

Milwaukee County Department of Health and Human Services Delinquency and Court Services Division  <b>POLICY &amp; PROCEDURE</b>	Original Date Issued:  <b>03/01/2014</b>	Reviewed: <b>11/14/2013</b> By: <b>KG/KP</b> Last Revision: <b>08/25/2015</b> By: <b>DB</b>	Section:  <b>ADMINISTRATION</b>	Policy No:  <b>003</b>	Pages:  <b>1 of 8</b>
<input checked="" type="checkbox"/> Delinquency and Court Services Division <input checked="" type="checkbox"/> Detention Center <input checked="" type="checkbox"/> Children’s Court Services Network <input checked="" type="checkbox"/> Purchase of Service Agencies	Effective Date:  <b>09/01/2015</b>	Subject:  <p style="text-align: center;"><b>Level II Monitoring Program Policy  (Optional Use of Global Positioning Systems  Component)</b></p>			

## I. POLICY

It is the policy of Delinquency and Court Services Division (DCSD) to use Global Positioning Systems (GPS) as an enhancement to Level II Monitoring in select circumstances. GPS is an optional enhancement to the programming of the Level II program. The GPS units will be used in lieu of issuing an apprehension request (capias) for placement in the secure detention center for specific threshold of Level II tracking violations. This policy and procedure also pertains to when the courts initially place youth on the GPS technology with Level II.

## II. PROCEDURE

All youth are expected to participate in all Level II programming activities, which includes the following elements:

1. Level II Services:
  - a. Individual/Family Therapy
  - b. Educational/Life Skills Groups
  - c. Mentoring
2. Level II Monitoring Contacts:
  - a. Face-to-Face
  - b. Phone
  - c. School
3. GPS (optional).

### A. Circumstances in which DCSD May Authorize Use of GPS as an Enhancement to Level II:

1. The youth has three (3) or more failures of face-to-face with Level II monitor. A face-to-face violation is defined as:
  - a. Whereabouts are unknown and/or unable to contact youth or parent to inquire about juvenile’s location. If a youth has the courts approval to be with a specific adult in the community, that adult’s presence must be verified by a telephone or a call to a cellular phone assigned specifically to the parent/guardian.
2. The youth has four (4) or more failures of phone contacts verification with the Level II monitor.

3. There is reasonable belief that the youth is in violation of 24/7 curfew orders (e.g. parents states that youth left the home at 2:00 a.m.) or has been in a prohibited location.
4. DCSD may consider other violations on a case-by-case basis.

**B. Process for Authorizing and Initiating the Use of GPS:**

1. DCSD Management (e.g. Section Managers) on a case-by-case basis may authorize the use of GPS technology.
2. In the event that one of the above criteria under Section II Subsection A is met or the Level II monitoring agency wishes to request consideration for the use of GPS for youth in other instances, the Level II monitoring agency must email the assigned Human Service Worker (HSW), and copy the HSW Supervisor and [DCSDAdmin@milwaukeeccountywi.gov](mailto:DCSDAdmin@milwaukeeccountywi.gov) within twenty-four (24) hours indicating a detailed description of the violation/s or other justification. This email will serve as a request by the agency for authorization of GPS monitoring.
3. The presumption will be that all youth meeting criteria under Section II Subsection A will be referred for GPS; however, the Level II agency should indicate any extenuating circumstances that would suggest that youth may not be appropriate for GPS and instead recommend that a *capias* should be issued for placement in secure detention (Refer to Section II Subsection C1). If the Level II monitor discussed the possibility of GPS monitoring as a result of the violations, a summary of the youth's response should be included in the email submitted to the assigned HSW, HSW Supervisor and [DCSDAdmin@milwaukeeccountywi.gov](mailto:DCSDAdmin@milwaukeeccountywi.gov).
4. DCSD staff will respond on a "Level II GPS Monitoring Request" form. DCSD will fax this form to the Level II monitoring agency within twenty-four (24) hours of the request (excluding weekends and holidays). (Section II Subsection D)
5. Once GPS use has been authorized by DCSD, the Level II monitoring agency must attempt to make contact with the youth and family within twenty-four (24) hours of receiving the Level II/GPS Program Admission form (Attachment A) and/or the Temporary Physical Custody Order (TPCO) (include if court ordered). The Level II monitoring agency is responsible for reviewing the Level II/GPS Program Admission form (Attachment A) and/or TPCO including a detailed description of the formal supervision rules, and conditions with the youth and the parent/guardian prior to obtaining the required signatures.
6. If the youth and the parent/guardian provide consent to the use of the GPS monitoring, the Level II monitoring agency will transport the youth to the detention center. The GPS tracking device (anklet) will be installed in the detention center. Confirmation that the youth and family is cooperating, consents have been signed, and the GPS tracking device (anklet) has been placed on the youth, the monitoring agency is required to email [DCSDAdmin@milwaukeeccountywi.gov](mailto:DCSDAdmin@milwaukeeccountywi.gov), the assigned HSW, and HSW Supervisor within twenty-four (24) hours.

