



Winona County

Electronic Monitoring

Offender Handbook

Midwest Monitoring and Surveillance, Office
2960 Judicial Road, Suite # 120
Burnsville, MN 55337

Toll Free: 1-800-247-5933

Metro: 952-435-9300

Fax: 952-435-9301

Introduction:

Electronic Monitoring (EM) is a program of Winona County, and is administered by Midwest Monitoring & Surveillance (MMS).

Placement on the EM Program is a privilege and failure to comply with any program rules may result in disciplinary action, up to and including termination from the EM Program.

Please read this Electronic Monitoring Offender Handbook carefully and make sure you ask the Field Service Officer completing your enrollment any questions you might have. Failure to read and understand these rules will not be an acceptable excuse for non-compliance.

Fees Types:

Monitoring Fees –

- **Daily Monitoring Fee:** You will be charged a daily fee for each day that you are monitored. Daily fee amount will be determined by which type of monitoring you are on. You will be required to pay this fee for every day the unit is active on the EM program.

Service Fees –

- **Enrollment Fee:** There will be an Enrollment Fee due at the time of enrollment.
- **Dispatch Fee:** MMS will send Field Service Officer to your residence to troubleshoot issues if necessary. You will be required to pay a fee of \$45.00 if it is determined that the issue is on your end, and not related to an equipment malfunction.
- **Re-Enrollment Fee:** If you are terminated from the program, and then need to come back on to complete your sentence, there will be a Re-enrollment Fee. This fee will also apply if being re-enrolled after a furlough.

Other Fees –

- **Returned Check Fee:** There will be a \$25.00 fee applied for any checks that are returned for insufficient funds, closed account, etc...
- **Non-Returned Equipment Fee:** Upon completion of your sentence, all monitoring equipment must be returned within 3 business days to an approved equipment drop-off location. Failure to do so will result in a \$15.00 per day fee for

each day after, until equipment is returned. **Failure to return equipment within 30 days will result in criminal theft charges being filed. Intentionally damaged equipment will result in criminal property damage charges being filed.**

- **Strap Fee:** You will be charged \$25.00 for cutting any transmitter strap without being instructed to by MMS (regardless of whether the strap is re-attached or not).
- **Lost or Damaged Equipment Fee:** You will be responsible for any repair/replacement costs incurred due to lost or damaged equipment while assigned to you. This includes damages caused by acts of nature.

Fee Payment:

The EM Program is a “Pre-Pay” program, meaning that fees for service must always be paid in advance. It is the responsibility of the offender to pay all fees related to the EM program. You will be required to pay 2 weeks of fees at the time of enrollment. This is NOT a deposit. You will begin making your weekly payments exactly 1 week after your enrollment, and the payment must be received by MMS on the date due. For instance, if you were enrolled on Monday the 7th, your first weekly payment must be received no later than Monday the 14th.

Program fees are Non-Negotiable.

Any Service Fees must be paid immediately.

Failure to pay fees on time will be considered a program violation and will result in termination from the EM Program.

MMS will accept cash, money order, personal check and credit card (Visa, Mastercard and Discover only). Fees can be mailed to or dropped off at:

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Monitoring:

You will be monitored by a 24/7 Monitoring Center while on the EM program. This monitoring requires 2 way communications between the EM unit and the Monitoring Center Server by way of standard Analog Landline Telephone connections (unless otherwise specified). It is your responsibility to ensure that you have a working telephone line, with no extra features such as 3 way calling, voicemail, or call waiting. Caller ID is acceptable (and recommended). Failure to maintain a working telephone line is considered a violation of the EM Program rules.

Scheduling:

Depending on the type of monitoring you are on, there will be restrictions to your allowed “out time” and/or scheduled alcohol tests.

Home Detention, GPS monitoring or Curfew monitoring: You will need to establish an approved schedule with MMS prior to being permitted to leave your residence. Winona County has established strict guidelines with MMS as to what is allowed while on the program, and schedules will only be approved that fit into the established criteria. MMS is not authorized to make any exceptions to these rules. MMS will only schedule you out for work/school, medical appointments and court/county ordered appointments. All schedules must be verifiable and you will be required to send in actual work timecards on a weekly basis (pay stub is not acceptable).

You will be permitted to work a maximum of 60 hours per week unless an exception is made by the county agent handling your case. This will generally require written notification from your employer that there is mandatory overtime required. You will be allowed only the necessary drive time required.

You will be allowed 3 hours of TCB (Take Care of Business) per week, to complete chores such as banking, grocery shopping, yard work, etc... This must be taken in 1 time block (not an hour here and an hour there...), and will only be allowed once every 7 days.

Drug Testing: If ordered a Sweat Patch you will be required to pay the Application Fee and the cost of the Patch. You will wear the patch as indicated by the FSO. If we find the patch has been tampered with or removed we will report this as a violation to the assigned agent.

Alcohol Testing: You will be required to establish an approved testing schedule with MMS at the time of enrollment. You will be required to test at least 3 times per day, with

no more than 10 hours between tests (unless longer is pre-approved by the agent handling your case).

There will be random testing for those also on Home Detention.

Schedule Changes:

Schedule changes will be accepted Monday through Friday from 8AM CST to 8PM CST. Schedule changes must be made at least 24 hours in advance, and must be verifiable. You will only be permitted to make schedule changes once per day, so it is important that you plan carefully.

Fire or Medical Emergency:

In the event a fire or medical emergency, the primary concern is first for the health and well-being of the offender. Therefore it is expected that the emergency will be dealt with first. Once the emergency is dealt with, the offender or designee should advise MMS of the emergency and subsequent action. MMS will require verification of the emergency.

All Doctor, Dentist and other approved appointments must be scheduled with MMS at least 24 hours in advance.

