

Minnehaha County Sheriff's Office

305 W 4th Street
Sioux Falls, SD 57104

Phone: 605-231-2286
Fax: 605-978-7071

Electronic Monitoring Application

EM Cell Phone: 605-231-2286

Personal Information				
Last	First	Middle	SSN#	Date of Birth
Home Address		City	State	Zip
			Cell Phone	
Date & Time to Report for Custody	Application Date	Sentencing County	Charge(s):	ID Type: DL / ID / WP & Issuing State
Emergency Contact Information				
Last	First	MI	Phone Number	Relationship
Home Address		City	State	Zip
Vehicle Information / Mode of Transportation				
Vehicle Make / Model	Vehicle Insurance Company	Policy Number & Expiration Date	Mode of Transportation if unable to drive:	
Employment Information				
Employer	<input type="checkbox"/> Self-Employed (1099)		Employer Phone Number	
Physical Address		Mailing Address (if different from physical)		
Supervisor	Supervisor	Supervisor	Nature of work performed:	
Phone	Phone	Phone		
Sheriff's Office Use Only				
Relationship to Supervisor		Job Title	How Long Employed	
Lunch on Job Site? Y / N	Able to Leave Job Site? Y / N	How Long? 1/2 Hour / 1 Hour	Paid By: Cash / Check / Direct Deposit	
How do you track work hours?		<input type="checkbox"/> W2 Employee <input type="checkbox"/> 1099 Employee <input type="checkbox"/> Self-Employed	State Tax ID#	
Hours worked per week	Verified Phone Number to Supervisor	Department of Revenue Checked	Department of Labor Checked	
Name of Manager Verifying Job	EM Officer Verifying Job	Approved / Denied	Date	
If denied, why?				
Second Job Employment Information (Skip if no other job)				
Employer			Employer Phone Number	
Physical Address		Mailing Address (if different from physical)		
Supervisor	Supervisor	Supervisor	Nature of work performed?	
Phone	Phone	Phone		
Sheriff's Office Use Only				
Relationship to Supervisor		Job Title	How Long Employed	
Lunch on Job Site? Y / N	Able to Leave Job Site? Y / N	How Long? 1/2 Hour / 1 Hour	Paid By: Cash / Check / Direct Deposit	
How do you track work hours?		<input type="checkbox"/> W2 Employee <input type="checkbox"/> 1099 Employee <input type="checkbox"/> Self-Employed	State Tax ID#	
Hours worked per week	Verified Phone Number to Supervisor	Department of Revenue Checked	Department of Labor Checked	
Name of Manager Verifying Job	EM Officer Verifying Job	Approved / Denied	Date	
If denied, why?				
Sheriff's Office Use Only				
<input type="checkbox"/> U/A	Pass / Fail	Date Taken:	UA Fee Paid? Y / N	UA Taken By Officer #:
<input type="checkbox"/> U/A Retest	Pass / Fail	Date Taken:	UA Fee Paid? Y / N	UA Taken By Officer #:
<input type="checkbox"/> DNA on file	Amount of back Room and Board Fees owed:			

Minnehaha County Electronic Monitoring Participant Agreement

OVERVIEW

The Minnehaha County Jail Electronic Monitoring (EM) Program allows sentenced inmates to maintain approved employment or schooling while serving their court-ordered sentence. EM Participation is a jail sentence. Participants remain jail inmates and are subject to all jail rules, including disciplinary action, program termination, reclassification to custodial housing, and possible criminal charges for violations.

Participants will wear a GPS ankle monitor and are supervised through GPS software. Applicants should complete the EM application at the Jail so staff may assist with any questions and required material. All applicants must submit a completed EM application and meet eligibility requirements before approval. Participants must comply with all EM rules, 24/7 Sobriety Program requirements, scheduled activities, and payment obligations.

1 – PROGRAM ELIGIBILITY

- A. Participants on the EM Program are responsible for their own medical care and expenses.
- B. Inmates must be sentenced and have authorization from the sentencing judge for all charges.
- C. Must be sentenced to a minimum of five (5) consecutive days to be eligible.
- D. All EM program participants are required to participate in the 24/7 program. Per 49CIV14-4, eff. 12/12/2014
- E. Maintain **verified employment** of at least 20 paid hours per week *or* be a full-time student.
 1. Part-time students must still meet the employment requirement stated above.
 2. Gig work and temporary staffing agencies (e.g., Uber DoorDash, Hire Quest, Labor Ready, People Ready) are **not eligible**.
 3. Participants are limited to working 12 hours per day.
 4. Participants are not allowed to be supervised by anyone they are related to including, but not limited to, spouse, in-laws, boyfriend/girlfriend, friends, or roommates.
- F. Pass an initial urinalysis (UA) test and continue to pass subsequent random UA tests.
- G. Have an approved residence located within Minnehaha County *or* within 40 miles of the Minnehaha County Jail. Residence must be in the State of South Dakota.
- H. If self-employed, your business must have started at least **six (6) months PRIOR** to the EM application. Self-employed applicants must provide the following documentation and will be verified appropriately:
 1. Employer Identification Number (EIN)
 2. Sales/Excise Tax License
 3. Two (2) years of tax returns
- I. Participants are required to keep, and maintain, a phone number where they can be reached **at all times**.

2 – PROGRAM ORIENTATION

Orientation will include guideline review, verification of medication and residence requirement/confirmation.

When reporting for EM hookup, participants must:

- A. Provide a current work or school schedule.
- B. Provide driver's license, vehicle registration and proof of insurance.
- C. Pay all required fees for the first week and the initial UA.
 - 1. If the participant is a full-time student, they are still required to pay the EM program fees.
- D. Submit a UA test with a negative test result.
 - 1. A positive drug test will result in the participant being held in custody.
 - a. The participant may retest after five (5) days.
 - b. Each retest costs \$15 and must be paid **PRIOR** to the retest.
 - 2. Valid South Dakota Department of Health or South Dakota Tribal Medical Marijuana cards are accepted.
 - a. Participant must show proof of the physical, non-expired card.
 - b. E-mail confirmation of approved application will not be accepted. Physical possession of the medical marijuana card is required to excuse a positive test.
- E. Enrollment in the 24/7 Sobriety Program, if not already enrolled. This will be completed on the turn-in day.
- F. The EM hookup enrollment may take up to one (1) hour on the turn-in day.

