
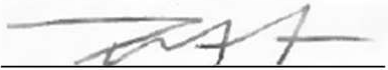


POLICY TITLE: ELECTRONIC MONITORING (APP)		PAGE 1 OF 4
POLICY NUMBER: 9.15 (JCC)		
CHAPTER 9: SUPERVISION AND CASE MANAGEMENT		
	STATE of MAINE DEPARTMENT of CORRECTIONS Approved by Commissioner: 	PROFESSIONAL STANDARDS: See Section VIII
	EFFECTIVE DATE: November 19, 2024	LATEST REVISION:

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in 34-A M.R.S.A. Section 1403.

II. APPLICABILITY

Juvenile Community Corrections

III. POLICY

It is the policy of the Department of Corrections that electronic monitoring through the use of a software application may be used for juveniles who are under the supervision of juvenile community corrections when it is determined that the monitoring would effectively enhance supervision.

IV. DEFINITIONS

1. Electronic monitoring (App) – use of a device that tracks a person’s movements through a Global Positioning System (GPS) which includes location tracking through a software application.
2. Emancipated juvenile – a juvenile who has reached the age of 18 (and does not have a legal guardian); is at least 16 years of age and married with their parent(s)’ or legal guardian’s permission; or is at least 16 years of age and has been emancipated by court order.
3. Supervised conditional release – any conditional release ordered by a JCCO or a conditional release ordered by a court in which the juvenile is required to abide by specific conditional release requirements under supervision by a JCCO, including a conditional release in which there is a requirement for the juvenile to check in with a JCCO.
4. Unsupervised conditional release – a conditional release ordered by a court in connection with a deferred disposition in which the juvenile is not required to abide by specific conditional release requirements under supervision by a JCCO.

V. CONTENTS

- Procedure A: Electronic Monitoring (App), General
Procedure B: Supervision Standards and Responsibilities
Procedure C: Alert Notifications and Responses
Procedure D: Termination of Electronic Monitoring

VI. ATTACHMENTS

- Attachment A: [Consent to Electronic Monitoring \(App\)](#)

VII. PROCEDURES

Procedure A: Electronic Monitoring (App), General

1. A Juvenile Community Corrections Officer (JCCO) shall complete training in its use prior to placing a juvenile on electronic monitoring through an app.
2. If a request or order for electronic monitoring is made by a court, the juvenile shall be placed on electronic monitoring, and the JCCO shall inform the court of the type of electronic monitoring (i.e., through an app) and frequency of supervision that the Department's monitoring provides.
3. If there is no court request or order, a JCCO shall consider a juvenile for electronic monitoring only if:
 - a. the juvenile is on supervised conditional release, probation, or community reintegration; and
 - b. has been assessed at a risk level of moderate or greater by a Department approved risk assessment instrument or has not been assessed per Department Policy (JCC) 9.1, Case Management.
4. In addition to the above, if there is no court request or order, one of the following criteria must be met:
 - a. there is a concern about victim or public safety that electronic monitoring may mitigate;
 - b. there are conditions, e.g., curfew, "house arrest," etc., that may be more effectively supervised with electronic monitoring;
 - c. there is a concern about the possibility of absconding; or
 - d. the Regional Correctional Administrator, or designee, otherwise approves.
5. Juveniles on informal adjustment or unconditional release or unsupervised conditional release shall not be placed on electronic monitoring.
6. If a juvenile is to be placed on electronic monitoring, the JCCO shall obtain the juvenile's consent and the consent of their parent(s)/guardian/legal custodian (if the juvenile is not emancipated) using the Consent to Electronic Monitoring (App) form (Attachment A).
7. If applicable, the JCCO shall inform the Department's Director of Victim Services, or designee, of the juvenile's placement on electronic monitoring.

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8. There shall be no fee for electronic monitoring of a juvenile.
9. Any significant occurrence pertaining to the management of a juvenile supervised on electronic monitoring shall be documented in the Department's resident and client records management system.

Procedure B: Supervision Standards and Responsibilities

1. If a juvenile is placed on electronic monitoring, the Juvenile Community Corrections Officer (JCCO) shall orient the juvenile to the electronic monitoring process, including requirements for any exclusion and/or inclusion zones, and shall document the orientation in the Department's resident and client records management system.
2. The JCCO shall verify that contact information for the juvenile and victim (if applicable) is accurate.
3. The JCCO shall:
 - a. ensure that the electronic monitoring app is properly installed on the juvenile's phone and, if necessary, the JCCO's phone or computer;
 - b. enter the appropriate parameters for supervision in the app software, including, but not limited to, appropriate alerts, exclusion zones, and/or inclusion zones (and, if applicable, times when any zones are in effect);
 - c. respond to alerts as set out below; and
 - d. monitor the juvenile's location during regular business hours at least once a week.
4. If the supervision of the juvenile is transferred or the JCCO will be unable to conduct the electronic monitoring or respond to alerts, these responsibilities shall be transferred to another JCCO.

Procedure C: Alert Notifications and Responses

1. In consultation with Regional Correctional Administrator, or designee, the Juvenile Community Corrections Officer (JCCO) shall ensure the following alerts are activated for immediate notification:
 - a. tampering;
 - b. critical/dead battery;
 - c. inclusion/exclusion zones; and
 - d. any other alerts.
2. The JCCO shall respond to an alert received on the daily report by:
 - a. documenting the alert in the Department's resident and client records management system;
 - b. following up with the juvenile and their parent(s)/guardian/legal custodian (if the juvenile is not emancipated) no later than the next business day; and
 - c. taking appropriate action to resolve the issue leading to the alert.

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Procedure D: Termination of Electronic Monitoring

1. If a juvenile was placed on electronic monitoring due to a request or order of a court, the Juvenile Community Corrections Officer (JCCO) shall terminate the electronic monitoring if the request or court order is no longer active (e.g., the electronic monitoring was made a condition of probation and the juvenile is no longer on probation).
2. Otherwise, if a juvenile was placed on electronic monitoring due to a request or order of a court, the JCCO may terminate the electronic monitoring only if approved by the Regional Correctional Administrator (RCA), or designee, and only after notification to the court.
3. If there is no court request or order, a JCCO shall terminate electronic monitoring if the juvenile:
 - a. is no longer under supervision in the community; or
 - b. has been assessed at a risk level less than moderate by a Department approved risk assessment instrument.
4. If there is no court request or order, a JCCO may terminate electronic monitoring if:
 - a. there is no longer a concern about victim or public safety that electronic monitoring may mitigate;
 - b. there are no longer conditions, e.g., curfew, "house arrest," etc., that may be more effectively supervised with electronic monitoring;
 - c. there is no longer a concern about the possibility of absconding; or
 - d. the RCA, or designee, otherwise approves.
5. If electronic monitoring is terminated, the JCCO shall inform the juvenile that they may remove the app and the JCCO shall deactivate the juvenile's profile.

VIII. PROFESSIONAL STANDARDS

None

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