7. If the youth or the parent/guardian refuse to consent to the use of the GPS tracking device, then the Level II monitoring agency is required to explain to the participating parties that refusing to comply may result in an apprehension request (capias/warrant) due to noncompliance. The Level II monitoring agency is required to email a detailed description of the series of events that occurred leading up to the request for GPS monitoring and refusal of service to assigned HSW, HSW supervisor, and [DCSDAdmin@milwaukeecountywi.gov](mailto:DCSDAdmin@milwaukeecountywi.gov) by the end of the business day.

**C. Circumstances in which DCSD will Automatically Request a Capias:**

1. The youth violates the Level II order by continuing to display noncompliant behaviors, and their whereabouts in the community are unknown (refer to Policy & Procedure #026). The Level II monitor is required to continue monitoring the youth and communicating with collateral contacts until the assigned HSW or HSW Supervisor has provided clearance for program discharge (Section II Subsection F).

**D. GPS/Level II Monitoring Process when initially Ordered by the Court:**

**Process during normal working hours prior to 4:00 pm**

1. When a youth is initially court ordered to GPS/Level II monitoring, the HSW will complete the Level II/GPS Program Admission form (Attachment A) and legibly document specific court orders stated by the presiding judge/commissioner, the Level II monitoring agency, and the court approved zones (eg. Residence) on the Temporary Physical Custody Order (TPCO), and submit to the signed clerical staff or designated Level II Monitoring mailbox for processing.
2. DCSD clerical staff will fax the Level II/GPS Program Admission form (Attachment A) and a copy of the TPCO to the Detention Control Center, and contact the Level II Monitoring agency to inform them that a youth has been assigned to Level II GPS monitoring.
3. Detention control staff will notify the Juvenile Correctional Officer (JCO) Supervisor that an order for Level II/GPS monitoring has been issued and provide the documentation. Staff will highlight the agency assignment and other court-order instructions.
4. The assigned HSW will make every effort to accompany the parent/guardian to detention, and speak directly to the Detention Center Supervisor to ensure that the youth is successfully placed on GPS and answer any questions.
5. The JCO's in the detention center will **install all GPS units** on the youth. JCO staff will complete the GPS installation process, enter the youth's information in the Veritrack System, assign the device to an agency, enter the approved zones noted on the TPCO, and clear all system alerts prior to the youth's release. The JCO staff will add the youth's residential zone and place them on a 24-hour curfew pending contact with the Level II monitor.