3 – SCHEDULES & APPOINTMENTS

Because participants must always remain accountable for their location, scheduling and location rules are strictly enforced.

- A. Weekly Schedule Submission
 - 1. Employers must submit the upcoming week's schedule by Friday at 10:00 P.M.
 - a. If the schedule is permanent and no changes are being made, no additional submissions are necessary.
 - 2. Participants **must** meet with the EM Officer either Saturday or Sunday every week to review and finalize their schedule. Travel Time, 24/7 testing, and approved activities will be added during the meeting.
 - 3. Participants living outside Sioux Falls may complete the weekend meeting by phone at the discretion of the EM Officer.
- B. Hours
 - 1. Residence curfew will be established upon job verification with an approved schedule and court ordered programs. Travel time will depend on location and hours of work.
 - a. A maximum of 1.5 hours will be allowed before and after your scheduled work hours IF you live outside of Sioux Falls.
 - b. Participants may stop at gas stations and banks during their travel time.
 - 2. Electronic Monitoring inmates will only be allowed to be away from their home zone location for:
 - a. Scheduled hours of work
 - b. Travel time to and from work
 - c. Time allotted to participate in the 24/7 program.
 - i. 24/7 program testing will be included in travel time going to/from home/work.
 - d. Approved requests/furloughs to attend church, treatment (AA), medical appointments, etc.

e. Scheduled Essentials Time

3. Listed supervisors on your Electronic Monitoring application may change your hours any time before your shift starts. A listed supervisor may also call during your shift to extend your hours. In addition, the extension may not put the inmate over the 12-hour working limit.

C. Schedule Compliance

1. Any deviation from the approved schedule requires **PRIOR** authorization. Obtaining approval through a phone call or text message to the EM Officer. Participants are not allowed to deviate from their schedule until approval is obtained.
2. Unauthorized deviations constitute a rule violation and may result in discipline or removal from EM.
3. Participants must notify Electronic Monitoring staff and their employer if medical issues prevent them from being at work or their residence during established times.
 - a. Participants must provide documentation from a medical provider for any prolonged absence from work, missing 3 consecutive days.

Table 1. Electronic Monitoring Fee (EMF) + UA Fee at TURN IN DAY

Day of Week	EMF	+	UA Fee	=	Total
Sunday	\$105	+	\$15	=	\$120
Monday	\$90	+	\$15	=	\$105
Tuesday	\$75	+	\$15	=	\$90
Wednesday	\$60	+	\$15	=	\$75
Thursday	\$45	+	\$15	=	\$60
Friday	\$30	+	\$15	=	\$45
Saturday	\$15	+	\$15	=	\$30

D. Essentials & Appointments

1. Essentials Time:

- a. After participants complete their first week, they will be allotted up to 3 hours per week for essential living needs.
- b. Essentials consist of things such as the grocery store, haircuts and oil changes.
 - i. Participants are **NOT** allowed to go to the gym, mall, parks, movie theaters, pawn shops, friends or family houses, restaurants, dealerships. *This is a non-exhaustive list.*
 - ii. Any questions about what or if a location is allowed, please ask.
- c. Essentials must be scheduled 24 hours in advance and must be taken all at once.
- d. Essentials will not be allowed for sentence less than seven (7) days.

2. Approved activities (e.g., medical visits, AA/NA, church) must be scheduled in advance during the weekly meeting. Any emergency requests must be called in immediately.

4 – PROGRAM FEES

All EM fees must be paid **one week in advance**, with payment due **every Sunday before 11:00 P.M.** via the jail lobby kiosk. If payment is not received in time, the inmate may be subject to disciplinary action.

- A. Electronic Monitoring Fee: \$15/ day (\$105/week)
- B. **UA Tests:** \$15 each, including retests. Random UA tests are completed at no cost to the participant.
- C. 24/7 Program Testing Options & Fees:
 1. **PBT – Twice Daily** (5:35 – 9:00 A.M. & 5:35 – 9:00 P.M.)
 - a. \$30 state fee (per case)
 - i. This fee is broken down to \$1/day for first 30 days or may be paid up front.
 - b. \$2/day (\$1/test, twice daily)
 - i. First 30 days, \$3/day (\$2 morning test, \$1 evening test).
 2. SCRAM – Download Twice per week. Days to download will be scheduled during hookup
 - a. \$122 upon setup, which includes the following:
 - i. \$40 Activation
 - ii. \$40 Deactivation
 - iii. \$42 for first week (at \$6/day)
 - b. \$42 **every** week thereafter.

If an applicant owes outstanding jail room-and-board fees, these fees must be paid **prior** to being placed onto the EM Program *or* a payment plan **must** be established with the jail Senior Accountant. Participants that are on a payment plan must adhere to the plan or they will be removed from the EM Program and housed in jail for the remainder of their sentence.

5 – EMPLOYMENT

- A. JOB RANGE / MULTIPLE SITE LOCATION
 1. The maximum travel range for participants with a regular physical location of employment located in Sioux Falls is 1.5 hours from the Minnehaha County Jail.
 - a. If a participant has multiple job sites or needs to change job sites, their listed supervisor **must** call/text to inform the EM Officer of the location change.
 - b. Any travel request needs to be addressed with the EM Officer by the listed supervisor in the Participants EM Application.
 - c. Any travel as part of their employment that would create an overnight stay away from the participant’s residence will be **denied**.
 2. TRAVEL OUTSIDE OF THE STATE OF SOUTH DAKOTA IS STRICTLY PROHIBITED.
 - a. Appeals substantiating the need for an exception may be submitted by writing a letter to a Jail Lieutenant and delivering the letter to an EM Officer. The EM Officer will then forward the letter to the Lieutenant.

