions are full then participants will be placed in another aspect of the program until an opening occurs. This will be on a first come first served basis. These offenders report to the jail daily where they receive work assignments. They are released daily and report to the jail each day until their sentence is complete.

Criteria for Candidate Selection:

Same as EHIP **with the exception of item b; (six months or less** rather than twelve months or less).

Participants will be responsible for providing their own transportation to the Correctional Center to muster with a program deputy. They will further be responsible for transportation to their assigned worksite and back to the Correctional Center to be released at the conclusion of their detail.

Fees:

The fee for this program is a \$50.00 processing fee.

Weekender Program

The Sheriff's Office makes available a Weekender Program to the courts for persons sentenced pursuant to § 53.1-131.1 of the Code of Virginia. If the offender is convicted and sentenced to confinement in jail, the imposed time may be served on the weekends or nonconsecutive days to permit the offender to retain gainful employment.

Criteria:

Charged with a misdemeanor or traffic offense or charged with any offense under Chapter 5 (§ [20-61](#) et seq.) of Title 20.

Fees for the Programs

There is a \$50.00 processing fee plus seven dollars per day (incarcerated) additionally.

The Sheriff's Office does not have the conventional "Work Release Program."
This is the program where the inmates are incarcerated in the jail but are released to go to work then return to the jail.