



**ELECTRONIC
MONITORING**

ELECTRONICALLY MONITORED SENTENCES AND ORDERS

Information from your Probation Officer



DEPARTMENT OF
CORRECTIONS
ARA POUTAMA AOTEAROA

INTRODUCTION



If you have any questions please talk with your Probation Officer.

- The Court or the New Zealand Parole Board has imposed electronic monitoring as part of your sentence or order. This requires you to wear an electronic tracker 24 hours per day, seven days a week. A monitoring unit will be installed in your home.
- This booklet provides you with information about electronic monitoring to help you complete your sentence or order successfully. It is important you understand how your sentence or order works with electronic monitoring.
- Please show this booklet to anyone sharing your residence.

My Probation Officer is:

My Probation Officer's contact details are:

The after hours contact number for emergency/urgent requests is:
0800 555 677

GETTING STARTED

THE PEOPLE INVOLVED



Your Probation Officer will complete a full induction with you explaining the requirements of your sentence or order.

Your Probation Officer will meet with you and your family / support people regularly through your sentence or order.

Probation Officer: the person at Corrections who will manage your sentence or order from start to finish. You will be allocated a Probation Officer for the duration of your sentence or order. Your Probation Officer will take enforcement action for any non-compliance.

Your Probation Officer will:

- explain your sentence or order conditions
- provide you with contact phone numbers including an after hours phone number
- visit you at your residence regularly (unless you are on community detention)
- check that you meet all of your conditions
- assist you to address your offending
- prepare reports for the court or Parole Board when required
- liaise with the Electronic Monitoring Centre
- give advice and support to anyone sharing your residence.

Monitoring company: The company contracted to supply and maintain monitoring equipment and carry out monitoring checks.

Field Officer: The person from the monitoring company who will install, maintain and check the monitoring equipment and respond to any alerts.

THE DOCUMENTS YOU NEED TO KNOW ABOUT

You MUST carry your court order or release licence and any direction notice with you when you leave your residence. You must show these to any Police or Probation Officer on request.

Court order: An order from the court setting out the standard, and any special, conditions of your sentence.

Release licence: Sets out the standard, and any special, conditions of your order, as directed by the Parole Board.

Direction notice for approved absence: This sets out the exact time, date, purpose and activities of an approved absence, as well as the route you will travel.

Instruction to report (ITR): A direction from a Probation Officer to report to a certain place at a certain time.

SENTENCES AND ORDERS

HOME DETENTION AND PAROLE WITH RESIDENTIAL RESTRICTIONS



While you are on home detention or parole with residential restrictions you will be electronically monitored at all times.

- You must stay at the residence specified on your court order / release licence for the period of your sentence. If your circumstances change or you want to move to another residence you must talk to your Probation Officer first. **You can only live at a residence that has been approved by your Probation Officer.**

You must not leave your residence early or return late from an approved absence.

Reporting requirements

During your sentence or order, you will be required to report to your Probation Officer and your Probation Officer will also complete regular home visits. Your Probation Officer will explain how often you have to report in during your sentence or order.

If you do not report as required you may face enforcement action.

You will be given a direction notice if you have been granted an approved absence. You must keep this with you at all times and show it to any Police or Probation Officer on request.



Approved Absences

- If your conditions allow it and your Probation Officer has approved it, you may leave your residence:
 - to comply with any special conditions
 - to look for, or go to work
 - to attend training, other activities or programmes
 - to attend a restorative justice conference or other process relating to your offending
 - for any other purpose specifically approved by your Probation Officer
- You can leave the residence in an emergency but you must tell your Probation Officer as soon as possible.

Hours and locations

All approved absences must normally be:

- able to be monitored, or where you can provide confirmation of your attendance, or that you are with an approved sponsor at all times
- between the hours of 7am and 9.30pm (with the exception of employment). This means you must be back at your residence from any absence by 9.30pm.

Overnight absences

Overnight absences will only be permitted in exceptional circumstances and are subject to approval.

