AGENCY: _____ DATE (S): _____

.01 STANDARDS: MANAGEMENT OF MONITORED INDIVIDUALS

____A. ORIENTATION OF A MONITORED INDIVIDUAL

___(1) Equipment use and care

___(2) Expectations for others at the approved location

___(3) Rules and regulations of the monitoring agency

___(4) Internal complaint process

___(5) Access to case records by the monitored individual, attorneys, and the court

___(6) Emergency situations

___(7) A change in the monitored individual's schedule

___(8) The process for the termination of monitoring

___(9) Acknowledgement by the monitored individual of escape provisions

See case records/orientation schedules and documents, orientation materials, interviews of staff

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____B. INTAKE/ENROLLMENT OF A MONITORED INDIVIDUAL

___(1) Verification of a legal document noting the conditions and stipulations ordered by the court **See** court order

___(2) A system of identification of the monitored individual

___(3) Collection of personal data pertaining to the monitored individual - **See** intake records

___(4) Approval by the leaseholder or owner of the approved location - **See** written approval provided by the leaseholder/owner of the residence

___(5) Approval by the owner of the required telephone service - **See** copy of the residence telephone bill and written approval by the person leasing the telephone service

___(6) Verification of the monitored individual's approved residence - **See** documentation verifying monitored individual's residence

.01 STANDARDS: MANAGEMENT OF MONITORED INDIVIDUALS (Cont'd.)

B. INTAKE/ENROLLMENT OF A MONITORED INDIVIDUAL (Cont'd.)

___(7) Notification to the court that the monitored individual is enrolled in the monitoring agency's program, specifying the type of electronic monitoring to be used - **See** records of notification to the court

___(8) Installation of appropriate electronic monitoring equipment on the monitored individual or at the monitored individual's approved residence, or both, if required - **See** records of equipment issuance and installation

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___C. SCHEDULING OF A MONITORED INDIVIDUAL

___(1) Initial schedule - **See** the initial schedule signed and dated by the monitored individual and the staff member who prepared it

___(2) Modification of the schedule to allow for court-approved activities - **See** electronic monitoring schedules with required signatures and dates

___(3) Temporary court-approved changes, initialed by the monitor making the change - **See** documented changes to electronic monitoring schedules with required court documentation

___(4) Review of the schedule with the monitored individual at least monthly, signed and dated by the individual and the monitor

See <u>required</u> monthly schedule

___D. FEE ESTABLISHMENT

See recording of fee payments received

See receipts for monitoring services provided

See documentation for monitored individuals who are in arrears and legal action taken against them

.01 STANDARDS: MANAGEMENT OF MONITORED INDIVIDUALS (Cont'd.)

____E. MONITORING

____(1) Enough monitors on duty so that the number of individuals being monitored does not pose a threat to public safety, but not less than one monitor on duty and one on call and available 24 hours a day, 7 days a week - **See** roster of monitors and a schedule of work hours.

____(2) Drug or alcohol testing, or both, of a monitored individual as ordered by the court - **See** drug and alcohol testing of monitored individuals so ordered.

____(3) In-person contact by a monitor as ordered by the court, but not less than monthly - **See** records of in-person contact (e.g., required monthly schedule review).

____(4) Circumstances for a monitor's visit to the monitored individual's approved residence - **See** records of visits to the monitored individual's approved residence.

____(5) Verification of the monitored individual's attendance at, and status of, employment or a court- ordered activity, or both - **See** records of attendance at court-approved activities and work.

____(6) Reporting of escape immediately to local law enforcement, and next day to the court, state's attorney and probation agent (if applicable) - **See** letters/documentation of notification.

____F. VERIFICATION OF WORK AND OTHER COMMUNITY ACTIVITIES

____(1) Documentation verifying participation in court-ordered scheduled activities, provided not less than every other week, and

____(2) Documentation verifying participation in court-ordered unscheduled activities provided as soon as possible, but not later than the next working day

See written records verifying scheduled activities and accounting for unscheduled activities (e.g., records of site visits, telephone contacts, pay stubs or appropriate correspondence)

.01 STANDARDS: MANAGEMENT OF MONITORED INDIVIDUALS (Cont'd.)

____G. TRANSPORTING A MONITORED INDIVIDUAL

See personnel roster; records of vehicle and employee licensure; observation; staff interviews

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____H. PROGRAM RELEASE OF A MONITORED INDIVIDUAL

___(1) Verification of identity

___(2) Authorization to discharge the monitored individual

___(3) Notification to the court and to affected agencies and individuals as required by law or ordered by the court (e.g., the court, the Division of Parole and Probation, local law enforcement agencies, victims, etc.)

