

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 4.404-3/19*

IN RE: POLICIES AND PROCEDURES REGARDING
IN-HOUSE ARREST AND
ELECTRONIC MONITORING PROGRAMS

The Palm Beach County Sheriff's Office conducts a program known as the In-House Arrest Program (Monitoring Pre-Trial Detainee's, Direct filed Juvenile and Adult, and County Sentenced Adults) and the Department of Corrections, Parole and Probation Office, conducts a program known as the Electronic Monitoring Program (Monitoring State Sentenced Adults), both programs will be referred to as the "responsible agencies". Both programs rely upon electronic monitoring (Global Positioning Satellite and Radio Frequency) with a transmitter affixed to the ankle of the person to be monitored. In the interest of public safety, persons being monitored must strictly comply with the constraints placed upon them by the Court, and strictly comply with the rules and regulations placed upon them by the responsible agency.

NOW, THEREFORE, pursuant to the authority conferred by Florida Rule of Judicial Administration 2.215, it is **ORDERED** as follows:

1. Whenever a person is placed on Electronic Monitoring through the Department of Corrections, Office of Community Corrections or In-House Arrest under the Palm Beach County Sheriff's Office, **the person must comply with the restrictions as set forth by the trial judge and the policies and procedures of the responsible agency. If the responsible agency does not have policies and procedures defining a residence, the following will apply unless otherwise ordered by the presiding judge:**
 - a. **When a person is required to remain within a single family residence, the single family residence will include the associated property up and until the property line as set forth in the public records and including the mailbox when the mailbox is located in the front of the residence;**
 - b. **When a person is required to remain within a single family residence, the single family residence will include the associated property up and until the property line as set forth in the public records. If the mailbox is located in a common area, the residence will include the common area where the mail is delivered but only for the purpose of**

retrieving the mail. The person shall be permitted to check his/her mail once a day and only for the amount of time needed as determined by the probation officer;

- c. **When a person is required to remain within a residence that is in a building or a multi-unit structure, the residence will include the lobby or other area where mail is delivered but only for the purpose of retrieving the mail. The person shall be permitted to check his/her mail once a day and only for the amount of time needed as determined by the probation officer;**
 - d. **When a person is required to remain within a residence that is a mobile home, the mobile home includes the area where the mail is delivered but only for the purpose of retrieving the mail. The person shall be permitted to check his/her mail once a day and only for the amount of time needed as determined by the probation officer.**
2. If an alarm is reported by the monitoring company the responsible agency shall immediately investigate and take appropriate action to determine if there has been a bonafide equipment failure not caused, in any respect, by the person being monitored.
 3. In the event the representative of the responsible agency determines that there was no bonafide equipment failure, then the person being monitored shall be taken into custody immediately. If the responsible agent deems the violation to not be willful a warrant may be requested from the sentencing judge for a Notice to Appear within the next business day.
 4. Persons on In-House Arrest under the Palm Beach County Sheriff's Office or Electronic Monitoring under the Department of Corrections, Office of Community Corrections shall strictly comply with all constraints placed on them from the Courts, and shall strictly comply with all of the rules and regulations of the responsible agencies.
 5. In the event a representative of the responsible agency determines that the person being monitored has not strictly complied with all constraints placed on them by the Court, or strictly complied with all of the rules and regulations of the responsible agency, the person being monitored shall be taken into custody immediately unless the responsible agent deems the violation to not be willful a warrant may be requested from the sentencing judge for a Notice to Appear within the next business day.
 6. Any person whose case originated from circuit or county criminal court and who is taken into custody, shall be held without bond and shall, on the next working day, be brought before the judge presiding over his or her case for further disposition at the discretion of the presiding judge.

7. A copy of this Administrative Order shall be furnished to every person presently being monitored and every person placed on the monitor in the future.

DONE and **SIGNED** in Chambers at West Palm Beach, Palm Beach County, Florida, this 8th day of March, 2019.



Krista Marx, Chief Judge

*supersedes admin. order 4.404-9/08