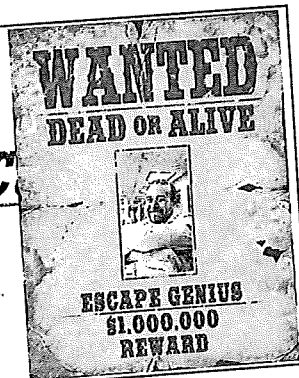


CAL CRIM 2760

- 1) Prisoner was had been [arrested and booked / charged / convicted] of a [misd / felony / committed JV]; AND
- 2) One of the following: confined in penal institution, engaged in county work, lawful custody, work furlough, temporary release, home detention, other listed confinements; AND
- 3) Escaped.

REMOVAL V. C

- Discussion limited to curfew violations.
- For other types of violations, see Josh.



CAL CRIM 2760

- 3) Escaped.

• A prisoner escapes if he willfully fails to return to his place of confinement within the period that he was authorized to be away from that place of confinement. Someone commits an act willfully when he or she does it willingly or on purpose.

ANEX PROCESS

- Inmate brought over from jail.
- Paperwork
- System
- Device



PAPERWORK

- Inmate reads
 - LEO goes over the terms
 - #1 Rule-Place of confinement and hours
- Signed by Defendant
- If inmate does not sign, cannot participate in GPS program
- Signed by LEO

CAVEAT:

- CAVEAT:**
- Agreement will not necessarily include the place of confinement.
 - Process may be happening in a group rather than individually.
 - LEO signing certifies that someone went through agreement with inmate
 - Testimony will be about custom and practice.

[illegible]

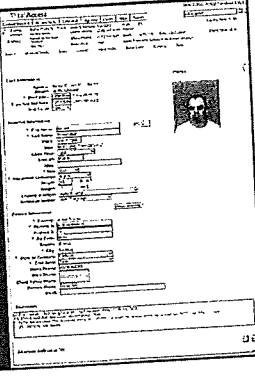
1. I understand that I can be in any place of confinement at any time. I can be inside at that place of confinement at any time, unless otherwise notified by my attorney. I can be outside at that place of confinement at any time, unless otherwise notified by my attorney. I can be in any place of confinement at any time, unless otherwise notified by my attorney. I can be in any place of confinement at any time, unless otherwise notified by my attorney.

SOFTWARE: BI / TOTAL ACCESS

- All boxes are things filled out by LEO.
- Works in conjunction with agreement to have full picture of condition.


CAVEAT:

- This page CAN BE EDITED.
- Every box represents a place that can be edited.
- "No equipment assigned..."
- May not be done by same LEO that executed agreement.
- Not all LEOs complete comments section.



INSTALL DEVICE

- LEO places device around ankles.
- Walk around and test against system.
- LEO give instructions on usage and charging.
- Limitations.
- Etc.
- Again, may or may not be the same LEO that completed agreement and data entry.



DEVICE



DEVICE = GPS = ANKLE MONITOR

- Used to transmit data, but does not store actual data.
- Straps
 - Once circuit closes, starts gathering information.
 - Clasp that closes in just secures everything.
- Pins
 - Ensures remains closed.
 - Once removed
- Once device turned on, starts collecting data.
 - Closed circuit
 - Secured
 - Tamper (opened and unsecured)
 - Restore (closed and secured)
 - Charging
 - Location
 - Timing
- Terminology is important as there are many synonyms between BI and the way LEOs describe items (both re device and data).