3. Appeals substantiating the need for an exception may be submitted by writing a letter to a Jail Lieutenant and delivering the letter to an EM Officer. The EM Officer will then forward the letter to the Lieutenant.
- B. LOSS OF EMPLOYMENT
1. Should the EM participant lose employment, they must notify the EM Officer immediately.
 - a. The EM Officer has the discretion to allow the participant 48–72 hours to find alternative employment.
 - i. Failure to notify staff of job loss will result in the participant being removed from the program pending disposition of a formal write-up.
 - b. During this time the participant will be on a more stringent schedule.
 - c. Participants will complete appointment sheets for each job search/interview.
 - d. Participants will still be required to keep up with payments as required for both the EM Program and the 24/7 Sobriety Program.
 - e. If a job is **not** secured within 48 hours, the participant will be removed from the program and housed in jail for the remainder of their sentence.
- C. PHONE / SITE CHECKS
1. Random phone / site checks will be conducted by either an EM Officer or a uniformed officer. This is completed to confirm that the inmate is at the listed job site.
 - a. If the officer doing the site check is unable to locate the inmate, the inmate will be contacted. Inmates that are not at their listed location and no location change has been submitted or requested; the inmate will be in violation of the Electronic Monitoring rules and may receive formal discipline.
 - b. If appropriate, Job Site Slips should be submitted and reviewed during the weekly meeting

6 – WARRANTS

If an EM participant has a warrant while on the program an EM Officer will:

- A. Determine the severity of the warrant
- B. Contact the EM participant to notify them of the warrant and the steps that they will need to take.
 1. If the warrant is eligible for the Walk-In-Warrant program, the participant will be allowed 24 hours to address the warrant.
 - a. Failure to address the warrant will result in the participant being detained and suspended from the EM program pending formal write-up for violating program rules.
 2. If the warrant is not eligible for the Walk-in-Warrant program, the participant will be required to turn themselves in on the warrant immediately. The participant will be suspended from the EM program pending disposition of the warrant.
 - a. If the participant fails to turn themselves in as instructed this will result in the participant being detained on the warrant and suspended from the EM program pending the disposition of a formal write-up for violating the program rules.
 3. If the warrant is created because of a crime committed while on the EM program, at the discretion of the EM Officer or Supervisor, the participant will be suspended from the program pending disposition of a formal write-up for violating the program rules.

- a. GPS tracking location may be used to assist the States Attorney's Office in the prosecution of said crime.

7 – PROGRAM CONCLUSION

At the time of being placed on the EM program, the participant will be made aware of the release date. The participant will be released at the same time of day as they were placed on the program. Should the participant have a scheduled conflict on the day of being released they can report to the jail as soon as practical **after** their scheduled release time to be released from the program

The EM Officer will conduct the following:

- A. Will remove and accept all assigned equipment from the participant.
 1. Equipment will be inspected for damage. Any damage that is found will be documented appropriately and replacement/repair cost will be assessed against the participant. This includes the charger and/or GPS bracelet.
 2. Failure to return the EM charger, the participant will be assessed a \$20 fee, which will be refunded once the charger is returned and is in working condition.
- B. The participant inmate account will be closed, and any remaining balance will be returned to the participant in the form of a pre-paid debit card.
- C. Confirm if the participant is required to continue 24/7 Sobriety Program.
- D. The participant will be released from the inmate management system and the GPS Electronic Monitoring management system.
- E. Once all steps are completed, the participant will then be free to leave the facility.

8 – PROGRAM RULES

Inmates will adhere to all applicable Major Rules and Minor Rules in the Inmate Handbook when participating in the Electronic Monitoring Program. Electronic Monitoring rules are considered Major Rules concerning discipline procedures and sanctions. Inmates may be held in or reclassified to secure housing, pending the disciplinary board's decision or to suspend Electronic Monitoring privileges, due to any violation of the EM rules. In addition to the infractions below, you are responsible for following the rules listed in your Electronic Monitoring application while out of the facility. Violation of any of the rules within this application may result in the loss of Electronic Monitoring status. All subjects on the Electronic Monitoring program are required to follow all regulations.

Please *read* and *initial* by each program rule.

- _____ 1. Participant's employer must contact EM staff for the approval of any schedule changes or extended hours.
- _____ 2. Any change in participant's work/school status must be reported immediately.
- _____ 3. Participants must have a valid license/work permit, vehicle registration, and proof of insurance to drive.
- _____ 4. Participants must submit their person, vehicle, place of residence, personal effects, etc., to search when requested by law enforcement.
- _____ 5. Any furlough requests must be ordered by the sentencing judge.
- _____ 6. Participants are NOT to use illegal drugs or alcohol in any form (i.e. cough syrup).

- _____ 7. Participants must submit to urinalysis (UA) or breath testing (PBT) whenever requested by staff, which will be completed within two (2) hours of the initial request. Failure of a test, or failure to submit to a test will result in removal from the program.
- _____ 8. Participants that fail their initial UA will be lodged at the Jail. They will not be released to EM until they have provided a negative UA. Participants may retest five days from the date of the original test, and every five days afterward until a negative UA is provided. The participant may not test if he/she has less than 5 days remaining on his/her sentence. Participants are responsible for the cost of each UA retest.
- _____ 9. Participants that decide not to remain on Electronic Monitoring will be required to serve the remainder of their sentence at the Minnehaha County Jail and are subject to traditional room and board fees.
- _____ 10. Participants will be required to pay their Electronic Monitoring fees through the first Sunday of being on the program, and then by 11:00 P.M. every Sunday thereafter. Payment must be the full Monday-Sunday amount due. If payment is not received on time, they will NOT BE ALLOWED to work until the day after payment is made. If full payment is not made within 24 hours of being notified, they may be removed from the program.
- _____ 11. Participants that are self-employed must have a contract or a sub-contract employee provide their SD Excise Tax ID #. The business must have been operating for at least six months prior to the date of application. Submitted information will be verified through the Department of Revenue.
- _____ 12. Participants will obey all federal, state, and local laws and ordinances.
- _____ 13. Participants will not possess firearms.
- _____ 14. Participants will not consume any alcohol or prescription drugs that have not been prescribed by a licensed physician.
- _____ 15. Participants will report and remain at their established residence during their assigned curfew and adhere to all other established zone requirements.
- _____ 16. Participants that fail to report to the EM Officer within one hour of being summoned, or those that attempt to modify, remove, or fail to charge the Electronic Monitoring bracelet will be subject to Jail disciplinary action and may be charged with escape.
- _____ 17. Participants will not quit employment or school without first notifying the EM Officer. If fired from an employer or suspended/expelled from school, it must be reported immediately.
- _____ 18. Participants are financially responsible for all Electronic Monitoring equipment assigned to them. Participants may be charged criminally and/or held civilly responsible for any intentionally damaged or lost equipment.
- _____ 19. Participants must not tamper with any Electronic Monitoring equipment that is issued to them.
- _____ 20. Participants must participate in alcohol testing with the 24/7 Sobriety Program located at the Minnehaha County Sheriff's Office pursuant to established order by the 2nd Judicial Circuit Court. 49CIV14-4.
- _____ 21. Participants must comply with directions pertaining to an active warrant that generate while on the Electronic Monitoring program.
- _____ 22. Participants will comply with all directions given by an EM Officer. Failure to follow any direction given will result in the participant being removed from the EM Program.