COMMUNITY DETENTION

While you are on community detention you will be required to wear your tracker 24 hours a day, seven days a week and will be subject to a specified curfew period. Your Probation Officer will explain the requirements of your sentence or order.

Reporting requirements

- Initial reporting (within 24 hours) for your sentence induction and planning.
- Other reporting as directed.

If you have other sentences to complete while you are on community detention you will have other reporting requirements which you must also follow.

Approved absences

Absences will not be granted for Community Detention.

However, if you have also been sentenced to supervision or intensive supervision, the Community Probation staff member managing your sentence may approve an absence so you can:

- look for, or go to work
- attend training or other rehabilitative or re-integrative activities or programmes
- attend a restorative justice conference or any other process relating to your offending
- carry out any tasks from a restorative justice process.

If you are unable to leave your electronically monitored residence for an approved absence you must contact the Community Probation staff member managing your sentence.

LEAVING YOUR ELECTRONIC MONITORING RESIDENCE

Talk to your Probation Officer if you have any questions about what may qualify as an emergency.

You must NOT leave your electronic monitoring residence at all while subject to electronic monitoring except:

- in an emergency (see below)
- for an absence approved by your Probation Officer.

If you do leave your residence without permission you may be subject to enforcement action such as a term of imprisonment or fines of up to \$2000.

Emergency Absences

Emergencies are situations where you must leave your residence to:

- get urgent medical or dental treatment
- avoid risk of death or injury (fire, flood, earthquake)
- escape actual or threatened danger such as domestic violence. In these circumstances contact the Police as soon as possible.

It is important you contact your Probation Officer as soon as possible if you have to leave in an emergency.

SOME GENERAL RULES

Access to your residence

While you are on electronic monitoring, your residence must be accessible to Field Officers, Police and your Probation Officer at all times – 24 hours a day, seven days a week, and in all weather. Dogs on the property must be controlled for others' safety.

Anyone who refuses access to a Probation Officer, Police or any authorised person checking the equipment, such as a Field Officer, may be charged under section 80T or 69H of the Sentencing Act 2002 or section 72 of the Parole Act 2002. If convicted of refusing entry, you may be fined up to \$5000 or imprisoned for up to three months.

Failure to comply with any special condition is a breach of your sentence or order and you may face enforcement action.

Changes in circumstance

If your circumstances change you must tell your Probation Officer immediately.

Programs and special conditions

Your sentence or order may include a special condition to attend one or more programmes to help you address the causes of your offending such as:

- a residential treatment programme
- a rehabilitation programme delivered by departmental facilitators
- community-based programmes such as alcohol and drug counselling or domestic violence programmes.

You may also have other special conditions that you should not contact the victim/s of your offending and/or should stay away from certain individuals or groups such as gangs.

A Probation Officer will issue you with an instruction to report or a direction notice for each occasion that you must attend a programme or counselling appointment.

WORKING WHILE ON ELECTRONIC MONITORING



You may be able to work outside your electronically monitored residence but only with the permission of your Probation Officer.

You and your Probation Officer will need to speak to your employer to seek your employer's approval.

Unsuitable employment

Some types of employment are not suitable for offenders on electronic monitoring.

You are unlikely to be allowed to take on work that:

- has casual hours or on-call requirements
- is related to your offending (eg, with co-offenders) or gives you unsupervised access to types of places where you have offended
- occurs where the monitoring tracker may interfere with on-site equipment (eg, some hospital work)
- requires you to be away from your residence overnight or for more than 24 hours
- requires you to carry out any activity that is not suitable while wearing the monitoring equipment (see unsuitable activities)
- takes place where your presence cannot be verified.

UNSUITABLE ACTIVITIES



Some activities are not suitable for you to take part in while you are wearing the tracker because of the risk of damaging the tracker or hurting yourself or others.

Even if you have an approved absence for sporting activities, there are still limits on the types of things you can do.

Unsuitable activities include:

- water sports (water skiing, surfing, diving etc)
- contact sports (rugby, league, soccer, hockey, kick boxing, etc)
- flying (civil aviation regulations require removal of the tracker before flying).

