

ANKLE BRACELET FOR FAX-THREAT?
PRE-TRIAL BASED ON PAT SYSTEM.

LANE COUNTY SHERIFF'S OFFICE



Electronic Surveillance Program
PRE-TRIAL OFFENDER MANUAL

Thomas M. Turner, Sheriff
Lane County Sheriffs Office
Adult Corrections Division
75 West 5th Avenue
Eugene, OR 97401

Revised 1/22/2010

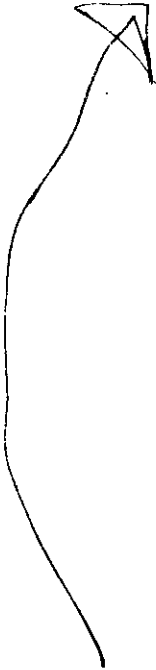
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*****IF LOST, DAMAGED OR NOT RETURNED,*****

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LANE COUNTY ELECTRONIC SURVEILLANCE PROGRAM

I. PROGRAM OVERVIEW

A. WHAT IS ELECTRONIC SURVEILLANCE?

The Electronic Surveillance Program (ESP) is an Alternative Custody Program offered through the Lane County Sheriff's Office that allows you to await disposition of your case in a location outside the jail. You are monitored with electronic equipment. You will be charged a daily fee to be on this program.

B. PROGRAM QUALIFICATION

To be considered for ESP you must first meet the following program requirements:

1. Approval for participation by Pre-Trial Services (PTS).
2. Employed, unless injured, on disability or a full time student. If not employed must have other means to pay fees.
3. Satisfactory residence, which is free of any alcohol, firearms, or controlled substances (including medical marijuana).
4. Ability to pay fees as directed by ESP Staff.

C. EQUIPMENT

The following is a list of the equipment that may be required for the Electronic Surveillance Program. Not all equipment will be used for each individual. The equipment used will be determined by ESP staff based on charges and history.

1. A functional telephone. The telephone line must be a private, non-business line without any added services such as call waiting, call forwarding, conference calling, caller I.D., answering machines or other optional programs.
2. A Home Monitoring Unit (HMU) that communicates with Monitoring Center through your telephone lines.
3. A transmitter that is attached to your leg will communicate with the HMU, which in turn communicates with the computer. The transmitter is waterproof.
4. A GPS ankle bracelet with charging cord. With this unit there is no equipment connected to the phone line at the

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residence.

5. An Alcohol Monitoring Device (AMD). This unit consists of a video camera unit and portable breathalyzer. The unit is connect to the phone line and used with the HMU.

E. RESIDENCE

Your residence must be acceptable to the ESP staff. If your residence is deemed unacceptable by ESP staff you may be removed from the program or required to move.

F. FEES

You will be charged a daily fee while on ESP. This fee will be based on your wages and/or your ability to pay and will help offset some of the costs of the Electronic Surveillance Program.

II. REQUIREMENTS

A. RESIDENCE

The residence you live in must have adequate electricity, plumbing, heat and cooking facilities.

If you are going to be living with someone, a signed acknowledgement and permission is needed from that person indicating that you may reside there while on ESP. This written acknowledgement will include an agreement from all residents of that location that no alcohol, weapons or controlled substances (including medical marijuana) will be allowed in the residence and that ESP staff have the authority to search the residence while you are on ESP. Staff may use all available means to conduct a search of the residence, including the use of narcotic detecting police dogs.

You will not leave your residence for any reason unless authorized by your pre-planned schedule or verbally by PTS Staff.

B. FEES

You will be charged a daily fee that is based on your hourly wage and/or your ability to pay. You may be required to pay all or a major portion of you ESP fees in advance if you are accepted for the program but are unemployed, have a short sentence or if otherwise determined by ESP staff.

The amount for ESP fees you will be required to pay will be determined at the time of placement on the program. Payment will be made during your weekly check-in and must be paid by certified check, money order, cashier's check or cash. You can also pay with a credit card by placing money on your inmate trust account using the kiosk at the jail or on the internet. Your payment must be the EXACT amount owed. The ESP officer cannot make change.

If at any point you owe more than \$100 notification will be made to PTS. Your release agreement may be revoked if you are not paying fees as directed by staff.