See case records; review of authenticated release records and **observations**

____I. ABSENCE OR ABSCONDING OF A MONITORED INDIVIDUAL

___(1) Documented action when a monitored individual is unaccounted for, absent or whereabouts unknown for less than 2 hours,

___(2) Documented action when a monitored individual is unaccounted for, absent or whereabouts unknown for more than 2 hours but less than 24, and

___(3) Documented action when a monitored individual is unaccounted for, absent or whereabouts unknown for twenty-four hours or more to include written notification to the appropriate authority as required by law

See electronic monitoring reports, electronic files, if necessary, monthly reports to MCCS, incident reports, letters to the Division of Parole and Probation, letters to the court, court documents, case files generally.

AGENCY: _____ DATE(S): _____

.02 STANDARDS: CONTINGENCY PLANS

___A. EMERGENCY AT THE MONITORED INDIVIDUAL'S RESIDENCE

___(1) Power outage – Documented response with back-up power; resume monitoring; notify court of interruption;

___(2) Loss of telephone service – Documented response with back-up power; resume monitoring; notify court of interruption;

___(3) Fire – Documented response; resume monitoring; notify court of interruption;

___(4) Flood – Documented response; resume monitoring; notify court of interruption;

___(5) Malfunction of equipment – Documented response; resume monitoring; notify court of interruption;

___(6) Other emergencies – Documented response; resume monitoring; notify court of interruption;

See emergency plans in agency's written policies and procedures; **See** incident reports and notifications to affected court or agency

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___B. CONTINGENCY PLANS FOR THE MONITORING AGENCY

___(1) Power outage or loss of telephone service

___(2) The death, serious illness, incapacitation, or the personal emergency of a monitor

___(3) A financial emergency

___(4) Movement of monitoring equipment or the transfer of monitoring services if the monitoring agency's office becomes unusable

___(5) Prompt notification to a governmental agency responsible for supervising the monitored individual

___(6) Prompt notification to the court that ordered the monitoring

See incident reports, records of any such occurrence, court notifications if applicable, staff interviews
See acknowledgement of awareness and training

AGENCY: _____ DATE (S): _____

.03 STANDARDS: RIGHTS OF MONITORED INDIVIDUALS

____A. NONDISCRIMINATION

See complaints, observation

_____

____B. ACCOMMODATIONS FOR A DISABLED INDIVIDUAL

See complaints, observation

_____

___C. ORIENTATION

See handbook/orientation materials, written acknowledgement of monitored individuals

See staff awareness and training records of staff (**See Audit Team Leader)**

_____

___D. MONITORED INDIVIDUAL EXERTING CONTROL

See interviews of staff, observation

_____

____E. PROGRAM PARTICIPATION

See court documents

_____

____F. RIGHT TO DUE PROCESS

See records providing access by a monitored individual to his/her records if he/she is referred back to the court the

AGENCY: _____ DATE (S): _____

.04 STANDARDS: RECORDS FOR MONITORED INDIVIDUALS

____A. UNAUTHORIZED ACCESS

See interviews of staff; observations that a monitored individual does not have unauthorized access to files, computer records and computer records of the monitoring agency.

____B. CONFIDENTIALITY OF CASE RECORDS

___ (1) Identification of an individual authorized to approve access

___(2) Designation of materials subject to disclosure and restriction in accordance with applicable statutes and regulations

___(3) A form used by a monitored individual for consenting to the release of information, **See form containing**, name of the monitored individual, the monitoring agency, the person requesting the information, designation of the information to be disclosed, rationale for disclosure, the signatures and dates of the monitored individual, a witness and expiration date

___(4) A record of access decisions

See case records, interviews of staff, records of provision/denial, orientation materials

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____C. CASE RECORDS

___(1) Secure storage in a manner that prevents unauthorized access by a monitored individual

___(2) Specification of file content and order

___(3) A signature and date on documents and entries

___(4) Daily backup of, and date and author's identity on, electronic documents, and

___(5) Establishment of a records retention schedule with documentation of dispositions

See case files, review of computer files, staff interviews, observation

.04 STANDARDS: RECORDS FOR MONITORED INDIVIDUALS (Cont'd.)

_____D. RECORDS OF FEE PAYMENTS

See written policy and procedure, case record review, financial records and receipts, schedule fee payment method.

See receipts that include, at a minimum, the monitored individual's name, the amount paid, the date of the payment, the dates covered by the payment and the signature of the monitor. A receipt should be issued to the monitored individual.

_____E. ELECTRONIC RECORDS

The monitoring agency shall ensure that electronic or paper records of the monitoring of a monitored individual are available:

____(1) To an appropriate authority as soon as possible, but in not more than 2 working days,

____(2) For at least 3 years after the monitored individual completes the monitoring program or until the next audit by the Maryland Commission on Correctional Standards, whichever is later.