6. Youth will remain on a twenty-four (24) hour curfew until the Level II monitoring agency has conducted the initial face-to-face contact with the youth and family, and obtain the signatures for the required documents from the youth and parent/guardian. Level II monitoring agency staff will review all rules and program conditions indicated on the Level II/GPS Program Admission form (Attachment A) and TPCO. The Level II monitoring agency must attempt to conduct the initial face-to-face visit:
  - a. **If youth are released before or by noon**, the assigned Level II monitoring agency is responsible for conducting a **face-to-face visit** with the youth and family that **same day**.
  - b. **If youth are released after noon**, the assigned Level II monitoring agency is required to make initial contact with the youth and parent/guardian via telephone that same day, and follow-up by conducting a **face-to-face visit within 24 hours of receiving the referral**.
7. The assigned Level II monitoring agency is responsible for obtaining the youth and parent/guardian GPS consent form(s) signatures.
8. The monitoring agency is responsible for transporting the youth to the detention center to replace all defective devices; monitoring agencies will have consumables (straps, clips, scissors, etc.) in their possession to replace straps and clips after alerts have been investigated and cleared.

#### **Process after 4:00 pm**

1. When the court initially places a youth on GPS/Level II Monitoring, the HSW will complete the Level II/GPS Program Admission form (Attachment A) and legibly document specific court orders stated by the presiding judge/commissioner, the Level II monitoring agency, and the court approved zones (eg. Residence) on the TPCO; and take a copy of the TPCO and Program Admission form directly to the JCO supervisor, and to the designated Level II Monitoring mailbox. The HSW will make every attempt to accompany the parent/guardian to detention to walk them through the process.
2. The HSW will ask the Detention Control Center staff to speak with the JCO Supervisor about releasing the youth on GPS, and issue them a copy of the TPCO and Level II/GPS Program Admission form (Attachment A). The HSW will advise the Detention Center Supervisor with any specific instructions issued by the courts and answer any questions.
3. The Detention Center Supervisor will assign the Level II agency indicated on the TPCO and contact the assigned agency to inform them that the youth is being assigned to GPS/Level II monitoring.
4. The JCO's in the detention center will install all GPS devices on the youth. JCO staff will complete the installation process, enter the youth's information in the Veritrack System, clear all system alerts prior to the youth's release, and zone the GPS device for the youth's home on 24-hour curfew pending contact with the Level II monitor.

5. Youth will remain on a 24-hour curfew until the Level II monitoring agency has conducted the initial face-to-face contact with the youth and family, and obtain the signatures for the required documents from the youth and parent/guardian. Level II Monitoring agency staff will review all rules and program conditions indicated on the Level II/GPS Program Admission form (Attachment A) and TPCO. The Level II Monitoring agency is required to make initial contact with the youth and parent/guardian via telephone and then conduct a face-to-face visit within twenty-four (24) hours of receiving the referral.
6. The assigned Level II Monitoring agency is responsible for obtaining the youth and parent/guardian GPS consent form(s) signatures.
7. The monitoring agency is responsible for transporting the youth to the detention center to replace all defective devices; monitoring agencies will have consumables (straps, clips, scissors, etc.) in their possession to replace straps and clips after alerts have been investigated and cleared.

**E. Procedure for Set-up and Ongoing Monitoring of Youth on GPS:**

1. The Level II Monitoring agency is required to complete and review the youth's information in the VeriTrack system to ensure accuracy. This includes entering the basic demographic information along with setting up the initial zones for home, school, and any additional zones approved by DCSD.
2. The youth will be on a twenty-four (24) hour curfew, with the exception of school and any required activities, unless the assigned HSW or HSW Supervisor approves additional locations for employment purposes, identified programming or other activities as indicated on the Level II/GPS Program Admission form (Attachment A). The youth will be strictly prohibited from entering any exclusion or no contact zones.
3. The Level II Monitoring Agency will be responsible for monitoring and documenting the compliance of youth with the GPS requirements. This includes receiving and responding to violation alerts as well as actively monitoring the VeriTrack System for the current location and history, and contacting the assigned HSW via email weekly regarding the progress or notifying of any compliance concerns.
4. In the event the Level II monitoring agency receives notice of a GPS violation, the assigned tracker must initiate an investigation within four (4) hours of the violation.
5. The Level II Monitoring agency must automatically and immediately notify the assigned HSW, HSW Supervisor, and [DCSDadmin@milwaukeecountywi.gov](mailto:DCSDadmin@milwaukeecountywi.gov) requesting an apprehension request under the following circumstances when a violation was substantiated:
  - a. Exclusion zone alert (youth entered a prohibited zone, specific address).
  - b. Strap tamper alert (youth has attempted to cut, remove or tamper with the strap attached to the device).