9 – PROGRAM VIOLATION SANCTIONS

The following are sanctions for rule violations. Rule violations may result in a change in your classification status and continued program eligibility.

- A. Failure of drug screening other than THC: **Permanent loss of Electronic Monitoring**
- B. Failure of drug screening for THC:
 - 1. 1st Offense – 3-day loss of Electronic Monitoring or the amount of time pending the outcome of your Disciplinary Hearing. Must have a negative UA to be eligible for reinstatement.
 - 2. 2nd Offense - 5-day loss of Electronic Monitoring or the amount of time pending the outcome of your Disciplinary Hearing. Must have a negative UA to be eligible for reinstatement.
 - 3. 3rd Offense - Formal write-up, Permanent Loss of Electronic Monitoring
- C. Being arrested for any crime or violation of court conditions: **Permanent Loss of Electronic Monitoring.**
- D. Violation of rules concerning being late, being in unauthorized place, or failing to notify staff of location: **30-day loss of Electronic Monitoring (Maximum)**
- E. Violation of traffic ordinance *other* than DWI: Up to 7 days loss of Electronic Monitoring (Maximum)
- F. 24/7 Sobriety Program failure or no show:
 - 1. 1st Offense – Held in Jail 12 hours
 - 2. 2nd Offense – Held in Jail 24 hours
 - 3. 3rd Offense – Held in Jail 48 hours
 - 4. 4th Offense – 5-day Loss of Electronic Monitoring or pending the outcome of your Disciplinary Hearing
 - 5. 5th Offense – Formal write-up, Permanent loss of Electronic Monitoring
- G. Failure to comply with directions pertaining to an active warrant that was generated while on the Electronic Monitoring program.
 - 1. With any warrant that can be handled through the Walk-in-Warrant program, the participant will be allowed 24 hours to address the warrant before they are mandated to turn themselves in. Failure to do so will result in being detained on the warrant and suspended from the EM program pending the disposition of a formal write-up for violating program rules. **Permanent loss of Electronic Monitoring**
 - 2. With any warrant that does not qualify for the Walk-in Warrant Program, the participant will be required to turn themselves in on the warrant immediately. They will be suspended from the EM program pending disposition of the warrant. Failure to turn themselves in will result in being detained on the warrant and suspended from the EM program pending the disposition of a formal write-up for violating program rules. **Permanent loss of Electronic Monitoring**

The disciplinary board will determine any change in your status should you violate any rules.

ACKNOWLEDGEMENT

I have read _____ or have read to me _____ (initial one) all the above rules; I understand them, I will comply with them, and I acknowledge that I have a copy of these rules and the Electronic Monitoring Guidelines.

I also understand that any information obtained or maintained through Electronic Monitoring may be used for any administrative purposes or as part of any criminal investigation.

Furthermore, I understand that acceptance into the Electronic Monitoring Program provides sentenced inmates with temporary leave from the Minnehaha County Jail to work and/or go to school. I further understand that failure to comply with program rules and failure to return to Minnehaha County Jail as instructed may result in termination from the program, termination of temporary leave from Minnehaha County Jail for purposes of work/school, and new criminal charges for escape in the second degree.

Inmate Signature: _____ **Date:** _____

Staff Signature: _____ **Date:** _____

I, the undersigned, having been duly and lawfully incarcerated and wishing to participate in the Electronic Monitoring Program, do now of my own free will, knowledge, and action, the consideration of the privilege of participation in the program, hereby agree to release Minnehaha County, its departments and agencies, and all of its employees, from any and all liabilities, which may arise or do, in fact, arise from my school assignment or my participation in the program. This release shall not operate to relieve the County from any intentional tortuous conduct or from willful or gross negligence.

I understand that he or she has been sentenced to a term of incarceration in CRI_____. As such, during said term of incarceration, whether housed at the Minnehaha County Jail or accepted into the Electronic Monitoring Program, I am considered an inmate of the Minnehaha County Jail and therefore subject to a diminished expectation of privacy. I further understand that as a condition of acceptance for the Electronic Monitoring Program, I knowingly, voluntarily, and intelligently consent to warrantless search and seizure of my person, vehicle, place of residence, personal effects, etc., when requested by law enforcement.

Inmate Signature: _____ **Date:** _____

NOTICE TO EMPLOYER

Minnehaha County Jail
305 W. Fourth Street, Sioux Falls, SD 57104
Phone: 605-231-2286 Fax: 605-978-7071
Email: Jail24-7desk@minnehahacounty.gov

YOU MUST CALL THE ELECTRONIC MONITORING SUPERVISOR TO VERIFY THE EMPLOYMENT OF YOUR EMPLOYEE PRIOR TO THEIR START DATE. YOU MUST ALSO FAX/EMAIL THE PAST TWO WEEKS' TIME RECORDS OF YOUR EMPLOYEE.

To Employer,

To make the Minnehaha County Electronic Monitoring Program function effectively, it takes the cooperation of the employer, employee, and correctional staff. While your employee is on the Electronic Monitoring program he/she will need to follow all program rules. Listed below are what is required of you, as an employer, to ensure that your employee is available during his/her participation in the Electronic Monitoring program.