BI REPORTS



ASK YOUR LEO FOR LEDGER. Page 1 Date 09/22/2018 14:29

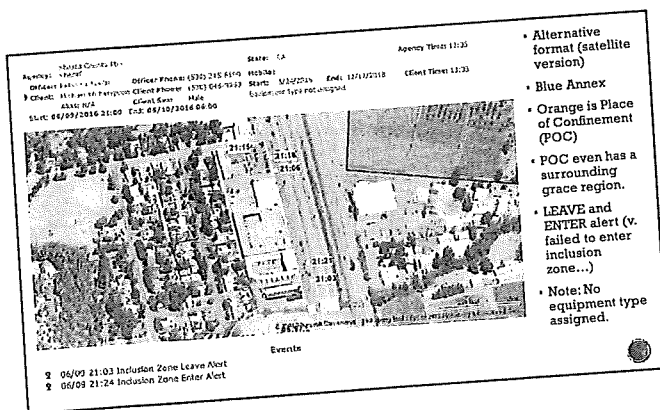
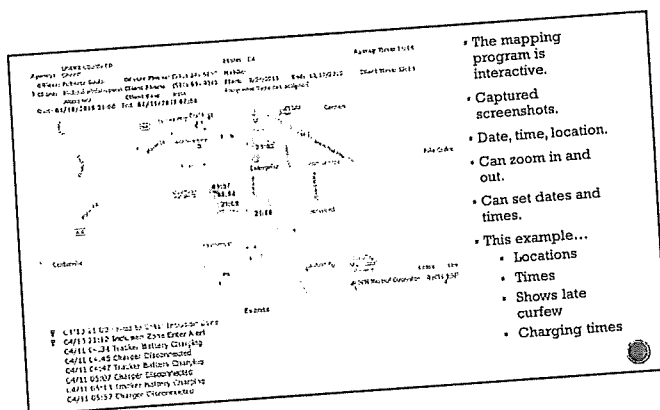
09/24/2016 00:00 - 04/23/2016 23:59 • Examples included below and each case can have diff't entries.

Alert #	Description	Zone Name	Paired With	Device ID	Occurred	Received
201023074	Inclusion Zone Leave Alert	ANEX				
4/14/2016 00:00 to 23:59	Description	Zone Name	Paired With	Device ID	Occurred	Received
201111102	Failed to Enter Inclusion Zone	ANEX			04/14/2016 00:00	04/14/2016 00:00
201111102	Inclusion Zone Enter Alert	ANEX			04/14/2016 00:00	04/14/2016 00:00
201111102	Inclusion Zone Leave Alert	ANEX			04/14/2016 00:00	04/14/2016 00:00
4/15/2016 00:00 to 23:59	Description	Zone Name	Paired With	Device ID	Occurred	Received
201120778	Failed to Enter Inclusion Zone	ANEX			04/15/2016 00:00	04/15/2016 00:00
201120778	Inclusion Zone Enter Alert	ANEX			04/15/2016 00:00	04/15/2016 00:00
201120778	Inclusion Zone Leave Alert	ANEX			04/15/2016 00:00	04/15/2016 00:00
4/18/2016 00:00 to 23:59	Description	Zone Name	Paired With	Device ID	Occurred	Received
201145505	Inclusion Zone Leave Alert	ANEX			04/18/2016 00:00	04/18/2016 00:00
4/19/2016 00:00 to 23:59	Description	Zone Name	Paired With	Device ID	Occurred	Received
201150343	Inclusion Zone Enter Alert	ANEX			04/19/2016 00:00	04/19/2016 00:00
4/20/2016 00:00 to 23:59	Description	Zone Name	Paired With	Device ID	Occurred	Received
201150343	Failed to Enter Inclusion Zone	ANEX			04/20/2016 00:00	04/20/2016 00:00
201150343	Inclusion Zone Enter Alert	ANEX			04/20/2016 00:00	04/20/2016 00:00
201150343	Inclusion Zone Leave Alert	ANEX			04/20/2016 00:00	04/20/2016 00:00
4/21/2016 00:00 to 23:59	Description	Zone Name	Paired With	Device ID	Occurred	Received
201150343	Failed to Enter Inclusion Zone	ANEX			04/21/2016 00:00	04/21/2016 00:00

NOTES:


- **FAILED TO ENTER INCLUSION ZONE - Annex = Late to annex.** Grace period here was 15 minutes.
- **FAILED TO ENTER INCLUSION ZONE - Same.**
- **POC = Place of confinement.**
- **Device ID = Specific ankle monitor serial number.**