- c. Device tamper alert (youth has attempted to remove/disassemble the device).
- d. Youth misses a face-to-face contact or is not in a designated inclusion zone, and whereabouts are unknown. Tracker has attempted to contact the parent/guardian and the youth and there is no response.

If there is a strap or device tamper alert, immediately check the device and change the strap to avoid further alerts after clearing.

**All apprehension request will be completed by the HSW, and authorized at the discretion of the HSW and HSW Supervisor if deemed appropriate. Apprehension request are required to be signed by the HSW and immediate supervisor unless directed otherwise prior to submission.**

In the event of the above circumstance the HSW or HSW Supervisor submits an apprehension request, the Level II tracker is responsible for continuing to track the youth until the youth has been formally discharged from GPS/Level II Monitoring by the assigned HSW or HSW Supervisor.

6. In the event other types of substantiated violations not listed in Section II Subsection E5 (eg. phone contact violation), the Level II monitoring agency must contact the youth's HSW or HSW Supervisor regarding how to proceed.
7. The Level II monitoring agency may only modify the established zones in VeriTrack with approval from the youth's assigned HSW or if issued a new TPCO indicating the new zone location.

#### **F. Terminating the Use of GPS and Removal of the GPS Tracking Device:**

1. The Level II Monitoring agency will monitor the youth on GPS until the next court hearing or up to two (2) weeks after the issuance of the capias upon the approval for termination for the assigned HSW and/or HSW Supervisor.
2. Early termination of the GPS tracking and removal of the device requires the assigned HSW to complete a GPS Termination Form (Attachment B) with the signature of the HSW Supervisor must be submitted to [DCSDAdmin@milwaukeecountywi.gov](mailto:DCSDAdmin@milwaukeecountywi.gov) or in the designated mailbox for the assigned clerical staff to submit to the Level II Monitoring Agency.
3. In the event that a youth's whereabouts are unknown and there has been no communication with the youth or the family or the court has issued a capias for the youth, the agency should continue to monitor the youth on GPS for up to two (2) weeks, or the next court hearing (whichever is first) until the youth has been formally discharged from GPS/Level II Monitoring by the assigned HSW and/or HSW Supervisor. The GPS/Level II Termination form (Attachment B) is required to be completed by the assigned HSW with the signature of the HSW Supervisor and submitted to [DCSDAdmin@milwaukeecountywi.gov](mailto:DCSDAdmin@milwaukeecountywi.gov) or the designated Level II mailbox for the assigned clerical staff to submit to the assigned agency.

