



**STATE OF ALASKA
DEPARTMENT OF CORRECTIONS
INTERIM POLICY AND PROCEDURES MEMORANDUM**

APPROVED BY:


Nancy A. Dahlstrom, Commissioner

DATE:

02/07/2020

PAGE:

Page 1 of 4

MEMO TYPE:
Public

MEMO TITLE:

Community Electronic Monitoring

MEMO ATTACHMENTS / FORMS:

(D.) EM Scoring Matrix
(E.) EM Checklist
(F.) EM Denial Form
(G.) EM Appeal Form

AUTHORITY / REFERENCES:

22 AAC 05.620
AS 33.30.061
AS 33.30.065

PURPOSE:

The purpose of this Interim Policy and Procedures Memorandum (IPPM) is to realign the approval and appeal process for sentenced electronic monitoring from within the Division of Pretrial, Probation and Parole to the Division of Institutions and to discontinue the use of the EM Scoring Matrix (Attachment D) while DOC P&P 903.06 is under review.

APPLICATION:

This IPPM applies to all Department of Corrections (DOC) employees and offenders.

EXISTING DOC POLICY & PROCEDURES MODIFIED:

This IPPM modifies language found in DOC P&P 903.06, Community Electronic Monitoring, Procedures section I., A., C., D., G., H.; section III; and attachments D, E, F, and G.

NEW PROCEDURES:

1. Procedures section I., A., 4., NOTE, shall be rewritten as follows:

“NOTE: If the offender exhibits exceptional rehabilitative progress, their application can be forwarded for an exception to the three (3) year timeframe. The Chief Classification Officer or designee may override and grant an approval.”

2. Procedures section I., C., 1., shall be deleted:

“An EM Scoring Matrix (Attachment D) shall be completed for all offenders. Offenders with a matrix score of 20 or less shall move on in the review process.”

“a. A score of 21, or more, would require an override in order to move forward in the review process.”

3. Procedures section I., D., 2., shall be rewritten as follows:

“If an offender is denied, they will have the right to appeal the denial to the Chief Classification Officer or their designee.”

4. Procedures section I., G., 3., i., shall be rewritten as follows:

“Exceptions to the EM weekly schedule above and beyond (3.) (a. – h.) listed above must be pre-approved by the Chief Classification Officer or their designee.”

5. Procedures section I., H., 4., shall be rewritten as follows:

“If an offender is terminated from the EM program, they have a right to appeal the termination to the Chief Classification Officer or their designee.”

6. Procedures section III shall be rewritten as follows:

III. First Time DUI / Refusals / Home Confinement

A. Eligibility:

An offender who was sentenced for a First Time DUI or a First Time Refusal may be eligible to complete their sentence on EM. These convictions need to be stand alone and shall not be combined with any other convictions.

B. First Time DUI Application Requirements:

1. All EM applications shall include a copy of the Court Order or Judgment, Electronic Monitoring Information Form for First Time DUI / Refusals (Attachment O), and Electronic Monitoring Terms and Conditions for First Time DUI / Refusals (Regular EM) (Attachment P).

- a. For offenders who are in a rural area who were sentenced to a First Time DUI or First Time Refusal on or after 01/01/2017 and the offense occurred prior to 07/08/2019, the offender must complete: Electronic Monitoring Terms and Conditions for First Time DUI / Refusals (Home Confinement) (Attachment Q).

C. Processing of First Time DUI / Refusal Cases:

Upon receipt of judgments received directly from the Court and / or notification from defendants and attorneys, staff will prepare cases for placement on EM.

D. EM Placement and Release:

1. Residence inspections and victim notification are not required.
2. The EM Officer shall determine placement on either EM or Home Confinement.
3. All offenders must report to their supervising EM office, as directed by the Court and / or PO the day of transfer or remand. Any exceptions to the reporting dates must be approved in advance by the supervisor.
4. The Court will be notified daily of all new EM intakes via e-mail and / or fax by DOC staff.

5. Offenders are to be released in accordance with DOC P&P 818.06 (Release Procedures).

E. Costs:

1. For offenders who were sentenced on or after 01/01/2017 and the offense occurred prior to 07/08/2019, they will be assessed incarceration fees by the Alaska Court System to account for their time on EM. Offenders are required to pay those fees directly to the Alaska Court System and EM Officers are not responsible for the collection of said fees.
2. For offenders whose offenses occurred on or after 07/08/2019, they will be assessed fees which will be collected by a DOC EM Office.

F. EM Equipment:

Each office will determine the appropriate equipment for each offender and process them accordingly.

G. Supervision of First Time DUI / Refusal Cases:

First Time DUI and Refusal cases will be on lockdown for their first day. If the individual needs to leave their residence for any activity such as work, treatment, appointments, church, etc., they will need to provide their schedule to their assigned PO. If they do not have any of these activities, they will be required to remain at their residence for the length of their sentence.

H. Violations of EM Conditions:

Should a First Time DUI / Refusal individual violate the conditions while on EM, the violations shall be reported within 24 hours to the District Attorney's Office.

I. Escape:

If an offender's whereabouts are unknown for more than two (2) hours or they have removed, tampered with, or disabled the ankle monitor, they will be considered an escape from EM. Escape Procedures per DOC P&P 1208.16 (Institutional Emergency Plan), shall be followed. The EM Officer will confirm that there is an unauthorized absence by physically checking the residence or unauthorized location. The offender's status shall be updated in the DOC offender management system and in the electronic monitoring database.

7. Attachment D shall be deleted.
8. Attachment E shall be modified to delete the reference to the EM Scoring Matrix, as follows:

~~EM MATRIX SCORING COMPLETED.~~

9. Attachment F shall be modified as follows:

"The Chief Classification Officer or designee has 15 business days to respond to the appeal. (Ref: P&P 903.06, Community Electronic Monitoring, Section I.)"

10. Attachment G shall be modified as follows:

MEMO TITLE:

Community Electronic Monitoring

MEMO TYPE:

Public

PAGE:

Page 4 of 4

“TO: Chief Classification Officer or Designee”