1. The work hours you give your employee are used to determine when they are allowed to leave and return home.
2. Schedules can either be emailed to Jail24-7desk@minnehahacounty.gov or faxed to 605-978-7071.
3. Your employee may be scheduled a **MAXIMUM** of 12 paid hours per day, 7 days per week.
4. You **MUST** call Electronic Monitoring staff before your employee is allowed to extend his/her hours past their regularly scheduled day.
5. The Electronic Monitoring staff will make periodic checks by phone and/or in person to verify your employees' presence at the place of employment.
6. Your employee's schedule is entered each Friday for the coming week. You must notify Electronic Monitoring staff as soon as possible with your employees' schedule if any changes are going to occur in the upcoming week.
7. All schedule changes or hour extensions must be approved by Electronic Monitoring staff.
8. Your employee is expected to arrive at work and leave work at the approved time unless a schedule change has been authorized.
9. Your employee is allowed to work at a permanent location within a 40-mile radius of Sioux Falls. If travel is necessary, your employee is not allowed overnight stays and must still make the necessary 24/7 appointments. If your employee is working outside of the specified range, they will need to contact Electronic Monitoring staff for approval. Questions regarding working outside the specified range should be directed to Electronic Monitoring staff. **TRAVEL OUTSIDE THE STATE OF SOUTH DAKOTA IS STRICTLY PROHIBITED.**
10. Your employee is not allowed to be supervised by anyone they are related to, including spouse, in-laws, boyfriend/girlfriend, friends, or roommates.

The following are guidelines the employee must follow while on the Electronic Monitoring program:

1. Your employee must adhere to all zones and schedules and is to be nowhere else without permission from the Electronic Monitoring staff.
2. Absolutely NO consumption of alcohol in any form or use of illegal drugs.
3. Your employee may not drive without a valid license and proof of insurance.
4. Your employee must participate in the 24/7 Sobriety Program.
5. Electronic Monitoring staff must be notified as soon as possible if your employee is terminated, quits, or does not show up for work when scheduled.
6. Your employee is required to pay the Electronic Monitoring fees through the first Sunday and then by 11:00 P.M. of each Sunday thereafter. Should your employee be late with payment he/she will not be able to leave their home until 24 hours after payment is received. Chronic late payments may result in the participant being removed from the program and housed at the Minnehaha County Jail.

YOUR EMPLOYEE MAY BE REMOVED FROM THE ELECTRONIC MONITORING PROGRAM IF ANY REGULATIONS ARE NOT FOLLOWED.

Please feel free to contact the Minnehaha County Jail upon receiving this notice or at any time you have questions about the Electronic Monitoring program.

THANK YOU FOR YOUR COOPERATION,

Minnehaha County Jail Administration

ELECTRONIC MONITORING SCHEDULE CHANGE FORM

It is the inmate's responsibility to keep schedules updated.
Phone: 605-231-2286 Email: Jail24-7desk@minnehahacounty.gov

Inmate/Employee Name: _____

Company Name: _____

Supervisor Name: _____

INFORMATION PROVIDED BY EMPLOYER

Permanent Schedule

Temporary Schedule

Day of Week	Date of Work	Start Time	End Time
Monday			
Tuesday			
Wednesday			
Thursday			
Friday			
Saturday			
Sunday			

Employer's Signature Verifying Schedule: _____ Date: _____

Printed Name: _____ Phone #: _____

JOB SITE SLIP

PLEASE READ INSTRUCTIONS BELOW

*Check the PERMANENT box if you will remain at the same job location for your entire sentence or if you will be starting at the same location every day and can call in with location changes.

Permanent

* Check the TEMPORARY box if you do not go to the same job location every day. A new site slip will need to be filled out for every new job location with the date(s) that you will be there.

Temporary

Name of Worker _____

Today's Date _____

The person will be at the following job site(s):

Address	Date(s)
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

NOTE: You or your employee are responsible for notifying staff if a job site change is made during the day by contacting the Electronic Monitoring staff, at 605-231-2286.

This slip is only for job site location(s) and not for work hours, or hour changes!
All work hours and changes in hours must be called in to the Electronic Monitoring staff at **605-231-2286**. If this is a temporary job site slip, your employee will not be allowed out to work if we do not have a slip with current addresses and dates.

Supervisor's Signature: _____

Company Name: _____

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- B. Inmates must be sentenced and have authorization from the sentencing judge for all charges.
- C. Must be sentenced to a minimum of five (5) consecutive days to be eligible.
- D. All EM program participants are required to participate in the 24/7 program. Per 49CIV14-4, eff. 12/12/2014
- E. Maintain **verified employment** of at least 20 paid hours per week or be a full-time student.
 1. Part-time students must still meet the employment requirement stated above.
 2. Gig work and temporary staffing agencies (e.g., Uber DoorDash, Hire Quest, Labor Ready, People Ready) are **not eligible**.
 3. Participants are limited to working 12 hours per day.
 4. Participants are not allowed to be supervised by anyone they are related to including, but not limited to, spouse, in-laws, boyfriend/girlfriend, friends, or roommates.
- F. Pass an initial urinalysis (UA) test and continue to pass subsequent random UA tests.
- G. Have an approved residence located within Minnehaha County or within 40 miles of the Minnehaha County Jail. Residence must be in the State of South Dakota.
- H. If self-employed, your business must have started at least **six (6) months PRIOR** to the EM application. Self-employed applicants must provide the following documentation and will be verified appropriately:
 1. Employer Identification Number (EIN)
 2. Sales/Excise Tax License
 3. Two (2) years of tax returns
- I. Participants are required to keep, and maintain, a phone number where they can be reached **at all times**.

2 – PROGRAM ORIENTATION

Orientation will include guideline review, verification of medication and residence requirement/confirmation.

When reporting for EM hookup, participants must:

- A. *Provide a current work or school schedule.*
- B. *Provide driver's license, vehicle registration and proof of insurance.*
- C. *Pay all required fees for the first week and the initial UA.*
 - 1. *If the participant is a full-time student, they are still required to pay the EM program fees.*
- D. *Submit a UA test with a negative test result.*
 - 1. *A positive drug test will result in the participant being held in custody.*
 - a. *The participant may retest after five (5) days.*
 - b. *Each retest costs \$15 and must be paid **PRIOR** to the retest.*
 - 2. *Valid South Dakota Department of Health or South Dakota Tribal Medical Marijuana cards are accepted.*
 - a. *Participant must show proof of the physical, non-expired card.*
 - b. *E-mail confirmation of approved application will not be accepted. Physical possession of the medical marijuana card is required to excuse a positive test.*
- E. *Enrollment in the 24/7 Sobriety Program, if not already enrolled. This will be completed on the turn-in day.*
- F. *The EM hookup enrollment may take up to one (1) hour on the turn-in day.*

3 – SCHEDULES & APPOINTMENTS

Because participants must always remain accountable for their location, scheduling and location rules are strictly enforced.