C. EMPLOYMENT

You will be expected to hold either full time employment or an acceptable combination of school and part-time employment.

1. Acceptable Employment/School

- a. A job that provides you a minimum of 32 hours per week or a full time school schedule.
- b. While employed, you must be covered by your employer's liability insurance and/or Worker's Compensation.
- c. A company that is licensed by the State or Municipal government if required.
- d. A job that provides paychecks with the appropriate Federal and State withholding statements. No under the table employment.

2. Unacceptable Employment

- a. Working for a business without a business license.
- b. Sales work for commission only. An exception to this would be a client who could offer proof that this is an ongoing job held prior to incarceration with a dependable, acceptable income level.
- c. Employment requiring overnight stays without prior authorization from PTS.
- d. Work in any location whose primary purpose is dispensing alcohol.
- e. No out of state employment will be allowed. Out of county employment requires prior special approval. You must submit a request to the PTS staff at least 72

hours prior to the date you want to work out of county.
It is preferred that the request be submitted one week
in advance.

3. Employer/Staff Contacts

It is your responsibility to make your employer aware of your circumstances. Staff may contact your employer to make them aware of the conditions of ESP, discuss your job performance and attendance and make periodic on site visits.

4. Overtime

Clients may be permitted allowed to work overtime. You will not be allowed to work overtime without prior PTS staff approval.

5. Job Search

As a general rule you must maintain employment while on ESP unless prior arrangements have been made. If you lose your job you will be required to search for another job.

D. EQUIPMENT

Except for the telephone and electricity, the equipment required for you to be on ESP will be furnished by Lane County. The equipment provided will depend on the program you are assigned. Equipment provided can include a home monitor (HMU), transmitter bracelet, GPS bracelet with charge cord and an alcohol monitor.

If you are using the phone that has a monitor connected to it, and you hear a dialing sound on your phone, hang up and wait 5-10 minutes before trying to use the phone again. The monitoring equipment is attempting to call the monitoring center. Preventing the unit from calling in will create a violation notice to ESP staff and could result in revocation of your Release Agreement. Always allow the phone to ring at least twice prior to answering.

If you are using a GPS unit you are required to charge you unit every day. The unit must be charged for approximately two hours (continuous) each day. You need to leave the unit plugged in and charging until the light turns solid green. You should charge the unit around the same time every day. Do not attempt to charge the unit while you are sleeping as the cord will come out causing the unit to not charge correctly. Failing to charge the unit as instructed can result in your release agreement being revoked.

The transmitter is waterproof however the monitor is not waterproof. Should damage occur to any of the equipment, you will be held financially liable.

E. PROGRAM RESPONSIBILITIES

1. Check-In

You are required to check-in regularly with the ESP staff at the Community Correction Center. This is in addition to any check-in required by PTS. Your check-in date and time will be provided to you when you are placed on the program.

During your check-ins you must have these items available:

- a. Your ESP fees. You must have the exact amount and it must be in cash, cashiers check, money order or certified check.
- b. Work, program and activity schedules filled out unless you are on a curfew release.
- c. Proof of compliance to any court ordered obligations.
- d. AA or NA slips if required by your program.
- e. Be prepared to give a urine sample (UA) and/or an alcohol-screening test.

2. Schedule

The type of schedule you will be on will be determined by PTS and is listed on your Release Agreement. You will either be placed on a curfew schedule or on a weekly schedule.

If you are placed on a curfew schedule you will be required to be in your residence by a set time each night and will not be allowed to leave prior to a set time in the morning. During non-curfew hours you are allowed to conduct normal business in the community. All rules of the program still apply and you are not allowed to enter bars, strip clubs or liquor stores.

If you are placed on a weekly schedule you must submit a schedule each week at you check-in. This requires that you have your weekly schedule planned out in advance and entered on the appropriate form so that it can be approved and entered into the computer.

- a. You must have a copy of your schedule/pass in your possession at all times while you are on ESP
- b. Your copy is your authorization to be outside the confinement of your residence and to be at the location indicated on the schedule.
- c. Only PTS staff may approve any schedule changes. Changes will only be granted in cases of emergency.
- d. The passes must be filled out completely and accurately prior to your check-in. It will include the following information:
 - (1) Name, Airc # and Federal Reg. # (if BOP).
 - (2) Pass Date.
 - (3) Leave and return times (based on the 24 hour clock).
 - (4) Name and address of pass location.
 - (5) Signature.
- e. Prior to moving from one job site to another job site, you must contact the ESP office.