4. During the extended monitoring period, the Level II Monitoring agency staff will:
  - a. Make regular periodic telephone contact with the youth and family.
  - b. Monitor the youth's whereabouts via the VeriTrack system.
  - c. Contact the police department in the designated area to inform them that the youth is on GPS and a capias (warrant) has been issued for his or her arrest, and inform them of the youth's location per the last verified GPS location.
  - d. Log all attempted contacts made by the agency with youth, collateral, and law enforcement, to provide DCSD and the court evidence of due diligence to gain compliance at the next scheduled court appearance
  - e. If the youth is not apprehended or has not willingly turned themselves in within seventy-two (72) hours, the Level II tracker must retrieve all issued GPS device equipment (eg. strap, device, charger, etc.) from the youth or the location in which the youth removed the device.
5. DCSD assigned Clerical staff will be responsible to for submitting a scanned email copy of the apprehension request to Milwaukee Police Department (MPD) at [stac@milwaukee.gov](mailto:stac@milwaukee.gov) or other designated police department.
6. The Level II Monitoring agency will remove the GPS tracking device and make the necessary changes in the VeriTrack system to deactivate the device and remove the youth from the system. If the agency is unsuccessful at retrieving the tracking device, they are required to notify the detention center immediately at (414) 257-7720 to inform the JCO Supervisor on duty. The JCO Supervisor will document the missing device until recovered.
7. Upon removal or recovery of the GPS device, all monitoring staff are required to return the device and the charger to the detention center within twenty-four (24) hours of removal.
8. HSW's are responsible for submitting a GPS Termination Form to the Detention Center and [DCSDadmin@milwaukeecountywi.gov](mailto:DCSDadmin@milwaukeecountywi.gov) in the event the monitoring agency staff does not appear in court, or is not present to remove the GPS device that was requested by the HSW.

**G. Level II Monitoring Agency GPS Inventory Management Process and Procedures:**

1. Each Level II Monitoring agency is required to keep consumables (eg. straps, clips, scissor, etc.) in stock at all times. The consumable kits will initially be provided to all agencies, and will be the agencies responsibility to request additional inventory as needed.
2. Level II monitoring agencies are asked to contact detention center staff at (414) 257-7720 to report any malfunctioning devices. Consult with a detention JCO supervisor regarding switching the malfunctioning device(s).

3. The detention center will maintain an electronic GPS Inventory Return Sheet (Attachment D) to log equipment/devices returned by agency staff.
4. The Level II monitoring staff and detention center is responsible for signing the GPS Inventory Return Sheet as a protocol confirming agency staff returned replacement inventory or malfunctioning equipment to detention.
5. Each Level II monitoring agency will be required to electronically maintain a GPS Inventory Sheet (Attachment E) for the purpose of logging all inventory assigned to the agency.
6. Detention staff is required to submit the GPS Inventory Return Sheet via email to the assigned DCSD personnel on a weekly basis (Submit Monday mornings by 10:00 am). The logs will be reviewed to maintain an accurate account of all GPS devices DCSD has in stock, in use, and available for distribution.

#### **H. Reporting Level II and GPS Activity:**

1. The GPS/Level II Monitoring agency is required to send an email including the juveniles name and the contact information of the assigned Level II tracker to [DCSDAdmin@milwaukeecountywi.gov](mailto:DCSDAdmin@milwaukeecountywi.gov) within twenty-four (24) hours of receiving the referral.
2. The assigned DCSD Clerical staff is responsible for emailing the assigned Level II tracker information to the assigned HSW and HSW supervisor.
3. The Level II monitoring agency is required to submit a GPS Inventory Sheet (Attachment E) to the assigned DCSD Administrative Coordinator identifying the device number, juveniles name, juvenile identification number, birth date, and the assigned Level II tracker and HSW; including the contact information for the Level II tracker on a weekly basis (Submit Monday mornings by 10:00 am).
4. GPS/Level II Monitoring Reports should include the number of contacts (include contact type) and specific supervision occurrences with the youth and the family.
5. GPS/Level II Monitoring agency is responsible for submitting GPS/Level II Monitoring reports to the assigned HSW four (4) days prior the scheduled courts hearings via email to the assign HSW, HSW Supervisor and [DCSDAdmin@milwaukeecountywi.gov](mailto:DCSDAdmin@milwaukeecountywi.gov) ; and is expected to be present in court to provide updates of any occurrences that occurred after the submission of the GPS/Level II report.
6. The assigned DCSD Clerical staff is responsible for distributing the GPS/Level II court reports to the assigned court room two (2) days prior to court.

Reviewed & Approved By: \_\_\_\_\_



**B. Thomas Wanta, Division Administrator**