- A. *Weekly Schedule Submission*
 - 1. *Employers must submit the upcoming week's schedule by Friday at 10:00 P.M.*
 - a. *If the schedule is permanent and no changes are being made, no additional submissions are necessary.*
 - 2. *Participants **must** meet with the EM Officer either Saturday or Sunday every week to review and finalize their schedule. Travel Time, 24/7 testing, and approved activities will be added during the meeting.*
 - 3. *Participants living outside Sioux Falls may complete the weekend meeting by phone at the discretion of the EM Officer.*
- B. *Hours*
 - 1. *Residence curfew will be established upon job verification with an approved schedule and court ordered programs. Travel time will depend on location and hours of work.*
 - a. *A maximum of 1.5 hours will be allowed before and after your scheduled work hours IF you live outside of Sioux Falls.*
 - b. *Participants may stop at gas stations and banks during their travel time.*
 - 2. *Electronic Monitoring inmates will only be allowed to be away from their home zone location for:*
 - a. *Scheduled hours of work*
 - b. *Travel time to and from work*
 - c. *Time allotted to participate in the 24/7 program.*
 - i. *24/7 program testing will be included in travel time going to/from home/work.*
 - d. *Approved requests/furloughs to attend church, treatment (AA), medical appointments, etc.*

e. *Scheduled Essentials Time*

3. *Listed supervisors on your Electronic Monitoring application may change your hours any time before your shift starts. A listed supervisor may also call during your shift to extend your hours. In addition, the extension may not put the inmate over the 12-hour working limit.*

C. *Schedule Compliance*

1. *Any deviation from the approved schedule requires **PRIOR** authorization. Obtaining approval through a phone call or text message to the EM Officer. Participants are not allowed to deviate from their schedule until approval is obtained.*
2. *Unauthorized deviations constitute a rule violation and may result in discipline or removal from EM.*
3. *Participants must notify Electronic Monitoring staff and their employer if medical issues prevent them from being at work or their residence during established times.*
 - a. *Participants must provide documentation from a medical provider for any prolonged absence from work, missing 3 consecutive days.*

Table 1. *Electronic Monitoring Fee (EMF) + UA Fee at TURN IN DAY*

Day of Week	EMF	+	UA Fee	=	Total
<i>Sunday</i>	<i>\$105</i>	<i>+</i>	<i>\$15</i>	<i>=</i>	<i>\$120</i>
<i>Monday</i>	<i>\$90</i>	<i>+</i>	<i>\$15</i>	<i>=</i>	<i>\$105</i>
<i>Tuesday</i>	<i>\$75</i>	<i>+</i>	<i>\$15</i>	<i>=</i>	<i>\$90</i>
<i>Wednesday</i>	<i>\$60</i>	<i>+</i>	<i>\$15</i>	<i>=</i>	<i>\$75</i>
<i>Thursday</i>	<i>\$45</i>	<i>+</i>	<i>\$15</i>	<i>=</i>	<i>\$60</i>
<i>Friday</i>	<i>\$30</i>	<i>+</i>	<i>\$15</i>	<i>=</i>	<i>\$45</i>
<i>Saturday</i>	<i>\$15</i>	<i>+</i>	<i>\$15</i>	<i>=</i>	<i>\$30</i>

D. *Essentials & Appointments*

1. *Essentials Time:*

- a. *After participants complete their first week, they will be allotted up to 3 hours per week for essential living needs.*
- b. *Essentials consist of things such as the grocery store, haircuts and oil changes.*
 - i. *Participants are **NOT** allowed to go to the gym, mall, parks, movie theaters, pawn shops, friends or family houses, restaurants, dealerships. This is a non-exhaustive list.*
 - ii. *Any questions about what or if a location is allowed, please ask.*
- c. *Essentials must be scheduled 24 hours in advance and must be taken all at once.*
- d. *Essentials will not be allowed for sentence less than seven (7) days.*

2. *Approved activities (e.g., medical visits, AA/NA, church) must be scheduled in advance during the weekly meeting. Any emergency requests must be called in immediately.*

4 – PROGRAM FEES

*All EM fees must be paid **one week in advance**, with payment due **every Sunday before 11:00 P.M.** via the jail lobby kiosk. If payment is not received in time, the inmate may be subject to disciplinary action.*

- A. *Electronic Monitoring Fee: \$15/ day (\$105/week)*
- B. **UA Tests:** *\$15 each, including retests. Random UA tests are completed at no cost to the participant.*
- C. *24/7 Program Testing Options & Fees:*
 1. **PBT – Twice Daily** (5:35 – 9:00 A.M. & 5:35 – 9:00 P.M.)
 - a. *\$30 state fee (per case)*
 - i. *This fee is broken down to \$1/day for first 30 days or may be paid up front.*
 - b. *\$2/day (\$1/test, twice daily)*
 - i. *First 30 days, \$3/day (\$2 morning test, \$1 evening test).*
 2. **SCRAM – Download Twice per week.** *Days to download will be scheduled during hookup*
 - a. *\$122 upon setup, which includes the following:*
 - i. *\$40 Activation*
 - ii. *\$40 Deactivation*
 - iii. *\$42 for first week (at \$6/day)*
 - b. *\$42 **every** week thereafter.*

*If an applicant owes outstanding jail room-and-board fees, these fees must be paid **prior** to being placed onto the EM Program or a payment plan **must** be established with the jail Senior Accountant. Participants that are on a payment plan must adhere to the plan or they will be removed from the EM Program and housed in jail for the remainder of their sentence.*

5 – EMPLOYMENT

- A. **JOB RANGE / MULTIPLE SITE LOCATION**
 1. *The maximum travel range for participants with a regular physical location of employment located in Sioux Falls is 1.5 hours from the Minnehaha County Jail.*
 - a. *If a participant has multiple job sites or needs to change job sites, their listed supervisor **must** call/text to inform the EM Officer of the location change.*
 - b. *Any travel request needs to be addressed with the EM Officer by the listed supervisor in the Participants EM Application.*
 - c. *Any travel as part of their employment that would create an overnight stay away from the participant’s residence will be **denied**.*
 2. **TRAVEL OUTSIDE OF THE STATE OF SOUTH DAKOTA IS STRICTLY PROHIBITED.**
 - a. *Appeals substantiating the need for an exception may be submitted by writing a letter to a Jail Lieutenant and delivering the letter to an EM Officer. The EM Officer will then forward the letter to the Lieutenant.*

3. Appeals substantiating the need for an exception may be submitted by writing a letter to a Jail Lieutenant and delivering the letter to an EM Officer. The EM Officer will then forward the letter to the Lieutenant.

