



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
PROBATION OFFICE**

**LOCATION MONITORING SANCTION
PROCEDURES**

Prior to considering the utilization of Location Monitoring (LM) as a sanction for non-compliant behavior, the assigned officer should consult with the LM SUSPO or Sr. USPO. The following items should be discussed:

- Reason for LM and type (LM as a sanction is not recommended for drug use or positive drug test results)
- Length of proposed term (Not more than 90 days)
- Suitability of residence (working telephone with no special features, leasee/primary tenant consent)
- Reason(s) offender will be allowed out of the residence (work, medical, religious)
- Offender's ability to pay for the cost of location monitoring (LM)
- Commencement date and whether there is a need for immediate commencement
- Offender must have a set/fixed permanent schedule, with regular business hours (ie: 9 AM -5 PM)
- Hours out (work, medical, religious services, etc) cannot exceed 60 hours per week, unless authorized by the Court
- There is a 9 PM curfew for all LM cases

After consultation, the Court must either approve of the modification via the submission of form 12B or impose LM at a violation of probation/TSR hearing.

Supervision Roles:

Assigned supervision officer:

- ▶ Coordinate with the LM SUSPO or Sr. USPO a convenient date/time for the offender to report
- ▶ Provide the offender with the name/number of the designated LM officer. Remind offender that the supervision will be maintained/monitored by the original supervision USPO
- ▶ Advise the offender that the LM officer will monitor all compliance with the conditions of LM only
- ▶ Maintain normal supervision practices (including taking UA's monitoring all other special conditions and maintaining contact with any treatment providers) during the LM term
- ▶ Prepare violation petition if LM (or other) non-compliance occurs that warrant such action
- ▶ Continue to receive statistical PACTS credit for the case

Location monitoring officer:

- Review conditions of LM with offender
- Discuss payment of LM costs and monitor same (if applicable)
- Install LM equipment
- Maintain folder containing all LM forms
- Record any significant events (violations/execution of conditions) in chronological form
- Monitor compliance with LM through daily/weekly review of BI summaries
- Take appropriate follow up action when violations occur. Minor violations should result in the reduction of hours. Serious violations will be referred to the assigned officer for proceedings. **ALL VIOLATIONS WILL BE PROMPTLY REPORTED TO THE ASSIGNED OFFICER.**
- Conduct home visits to insure the LM equipment is functioning properly and inspect the transmitter for any signs of tamper.

Completion of LM Term:

- ✓ LM officer will disconnect the EM unit and transmitter
- ✓ All relevant LM forms/chronological entries will be given to the assigned officer in a separate folder