See documentation of requests and proper actions taken; observation

_____F. RECORDS RETENTION

The monitoring agency shall retain monitored individuals' case records for not less than 3 years after the completion of the monitoring services.

Review records retention schedule; observation

See closed files with court order, documentation accounting for the individual's activities when not electronically monitored, enrollment information, termination documents, schedule for and records of the transfer or destruction of case information designated as no longer having relevance or importance

AGENCY: _____ DATE (S): _____

.05 GENERAL ADMINISTRATION

____A. OFFICE SECURITY

See records of reports of any unusual activity in or around the private home detention office to the local police authorities, if any

See documentation of specification of persons authorized access to the office and office keys

See documentation of any breach of office security that results in the loss or destruction of the license certificate reported in writing to the Secretary, via the MCCS, within 5 working days of the incident

Observation

____B. UPDATES OF TELEPHONE AND PAGER NUMBERS

See records of changes in telephone and/or pager numbers used during business and nonbusiness hours reported to the Secretary, via the MCCS, within 5 working days from the date of the change.

____C. ELECTRONIC MONITORING EQUIPMENT

___ (1) Secure storage, making equipment inaccessible to a monitored individual. Observation

___(2) Visual inspection of equipment worn by the monitored individual to determine its condition not less than once per month – **See** monthly inspection records of equipment in use

___(3) A master listing and inventory – **See** up-to-date listing and inventory of all equipment

___(4) Availability of at least one complete backup unit for every 25 units in use – **See** inventory of backup equipment

___(5) Responses to system malfunctions - **See** work orders for equipment service or repairs

.05 GENERAL ADMINISTRATION (Cont'd.)

___(6) Restricted password access to authorized staff of base station hardware - **See** written designation of persons authorized access

___(7) Maintenance and cleaning of equipment – **See** equipment/maintenance records and **observe** equipment

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____D. CONTRACTS

___ Agreement with a contractor for monitoring services including provisions for compliance with these standards

See contractual agreement

____E. AGENCY RELATIONSHIP WITH MONITORED INDIVIDUALS

___(1) A monitoring agency or employee may not associate with a monitored individual except in a professional relationship that will support the goals of the program

___(2) A monitoring agency or employee may not enter into another business relationship with a monitored individual or monitored individual's family during the monitoring

___(3) A monitoring agency or employee may not employ a monitored individual or member of the monitored individual's family for at least 1 year after the termination of the monitoring

___(4) A monitoring agency licensee or employee may not engage in criminal conduct or violate these standards,

___(5) A monitoring agency employee shall maintain confidentiality of records and information regarding a monitored individual

Observation; interviews with staff

.05 GENERAL ADMINISTRATION (Cont'd.)

____F. OFFICIAL PUBLICATIONS/ANNUAL REVIEW

See schedules for routine annual review of all publications (i.e., anniversary date of implementation, annually on calendar or fiscal year basis, etc.); review documentation including the date of review, the signature/initials of the person(s) performing the task and outcome (i.e., retain, modify, rescind, etc.); staff interviews.

____G. MONTHLY REPORTS TO THE SECRETARY

Monthly reports are to be submitted on or before the fifteenth day of each month to the Secretary of Public Safety and Correctional Standards, via the Maryland Commission on Correctional Services, which includes provisions for:

____ (1) The number of monitored individuals being monitored on the first and last days of the month and categorized by the type of monitoring equipment used

____(2) The number of monitored individuals for whom monitoring was initiated during the month and categorized by the type of monitoring equipment used

____(3) The number of monitored individuals for whom monitoring was terminated during the month and categorized by the type of monitoring equipment used

____(4) The number of monitored individuals cited for violating the court order or program rules requiring monitoring

____(5) The number of monitored individuals removed from monitoring for one or more violations and categorized by the type of monitoring equipment used

____(6) The number of instances in which a monitored individual was unaccounted for, absent from an approved location, or whose location was unknown within the following time frames:

____(a) Less than two hours

____(b) More than two hours, but less than 24

____(c) Twenty-four hours or more to include written notification to the appropriate authority as required by law – **See** documentation of notification to appropriate authorities

.05 GENERAL ADMINISTRATION (Cont'd.)

___(7) Records of immediate notification to the local law enforcement agency, and next working day notification to the court that ordered home detention, the State's Attorney and the supervising probation agent, if applicable, when a monitored individual is determined to have escaped.

See copies of monthly reports with any errors corrected in writing within five working days from the date the company knows or should know of an error in the report

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____H. TAX AND CORPORATE RECORDS

Review of current corporate and tax records

___I. INSURANCE

Review of current general liability insurance for a minimum of $100,000, including expiration date, if any.

____J. BOND

See certificate of bond for a minimum of $2500

____K. STAFF TRAINING (**See Audit Team Leader**)

See training records; written acknowledgment by staff; staff interviews