B. LOSS OF EMPLOYMENT

1. Should the EM participant lose employment, they must notify the EM Officer immediately.
 - a. The EM Officer has the discretion to allow the participant 48–72 hours to find alternative employment.
 - i. Failure to notify staff of job loss will result in the participant being removed from the program pending disposition of a formal write-up.
 - b. During this time the participant will be on a more stringent schedule.
 - c. Participants will complete appointment sheets for each job search/interview.
 - d. Participants will still be required to keep up with payments as required for both the EM Program and the 24/7 Sobriety Program.
 - e. If a job is **not** secured within 48 hours, the participant will be removed from the program and housed in jail for the remainder of their sentence.

C. PHONE / SITE CHECKS

1. Random phone / site checks will be conducted by either an EM Officer or a uniformed officer. This is completed to confirm that the inmate is at the listed job site.
 - a. If the officer doing the site check is unable to locate the inmate, the inmate will be contacted. Inmates that are not at their listed location and no location change has been submitted or requested; the inmate will be in violation of the Electronic Monitoring rules and may receive formal discipline.
 - b. If appropriate, Job Site Slips should be submitted and reviewed during the weekly meeting

6 – WARRANTS

If an EM participant has a warrant while on the program an EM Officer will:

- A. Determine the severity of the warrant
- B. Contact the EM participant to notify them of the warrant and the steps that they will need to take.
 1. If the warrant is eligible for the Walk-In-Warrant program, the participant will be allowed 24 hours to address the warrant.
 - a. Failure to address the warrant will result in the participant being detained and suspended from the EM program pending formal write-up for violating program rules.
 2. If the warrant is not eligible for the Walk-in-Warrant program, the participant will be required to turn themselves in on the warrant immediately. The participant will be suspended from the EM program pending disposition of the warrant.
 - a. If the participant fails to turn themselves in as instructed this will result in the participant being detained on the warrant and suspended from the EM program pending the disposition of a formal write-up for violating the program rules.
 3. If the warrant is created because of a crime committed while on the EM program, at the discretion of the EM Officer or Supervisor, the participant will be suspended from the program pending disposition of a formal write-up for violating the program rules.

- a. *GPS tracking location may be used to assist the States Attorney's Office in the prosecution of said crime.*

7 – PROGRAM CONCLUSION

*At the time of being placed on the EM program, the participant will be made aware of the release date. The participant will be released at the same time of day as they were placed on the program. Should the participant have a scheduled conflict on the day of being released they can report to the jail as soon as practical **after** their scheduled release time to be released from the program*

The EM Officer will conduct the following:

- A. *Will remove and accept all assigned equipment from the participant.*
 1. *Equipment will be inspected for damage. Any damage that is found will be documented appropriately and replacement/repair cost will be assessed against the participant. This includes the charger and/or GPS bracelet.*
 2. *Failure to return the EM charger, the participant will be assessed a \$20 fee, which will be refunded once the charger is returned and is in working condition.*
- B. *The participant inmate account will be closed, and any remaining balance will be returned to the participant in the form of a pre-paid debit card.*
- C. *Confirm if the participant is required to continue 24/7 Sobriety Program.*
- D. *The participant will be released from the inmate management system and the GPS Electronic Monitoring management system.*
- E. *Once all steps are completed, the participant will then be free to leave the facility.*

8 – PROGRAM RULES

Inmates will adhere to all applicable Major Rules and Minor Rules in the Inmate Handbook when participating in the Electronic Monitoring Program. Electronic Monitoring rules are considered Major Rules concerning discipline procedures and sanctions. Inmates may be held in or reclassified to secure housing, pending the disciplinary board's decision or to suspend Electronic Monitoring privileges, due to any violation of the EM rules. In addition to the infractions below, you are responsible for following the rules listed in your Electronic Monitoring application while out of the facility. Violation of any of the rules within this application may result in the loss of Electronic Monitoring status. All subjects on the Electronic Monitoring program are required to follow all regulations.

Please read and initial by each program rule.

- _____ 1. *Participant's employer must contact EM staff for the approval of any schedule changes or extended hours.*
- _____ 2. *Any change in participant's work/school status must be reported immediately.*
- _____ 3. *Participants must have a valid license/work permit, vehicle registration, and proof of insurance to drive.*
- _____ 4. *Participants must submit their person, vehicle, place of residence, personal effects, etc., to search when requested by law enforcement.*
- _____ 5. *Any furlough requests must be ordered by the sentencing judge.*
- _____ 6. *Participants are NOT to use illegal drugs or alcohol in any form (i.e. cough syrup).*

