

Court Referrals

The authority of the court to recommend, restrict, or deny participation of a particular person on electronic monitoring is governed by statute. Section 1203.016 of the Penal Code specifies:

"The court may recommend or refer a person to the correctional administrator for consideration for placement in the home detention program. The recommendation or referral of the court shall be given great weight in the determination of acceptance or denial. At the time of sentencing or at any time that the court deems it necessary, the court may restrict or deny the defendant's participation in a home detention program."

Program Ineligibility

All applicants will be screened by the Probation Department for eligibility. The following factors will make an applicant ineligible:

- Court order prohibits EMP, or Early Release Programs (NERP)
- Active PC 1170(h), PRCS or Parole clients
- Present offense is under Sections 1192.7 or 667.5(c) Penal Code
- Felony Domestic Violence where applicant and victim cohabitate
- No verifiable address
- Pending new criminal court matter

Applying for EMP

Out of Custody Client:

1. Obtain an application for EMP

Online:

<https://probation.sccgov.org>

Select "Adult" tab and scroll to "Electronic Monitoring Program- EMP." PDF Application links are at the bottom of the web page.

In person:

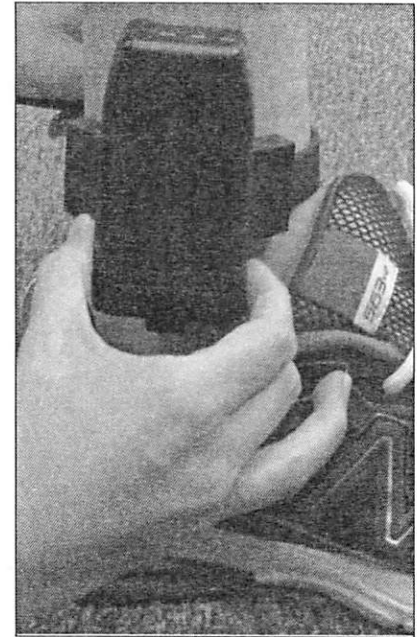
**Santa Clara County Adult Probation Department
2314 N. First St. San Jose, CA. 95131**

2. Submit completed application via mail, fax or in-person to the Adult Probation Department along with the following necessary documents:
 - Court Minute Order
 - Police Report

Process: Applications must be submitted at least **3-4 weeks prior** to the scheduled "Stay/Surrender date." Applicants are to Pre-Book at Santa Clara County Main Jail, located at 150 W. Hedding Street, San Jose, CA 95110, prior or on their "Pre-Processing date." After the application is received, an EMP Probation Officer will screen the application, contact the applicant to discuss the next steps, and arrange for an interview, if eligible

In Custody Client:

Contact the Elmwood Programs Unit for an application and further information. A DPO is available for questions inside the facility.



Equipment

The Santa Clara County Probation Department uses the latest technology in monitoring equipment; i.e. GPS, breathalyzer, and Continuous Alcohol/Transdermal monitoring devices.

Monitoring

EMP is a 24-hour home detention program, accomplished by web monitoring and supervision by Probation staff. Clients are permitted to leave home only in response to specific Court Orders, for work/school, or with Probation Staff approval.

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Program Overview

The Electronic Monitoring Program (EMP) is a custody alternative program that helps clients remain connected to their families and employment, while preserving jail space in Santa Clara County. Through the use of current technology and evidence-based practices, the Probation Department monitors suitable clients, who would otherwise be incarcerated, in a manner that holds them accountable for their actions and protects the community. As a result, these clients may remain in the community in order to maintain their employment and/or education and begin paying victim restitution, if applicable.



The Santa Clara County Probation Department has been supervising clients using Electronic Monitoring since the early 1980s. Statistically, the majority of EMP clients complete the program successfully. Clients who fail to adhere to program rules are quickly held responsible and may be returned to custody. EMP failures are rehoused in County Jail to serve the remainder of their Court ordered sentence.

Contact us at:

Phone: 408-435-2089 or 408-435-2132

Fax: 408-577-1883

Web: <https://probation.sccgov.org>

Clients are eligible for Section 4019 PC

EMP is free to all participating clients



ELECTRONIC MONITORING PROGRAM

Santa Clara County
Adult Services Division

2314 N. First St.
San Jose, CA. 95131



**SANTA CLARA COUNTY
ADULT SERVICES DIVISION**

**ELECTRONIC
MONITORING
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An Alternative to Custody