MAPS



Orange County PD
 Address: 12345 Main St
 Officer: 12345 (1234-5678)
 Client: 12345 (1234-5678)
 Date: 09/15/2017 11:00
 Time: 09/15/2017 11:00


Agency: 12345
 Date: 09/15/2017
 Time: 11:00
 Status: 12345
 Code: 12345
 Description: 12345



Events

- 09/15 21:25 Induction Zone Leave Alert
- 09/15 21:25 Induction Zone Enter Alert
- 09/15 21:25 Induction Zone Leaving

- Caution on close calls...
- Example: 21:36
- On this diagram, looks like he is within the inclusion zone.
- However, when officer zoomed into program, clearly outside of the circle.
- Also, there is grace space.
- But the point was whether system reporting correctly, so matters.



- Re-created map.
- After the zoom in...
- ... clearly outside of POC

ACCURACY

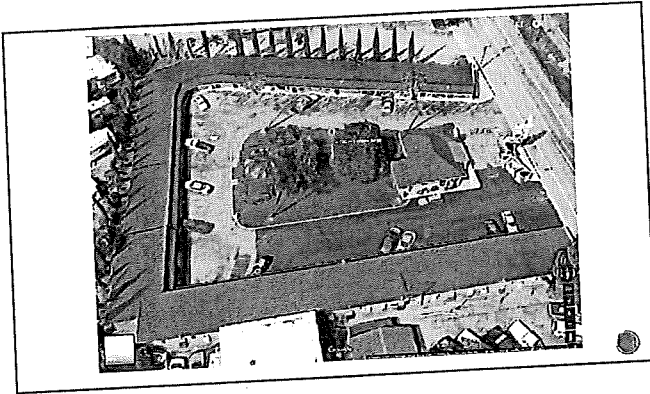
RELIABILITY

- Timing
 - UTC (Coordinated Universal Time) = Verizon.
 - Accurate to the millisecond.
 - In this case, Inmate's device set to report every 3 minutes.
 - 2 minute gap where whereabouts were unknown.
- Distance
 - Approximately 8 feet.
 - Based on LEO tests.
- Satellites → Reliable at 5 satellites.

DISCREPANCIES

POTENTIAL ERRORS

- SET UP
 - When first setting up a device, there is a buffer period.
 - Device needs time to calibrate / orient / connect to satellites.
 - Protocol at Annex is to test devices before release.
- DRIFT POINTS
 - Usually when you have less than one satellite.
 - Reports clear across the country...
 - ... or in the middle of the ocean.
 - Very obvious.
- SPECIFIED STRUCTURES
 - Concrete walls.
 - Basements.
- USER ERROR – Installation improper, but does not affect data.



HEARSAY AND CASE LAW

DOCUMENT-HEAVY CASE

- Contractual agreement
 - Official Record (Evidence Code § 1280)
 - Alternative: Party-opponent admission
 - Alternative: Notice
- BI Records
 - Non-hearsay, machines don't make statements, auto-computer-generated document.
 - Also, business record (Evidence Code § 1271)
 - California cases have held generally that computer printouts are admissible when they fit within a hearsay exception as business records under Evidence Code § 1271. (People v. Lugashd (1988) 205 Cal.App.3d 832, 841-842.)
 - ... "a printed compilation of [cell phone] call data produced by human query for use at trial falls under the business records exception where the underlying data is automatically recorded and stored by a reliable computer program in the regular course of business." (People v. Zavala, supra, 216 Cal.App.4th at p. 248.)

NUMBER ONE THING...



TALK TO THE WITNESSES

- Terminology
 - Probation
 - Expert
- Limitations on involvement and knowledge
 - LEO think they know less than they do.
 - Expert was a "product engineer. Will not know what was input into the system and what it mean.
- Help each other be comfortable with the concepts and terms.



WANTED
DEAD OR ALIVE