Some locations might be unsuitable for you to visit such as hospitals where the tracker may interfere with on-site equipment.

If you want to participate in any activity you must speak to your Probation Officer first.

ELECTRONIC MONITORING



You need to charge your GPS tracker for two (2) hours every day.

IT IS IMPORTANT YOU DON'T TOUCH THE MONITORING UNIT.

If the unit is moved it will send a tamper signal to the monitoring centre indicating the unit may have been tampered with.

The equipment

Tracker: A waterproof, tamper-proof ankle strap fitted with a transmitter. This must be worn at all times during your sentence.

Monitoring unit: The monitoring unit is installed at the residence to monitor your movements.

Cordless charger: This is a charging unit which plugs into the bottom of your tracker.

Charging your tracker: If you have a GPS tracker you will be required to charge this for 2 hours every day. The cordless charger enables you to charge your tracker without being tethered to a power socket and will allow you to carry out most normal activities in your home environment while charging. You must not take the cordless charger away from your residence.

It's a breach of your conditions not to charge your tracker.

Installation

The monitoring unit and tracker are usually installed the day you are sentenced. The monitoring unit will be plugged into a power socket and put somewhere it cannot be bumped or moved.

The Field Officer adjusts the monitoring unit and the tracker so the two devices can communicate. You will be asked to walk around the property while the Field Officer checks the boundary range (as defined by the Probation Officer) and the signal. This sets the boundary you cannot cross while you are on electronic monitoring unless you have permission from your Probation Officer.

ELECTRONIC MONITORING EQUIPMENT



GPS Tracker



RF Tracker



GPS Monitoring Unit



RF Monitoring Unit



Cordless charger

TAKING CARE OF YOUR ELECTRONIC MONITORING EQUIPMENT:

Having a shower or a bath while wearing your tracker is OK.

DO NOT:

- have the cordless charger attached to the tracker when bathing or showering (GPS only)
- let the cordless charger or monitoring unit get wet
- move or cover the monitoring unit
- open any of the equipment
- unplug the monitoring unit
- paint or otherwise modify any of the equipment
- expose the equipment to extreme heat or cold
- damage or tamper with the equipment in any way
- leave the address while the cordless charger is attached to your tracker (GPS only).

You must tell your Probation Officer as soon as possible if you have problems with your electricity supply, phone line, monitoring unit or tracker.

FREQUENTLY ASKED QUESTIONS



Can I have my tracker removed while on electronic monitoring?

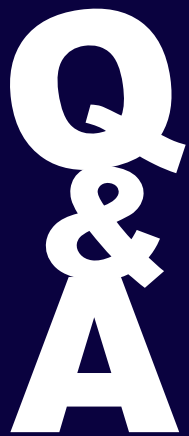
You must keep your tracker on at all times. If you need your tracker adjusted or removed, for example, day surgery in a hospital, contact your Probation Officer.

Do I have to pay for the monitoring equipment?

There is no cost for the equipment, but while you are on electronic monitoring you are responsible for ensuring power is supplied to the unit and for meeting all power costs.

What if the tracker or monitoring unit is damaged?

Any damage must be immediately reported to your Probation Officer. You must provide all information about how the unit got damaged. If the damage is intentional, you will be pursued through the courts for reparation.



What happens if there is a power cut?

You must inform your Probation Officer as soon as you know your power supply has been cut off or disrupted.

The unit has a back-up battery. Your Probation Officer will know if your battery is running low or the monitoring unit has been unplugged from the wall. You will continue to be monitored even when the battery is low or the power supply has been stopped to the monitoring unit.

Can I change my residence while on electronic monitoring?

You must live at the residence specified on your court order or release licence. If your circumstances change or you want to move to another residence you need to talk to your Probation Officer.

What happens when my electronic monitoring ends?

Your Probation Officer will arrange for a Field Officer to take off your tracker and remove the unit from your residence. Your Probation Officer will also write a completion report or order which may be used if you appear in court in the future.

NOTES

ABOUT YOUR SENTENCE/ORDER

*Important information for **offenders** about electronic monitoring*