Under no circumstances should you make any stops not specifically authorized on the schedule/pass or engage in any retail shopping not previously authorized. Stopping anywhere not on your pass could result in revocation of your release agreement.

The following is a copy of the 24-hour clock. The 24-hour clock must be used on all of your passes.

<u>Standard time</u>		<u>24-hour time</u>
Midnight	-	0000 hrs.
1:00 am	-	0100 hrs.
2:00 am	-	0200 hrs.
3:00 am	-	0300 hrs.
4:00 am	-	0400 hrs.
5:00 am	-	0500 hrs.
6:00 am	-	0600 hrs.
7:00 am	-	0700 hrs.
8:00 am	-	0800 hrs.
9:00 am	-	0900 hrs.
10:00 am	-	1000 hrs.
11:00 am	-	1100 hrs.
12:00 pm	-	1200 hrs.
1:00 pm	-	1300 hrs.
2:00 pm	-	1400 hrs.
3:00 pm	-	1500 hrs.
4:00 pm	-	1600 hrs.
5:00 pm	-	1700 hrs.
6:00 pm	-	1800 hrs.
7:00 pm	-	1900 hrs.
8:00 pm	-	2000 hrs.
9:00 pm	-	2100 hrs.
10:00 pm	-	2200 hrs.
11:00 pm	-	2300 hrs.

5. ALCOHOL AND DRUG MONITORING

Use of alcohol, drugs, or any legal substance that interferes with accurate urinalysis is a rule violation subject to removal from the program.

1. Alcohol Monitoring:

- a) An alcohol detection test will be given to any resident suspected of drinking alcohol. In addition, random tests will be taken.
- b) If you fail to satisfactorily complete the test or refuse to take the test you will have your Release Agreement Revoked.
- c) Failing to complete the test will be considered as positive evidence of drinking.
- d) Medications/substances that contain alcohol are prohibited (i.e. - Nyquil, mouthwash, etc).

2. Drug Monitoring:

- a) You will be screened via urinalysis for your current drug use after admission to the program.
- b) Random and regular urinalysis will be conducted thereafter.
- c) You must submit to a urine sample under the direct observation of staff within a reasonable time of being ordered to do so. Two hours is considered a reasonable amount of time. This may be extended at staff discretion.
- d) Failure to submit a urine sample within two hours is considered a stall and shall be considered the same as a positive urinalysis, which is a major rule violation.
- e) You, as a resident, are responsible for what goes into your body.
- f) If you take a medication or substance that makes it appear that you have taken illicit drugs, no distinction will be made in your behalf and you will be treated the same as if you have used illicit drugs. The only exception to this will be for prescription medications provided to staff prior to the UA. Do not consume poppy seeds while on the program.

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- g) Once you have been advised that you have a urinalysis scheduled, you are required to remain under direct staff observation. You may not leave the front lobby without specific staff permission.

6. Release Procedures

You will be removed from the program after your case has been resolved by the courts.

Bring all ESP equipment to the ESP office. DO NOT REMOVE THE BRACELET, it will be removed by ESP staff. All fees must be paid in full at the time of release.

PROGRAM RULES

Serious behavior problems will be considered major rule violations and may be cause for the revocation of your release agreement.

The following is a list of rules, although it is not meant to be a complete and comprehensive set:

- (1) Any violation of the law.
- (2) Repeated minor offenses.
- (3) Possession or use of any alcoholic beverage, intoxicants, stimulants, narcotics, or dangerous drugs. This includes beverages that are advertised as "non alcoholic".
- (4) Presence of any alcohol or drugs in your residence while you are on the Electronic Surveillance Program.
- (5) Refusal to subject yourself to drug/alcohol testing.
- (6) Engaging in any verbal arguments, harassment or making threats towards any staff or citizen.
- (7) Attempting to cause, or causing harm or injury to a staff member, resident, or citizen.
- (8) Refusal to comply with instructions by staff.
- (9) Interfering with staff.
- (10) Lying or making false statements to Staff.