- _____ 7. *Participants must submit to urinalysis (UA) or breath testing (PBT) whenever requested by staff, which will be completed within two (2) hours of the initial request. Failure of a test, or failure to submit to a test will result in removal from the program.*
- _____ 8. *Participants that fail their initial UA will be lodged at the Jail. They will not be released to EM until they have provided a negative UA. Participants may retest five days from the date of the original test, and every five days afterward until a negative UA is provided. The participant may not test if he/she has less than 5 days remaining on his/her sentence. Participants are responsible for the cost of each UA retest.*
- _____ 9. *Participants that decide not to remain on Electronic Monitoring will be required to serve the remainder of their sentence at the Minnehaha County Jail and are subject to traditional room and board fees.*
- _____ 10. *Participants will be required to pay their Electronic Monitoring fees through the first Sunday of being on the program, and then by 11:00 P.M. every Sunday thereafter. Payment must be the full Monday-Sunday amount due. If payment is not received on time, they will NOT BE ALLOWED to work until the day after payment is made. If full payment is not made within 24 hours of being notified, they may be removed from the program.*
- _____ 11. *Participants that are self-employed must have a contract or a sub-contract employee provide their SD Excise Tax ID #. The business must have been operating for at least six months prior to the date of application. Submitted information will be verified through the Department of Revenue.*
- _____ 12. *Participants will obey all federal, state, and local laws and ordinances.*
- _____ 13. *Participants will not possess firearms.*
- _____ 14. *Participants will not consume any alcohol or prescription drugs that have not been prescribed by a licensed physician.*
- _____ 15. *Participants will report and remain at their established residence during their assigned curfew and adhere to all other established zone requirements.*
- _____ 16. *Participants that fail to report to the EM Officer within one hour of being summoned, or those that attempt to modify, remove, or fail to charge the Electronic Monitoring bracelet will be subject to Jail disciplinary action and may be charged with escape.*
- _____ 17. *Participants will not quit employment or school without first notifying the EM Officer. If fired from an employer or suspended/expelled from school, it must be reported immediately.*
- _____ 18. *Participants are financially responsible for all Electronic Monitoring equipment assigned to them. Participants may be charged criminally and/or held civilly responsible for any intentionally damaged or lost equipment.*
- _____ 19. *Participants must not tamper with any Electronic Monitoring equipment that is issued to them.*
- _____ 20. *Participants must participate in alcohol testing with the 24/7 Sobriety Program located at the Minnehaha County Sheriff's Office pursuant to established order by the 2nd Judicial Circuit Court. 49CIV14-4.*
- _____ 21. *Participants must comply with directions pertaining to an active warrant that generate while on the Electronic Monitoring program.*
- _____ 22. *Participants will comply with all directions given by an EM Officer. Failure to follow any direction given will result in the participant being removed from the EM Program.*

9 – PROGRAM VIOLATION SANCTIONS

The following are sanctions for rule violations. Rule violations may result in a change in your classification status and continued program eligibility.

- A. Failure of drug screening other than THC: **Permanent loss of Electronic Monitoring**
- B. Failure of drug screening for THC:
 - 1. 1st Offense – 3-day loss of Electronic Monitoring or the amount of time pending the outcome of your Disciplinary Hearing. Must have a negative UA to be eligible for reinstatement.
 - 2. 2nd Offense - 5-day loss of Electronic Monitoring or the amount of time pending the outcome of your Disciplinary Hearing. Must have a negative UA to be eligible for reinstatement.
 - 3. 3rd Offense - Formal write-up, Permanent Loss of Electronic Monitoring
- C. Being arrested for any crime or violation of court conditions: **Permanent Loss of Electronic Monitoring.**
- D. Violation of rules concerning being late, being in unauthorized place, or failing to notify staff of location: **30-day loss of Electronic Monitoring (Maximum)**
- E. Violation of traffic ordinance other than DWI: Up to 7 days loss of Electronic Monitoring (Maximum)
- F. 24/7 Sobriety Program failure or no show:
 - 1. 1st Offense – Held in Jail 12 hours
 - 2. 2nd Offense – Held in Jail 24 hours
 - 3. 3rd Offense – Held in Jail 48 hours
 - 4. 4th Offense – 5-day Loss of Electronic Monitoring or pending the outcome of your Disciplinary Hearing
 - 5. 5th Offense – Formal write-up, Permanent loss of Electronic Monitoring
- G. Failure to comply with directions pertaining to an active warrant that was generated while on the Electronic Monitoring program.
 - 1. With any warrant that can be handled through the Walk-in-Warrant program, the participant will be allowed 24 hours to address the warrant before they are mandated to turn themselves in. Failure to do so will result in being detained on the warrant and suspended from the EM program pending the disposition of a formal write-up for violating program rules. **Permanent loss of Electronic Monitoring**
 - 2. With any warrant that does not qualify for the Walk-in Warrant Program, the participant will be required to turn themselves in on the warrant immediately. They will be suspended from the EM program pending disposition of the warrant. Failure to turn themselves in will result in being detained on the warrant and suspended from the EM program pending the disposition of a formal write-up for violating program rules. **Permanent loss of Electronic Monitoring**

The disciplinary board will determine any change in your status should you violate any rules.

ACKNOWLEDGEMENT

I have read _____ or have read to me _____ (initial one) all the above rules; I understand them, I will comply with them, and I acknowledge that I have a copy of these rules and the Electronic Monitoring Guidelines.

I also understand that any information obtained or maintained through Electronic Monitoring may be used for any administrative purposes or as part of any criminal investigation.

Furthermore, I understand that acceptance into the Electronic Monitoring Program provides sentenced inmates with temporary leave from the Minnehaha County Jail to work and/or go to school. I further understand that failure to comply with program rules and failure to return to Minnehaha County Jail as instructed may result in termination from the program, termination of temporary leave from Minnehaha County Jail for purposes of work/school, and new criminal charges for escape in the second degree.

Inmate Signature: _____ ***Date:*** _____

Staff Signature: _____ ***Date:*** _____

I, the undersigned, having been duly and lawfully incarcerated and wishing to participate in the Electronic Monitoring Program, do now of my own free will, knowledge, and action, the consideration of the privilege of participation in the program, hereby agree to release Minnehaha County, its departments and agencies, and all of its employees, from any and all liabilities, which may arise or do, in fact, arise from my school assignment or my participation in the program. This release shall not operate to relieve the County from any intentional tortuous conduct or from willful or gross negligence.

I understand that he or she has been sentenced to a term of incarceration in CRI _____. As such, during said term of incarceration, whether housed at the Minnehaha County Jail or accepted into the Electronic Monitoring Program, I am considered an inmate of the Minnehaha County Jail and therefore subject to a diminished expectation of privacy. I further understand that as a condition of acceptance for the Electronic Monitoring Program, I knowingly, voluntarily, and intelligently consent to warrantless search and seizure of my person, vehicle, place of residence, personal effects, etc., when requested by law enforcement.

Inmate Signature: _____ ***Date:*** _____