Weather Emergency:

If local law enforcement, television, radio or the emergency broadcast system is directing you to take shelter due to impending severe weather, the primary concern is for your safety and well being. Follow the emergency instructions. If this disrupts your monitoring in any way, contact MMS as soon as it is safe to do so.

Holidays:

Participants on the EM Program will not be given any special privilege for holidays, whether civil or religious. It will be assumed that you will be off work on generally acknowledged holidays. If you are scheduled to work any of these holidays, you must inform MMS at least 24 hours in advance.

Grievances:

MMS does not accept grievances from offenders, as they are only the administrators of the program. In the event that you are violated and would like to submit a grievance, you must submit it, in writing, to the agent handling your case. All grievance letters must be submitted within 5 business days of the violation.

Program Guidelines:

Following is a list of violations established by Winona County. If you are in violation of any of these rules, MMS will report the violation to Winona County for their review. Any sanctions for these violations are at the discretion of Winona County.

• **General Violations –**

1. Any rude or vulgar behavior toward MMS or County Staff.
2. Any threats of violence toward MMS or County Staff.
3. Any attempts to bribe or garner special treatment from MMS or County Staff.
4. Failure to make fee payments, or late payment.
5. Intentionally damaging or defacing any monitoring equipment.
6. Any attempts to tamper with, deceive or otherwise “cheat” the monitoring device.
7. Failure to maintain a working telephone line if required for monitoring.
8. Failure to report for appointments with MMS or County Staff.
9. Arrest for new charges or serious traffic violation.
10. Failure to report changes to address or phone number.
11. Failure to report changes to employer or employment status.
12. Not answering the telephone, or otherwise avoiding contact from MMS or County Staff.

13. Failure to submit to breath or urine testing as directed by Winona County.
14. Tying up the telephone line for more than 45 minutes per hour.

- **Breath Alcohol Monitoring Violations –**

1. Failure to take scheduled or follow-up tests sent by MMS.
2. Testing positive for Alcohol.
3. Using over the counter (non-prescription) medicines or any other product that contains alcohol.
4. Disconnecting or moving equipment without the consent of MMS staff.
5. Any attempt to distort or block test picture.
6. Having hands covering face or touching test straw in any way during test picture.
7. Any nudity, vulgar gestures or illegal activity present in test pictures.
8. Failure to wait at least 20 minutes after taking a test to use telephone or leave residence. If a test is failed, you will be sent follow up tests.

- **Home Detention and Curfew Monitoring Violations –**

1. Failure to provide verification of work/school, medical or other authorized appointments as directed.
2. Late return or early departure from home, to work or other authorized activity.
3. Failure to report deviation from approved schedule (taking day off, leaving early, etc...)
4. Failure to remain inside home during lockdown times. Garages, porches or other attached structures are off limits. Range should be considered “front door to back door”.
5. Failure to wait at least 20 minutes after returning home to use telephone. The monitoring unit will need to call in each time you enter or leave range.

6. Tampering with or removing ankle transmitter without consent from MMS or county staff.
7. Failure to submit to random alcohol tests if also on alcohol monitoring.

- **GPS Monitoring Violations –**

1. Failure to charge monitoring device as required (1-piece unit for 2 hours per day / 2-piece unit for 8 hours per day).
2. Any contact (even third party) with victim, or alleged victim, of your charges. (if applicable)
3. Any attempts to shield, block or disrupt GPS or cellular communication.
4. Tampering with or removing ankle transmitter without consent from MMS or county staff.
5. Any attempt to enter an exclusion zone, or failure to leave immediately upon doing so.
6. Leaving a lock down zone during any lock down time.
7. Failure to respond to, or comply with any direction given via device voice/text capabilities.

- **SCRAM (trans-dermal) Alcohol Monitoring Violations –**

1. Placing anything between the SCRAM bracelet and your skin.
2. Using over the counter (non-prescription) medicines or any other product that contains alcohol.
3. Tampering with or removing ankle transmitter without consent from MMS or county staff.
4. Using cologne, air freshener or any other product or aerosol that contains alcohol in a way that it interferes with the SCRAM bracelet testing.
5. Submerging the bracelet in water or other liquid. (No Baths, but showers are OK)

6. Failure to remain within 10 feet of the modem during scheduled download time. (download takes approximately 30 minutes to and hour)
7. Failure to “wake up” bracelet as instructed with the magnet provided. You will be given a magnet at the time of enrollment. If you lose the magnet, you will be charged \$5.00 for a new one. If you do not return the magnet at the end of your monitoring, you will be charged \$5.00.

Program Completion:

Upon completion of the EM Program, you must call the MMS Monitoring Center no earlier than 8AM on the day you are done. They will verify your completion of the program and instruct you when it is time to remove/disconnect your equipment. A completion report will not be submitted to Winona County until equipment is returned and all fees are paid. In the event that you are paid ahead, any unused fees will be returned to you after equipment is returned. ***Refund processing generally takes 4 to 6 weeks.**

Access to Courts:

Nothing within these policies or procedures limits or removes your rights to appeal any action directly to the courts.

Questions:

If you have any questions, please visit: www.midwestmonitoring.com/offenderFAQ.htm

OR

Contact us at: **1-800-247-5933 Ext ; 1**

Acknowledgement of Understanding:

I, _____, have read, or have had read to me, and fully understand the rules contained within this Electronic Monitoring Offender Handbook. I have been given the opportunity to ask questions and have them answered by MMS staff. I fully understand, and agree to comply with, all EM Program rules, as well as any instruction given by MMS and county staff. I understand all policies regarding my responsibility for monitoring equipment and agree to comply with them. I understand the fee payment policy and agree to comply with it.

Offender Signature

Date

Parent Signature

Date

FSO Signature

Date