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- (11) Failure to pay ESP fees/subsistence.
- (12) Failure to follow instructions for movement in the community.
- (13) Quitting your job without approval from staff, or failing to notify staff of your being fired or laid off.
- (14) Escape or unauthorized absence.
- (15) Refusal to enroll or participate in treatment programs if directed to do so as part of your program by either the court, as a condition of your probation..
- (16) Unplugging the monitor or the phone line.
- (17) Removing the transmitter.
- (18) Failure to take reasonable care of the ESP equipment.
- (19) Tampering with or damaging any of the ESP equipment.
- (20) Removing the ESP equipment from the residence
- (21) Changing job locations without authorization.
- (22) Purchasing or possessing any gambling paraphernalia (this includes lottery tickets).
- (23) Use of disrespectful, vulgar or profane language directed towards another person.
- (24) Not traveling the most direct route between authorized locations as required.
- (25) Failing to notify your employer that you are on ESP.
- (26) Failure to notify ESP staff of any change in your employment.
- (27) Having an answering machine, caller I.D., call waiting, call forwarding, conference calling or other optional equipment on your telephone.
- (28) The wearing of gang related clothing.
- (29) Taking any medication that is not specifically prescribed for you by your doctor or any over the counter medication without permission from an ESP officer.
- (30) Ingestion of poppy seeds.
- (31) Being anywhere not authorized on your Schedule without prior

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staff approval.

(32) Failure to charge the GPS unit as instructed by staff.

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR LANE COUNTY

THE STATE OF OREGON

Plaintiff,

vs.

CLARK, ANDREW GLEN
3270 STONEY RIDGE RD
EUGENE, OR 97405

Defendant

SUPERVISED SECURITY
RELEASE AGREEMENT

Security Amount Paid: 20,000.00
Date Paid: 7/31/13 Receipt #: 002717860
Case #: EGC 211314234

Charges:
STALKING - MISDEMEANOR, STALKING - MISDEMEANOR, STALKING - MISDEMEANOR, STALKING - MISDEMEANOR, STALKING - MISDEMEANOR, STALKING - MISDEMEANOR, STALKING - MISDEMEANOR, STALKING - MISDEMEANOR, STALKING - MISDEMEANOR, STALKING - MISDEMEANOR, STALKING - MISDEMEANOR, STALKING - MISDEMEANOR

I, ANDREW GLEN CLARK, promise on oath that I will

- 1) **Appear in court at the Lane County Circuit Court Courthouse in Eugene on Wednesday, 9/4/13 at 2:30 PM and all other dates .** The Lane County Circuit Court Courthouse address is 125 E 8th Ave, Eugene OR 97401, Tel: 541-682-4020.
- 2) Disregard any conditions pertaining to Pretrial Services if this is not a Lane Co. Circuit Court Case.
- 3) Obey all other orders and requirements of the court, which includes cooperating with all court staff, specifically the Pretrial Services Office, and in a courteous and respectful manner.
- 4) Not leave the state without the court's permission.
- 5) Maintain a mailing and/or residential address, as well as a contact telephone number. I understand that I am required to immediately give **written** notice in person of any changes to Pretrial Services, 101 W. 5th Ave., Eugene, OR 97401.
- 6) I understand that I am required to keep in contact with the attorney of record in this matter, which includes any changes in my mailing or residential address or telephone number.
- 7) Do my best to look for work and keep working unless medically unable, or maintain full time schooling or both.
- 8) Obey all laws and notify this court within 5 days, in writing, if I am arrested or charged with any new crime.
- 9) Not use or associate with persons using or dealing in illegal drugs. I understand that I may be required to submit to a Urinalysis and pay the \$10.00 fee at the time of the collection. If you are a medical marijuana card holder, this release agreement prohibits the possession or use of marijuana per the Oregon Medical Marijuana Program (OMMP).
- 10) I understand that I am prohibited from having any contact with the victim(s) of the crimes(s) that I am alleged to have committed unless I have prior authorization of the Court.
- 11) **PROHIBITED CONTACT INCLUDES, BUT IS NOT LIMITED TO:**
- 12) Coming into the visual or physical presence of the other person;
- 13) Following the other person;
- 14) Waiting outside the home, property, place of work or school of the other person or of a member of that person's family or household;
- 15) Sending or making written or electronic communications in any form to the other person;
- 16) Speaking with the other person by any means;
- 17) Communicating with the other person through a third person;
- 18) Committing a crime against the other person;
- 19) Communicating with a third person who has some relationship to the other person with the intent of affecting the

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CLARK, ANDREW GLEN - EGC211314234

Lane County Pretrial Services/101 West 5th Ave, Eugene, OR 97401/541-682-4201/fax:541-682-2134

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- third person's relationship with the other person;
- 20) Communicating with business entities with the intent of affecting some right or interest of the other person;
 - 21) Damaging the other person's home, property, place of work or school; or
 - 22) Delivering directly or through a third person any object to the home, property, place of work or school of the other person.
 - 23) Not to be within a **one mile radius** of the alleged victim's home, property, place of work or school.
 - 24) The no contact condition of this release agreement will overrule any allowances of a restraining order in which I am the respondent, unless otherwise specified by the Court.
 - 25) **Per ORS 135.290(2) A defendant who knowingly breaches any of the regulations in the release agreement imposed pursuant to ORS 135.260 may be punished by contempt if the defendant knowingly: (a) Breaches any of the regulations in the release agreement imposed pursuant to ORS 135.260.**
 - 26) **I HAVE READ OR HAVE HAD IT READ TO ME AND UNDERSTAND WHAT PROHIBITED CONTACT MEANS (Initials):** AL.
 - 27) Voluntarily be placed on the **Electronic Supervision Program**, monitored by PTS beginning 7/31/13. I agree to follow all rules, regulations, guidelines and agreements for ESP, including paying all fees as directed by Lane County Sheriff's Office. I understand that I cannot have in my possession or anyplace within my current residence, outbuildings, and vehicles any alcoholic beverages, empty or full alcoholic beverage containers or any type of weapon while I am on ESP. **Please note that the alcohol exclusion includes medications that contain alcohol (unless there is a current prescription but no medical marijuana), any "nonalcoholic" beverages, and any mouthwash that contains alcohol. I am prohibited from patronizing or being employed by any establishment in which the main source of revenue is alcoholic beverages. I understand that I may be required to submit to Urinalysis at my own expense.
 - 28) **I UNDERSTAND AND AGREE to the following:** Lane County Sheriff's Office will arrive at my residence, randomly and unannounced, to verify that the ESP equipment is in good working order and that I am following the conditions and rules of the program. Specifically, Lane County Sheriff's Office staff have my full consent to search my entire residence, all out buildings, and vehicles to confirm compliance with all program conditions and rules, including but not limited to searching for alcohol, alcohol containers, weapons, controlled substances, and any other illegal contraband which would constitute a violation of the program rules and regulations. I give this consent freely and voluntarily. If I do not comply with the terms of this agreement at the time the Lane County Sheriff's Office staff arrive to search my residence, I acknowledge that this would constitute a violation of the program rules and regulations, resulting in revocation of my release agreement and a warrant being issued for my arrest.
 - 29) **YOU MUST REPORT TO PRETRIAL SERVICES EVERY TUESDAY AT 0930 TO SUBMIT A WEEKLY TRAVEL SCHEDULE.**
If you have to submit a weekly schedule, no changes will be allowed to the schedule except in cases of emergency.
 - 30) You are not allowed to have contact with the following person(s): **LAW FIRM OF OGLETREE, DEAKINS, NASH, SMOAK, STEWART AND ALL EMPLOYEES.**

I understand that

I will be subject to arrest and revocation of my release if I fail to appear as required on my release agreements. If the court finds that I have violated the conditions of this release agreement, other active release agreements or have been charged with any new crime, my release may be revoked and a warrant may be issued for my arrest.

Failure to appear is punishable as a separate crime with 5 years in prison and \$125,000 fine for a felony, or 1 year in jail and \$6,250 fine for a misdemeanor.

If I fail to keep the court informed in writing of my correct mailing address, I will not get notices advising me of court dates and that this would be no excuse for failure to appear.

If I have been released on security, (1) the court will keep as a fee, 15% of the security deposit and (2) if I violate this release agreement the deposit may be forfeited and a judgment entered against me for the entire security amount, which is 10 times the security deposit amount.

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