

Adams County Department of Probation Services (DPS) House Arrest Application Information Sheet

In Pennsylvania, a sentence of Probation with Restrictive Conditions (PRC) is an alternative to sentences that include incarceration. The restrictive conditions can be served in partial confinement programs such as work release or halfway facilities, house arrest with electronic monitoring, or residential inpatient drug and alcohol treatment. If you would like to be considered for this sentencing alternative, please review the eligibility requirements. After DPS receives your application, you will be contacted regarding the scheduling of appointments.

The following steps must be completed prior to your Plea Day for PRC consideration:

- To increase your chances of being recommended for a PRC sentence, you should complete an Intake appointment with DPS. At this appointment, you will be interviewed by an Intake Officer who will complete a Risk/Needs Assessment. This information is used to ensure that if placed on supervision, you will be supervised at the appropriate level. It also helps guide the supervision of your case by helping us better understand your areas of risk and needs. **If you live outside of Adams County** and generally have six (6) months or more of supervision, the risk/needs assessment is **mandatory** for a potential inter-county transfer of supervision.

For DUI cases only:

- You are required to participate in a CRN (Court Reporting Network) Evaluation. It is a pre-screening tool for PA DUI offenders and is also used for statistical purposes in PA. This appointment will usually be completed with the Intake appointment listed above. **The CRN must be completed prior to Plea/Sentencing.**
- All Defendants with a pending DUI-related offense, including DUS/DUI-related (Pa.C.S. §1543(b)), must complete a full **drug and alcohol evaluation** at a Department of Health licensed drug and alcohol treatment provider. **You must sign a Release of Information** so information can be shared between the provider and DPS.

If you are an Adams County or York County resident, this can be completed free of charge through the York/Adams Drug and Alcohol Commission (YADAC), located in Gettysburg, PA. DPS will submit a referral, and you can expect to be contacted by YADAC to schedule your appointment.

If you live outside of Adams/York County or out of state, you will need to contact a licensed drug and alcohol treatment provider in your area to complete this evaluation. You should ask for a level of care drug and alcohol evaluation when scheduling this appointment. **You must sign a Release of Information and ensure DPS receives documentation of the recommendation prior to your Plea Day.**

- **PA-** <https://www.dhs.pa.gov/Services/Assistance/Pages/Substance-Abuse.aspx>
- **MD-** Check your county's health department website
- **Substance Abuse & Mental Health Administration-** <https://www.samhsa.gov>

If inpatient treatment is recommended, consult with your attorney. If inpatient treatment is successfully completed prior to sentencing, you may get credit toward your restrictive time for all days spent in inpatient treatment.

If you are currently in drug and alcohol treatment, you will need to sign a release of information for Adams County Department of Probation so the agency providing treatment can notify us with the following:

- Date of drug and alcohol evaluation
- Treatment recommendation
- Compliance with treatment

Failure to attend any scheduled appointments may result in ineligibility for a PRC sentence. Due to strict timelines, these appointments will not be rescheduled.

Adams County Department of Probation Services (DPS)
Probation with Restrictive Conditions (PRC) Eligibility Information

Defendant cannot have a current conviction or a prior conviction within the past ten years for:

18 Pa.C.S. § 2502 (murder)	18 Pa.C.S. § 3301 (arson)
18 Pa.C.S. § 2503 (voluntary manslaughter)	18 Pa.C.S. § 3502 (burglary, when graded as F1)
18 Pa.C.S. § 2702 (aggravated assault)	18 Pa.C.S. § 3701 (robbery)
18 Pa.C.S. § 2703 (assault by prisoner)	18 Pa.C.S. § 3923 (theft by extortion)
18 Pa.C.S. § 2704 (assault by life prisoner)	18 Pa.C.S. § 4302(a) (incest)
18 Pa.C.S. § 2901(a) (kidnapping)	18 Pa.C.S. § 5121 (escape)
18 Pa.C.S. § 3122.1(a)(1) (statutory sexual assault)	

A person who has been convicted or adjudicated delinquent of a crime requiring registration under Title 42 Pa. C.S.A. chapter 97, subchapter H (relating to registration of sexual offenders) is ineligible for this sentencing alternative.

Defendant does not demonstrate a present or past propensity for violent behavior.

Important House Arrest with Electronic Monitoring Information:

- Defendant will be monitored through a transmitter worn around the ankle.
 - Defendant will be permitted to leave the approved residence for the following: *Work, Court-Ordered Conditions, and legal or medical appointments.*
 - Defendant will begin house arrest with electronic monitoring at the direction of DPS on a date/time not to exceed 30 days following sentencing. **Failure to meet this 30-day deadline will result in detention at the Adams County Adult Correctional Complex, where the entire restrictive term will be served.**
 - If Defendant is not permitted to possess or consume alcohol, the Defendant's electronic monitoring will include SCRAM, which is a continuous alcohol detection device.
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- **For restrictive sentences to be served on house arrest with electronic monitoring that are 20 days or less, the Defendant's house arrest may be served at any approved residence located in Pennsylvania.**

 - **House arrest with electronic monitoring will not be approved for any residence located outside of Pennsylvania.** If you live outside of Pennsylvania and want to be considered for house arrest, you will need to obtain a residence in Adams County (if the duration of the house arrest is more than 20 days) for the duration of the time on house arrest.

 - **For restrictive sentences to be served on house arrest with electronic monitoring that are 20 days or more, the Defendant must reside in Adams County or reside in Adams County until the duration of their restrictive sentence is complete when an inter-county transfer is denied.** *Please note that not all Pennsylvania counties will accept transfer requests for the supervision of restrictive sentences that require house arrest with electronic monitoring. If the Defendant is a resident in another county in Pennsylvania and the Defendant is requesting to complete any restrictive sentence involving house arrest with electronic monitoring that exceeds 20 days in their home county, DPS will contact the Probation/Parole department in the county the Defendant resides to determine if the receiving county will courtesy supervise the Defendant's restrictive case/sentence. This information will be provided to the Court at the Defendant's sentencing. If the receiving county denies the request, the Defendant will have to either obtain a residence in Adams County within 30 days of sentencing to complete the restrictive sentence on house arrest with electronic monitoring or serve the entire restrictive sentence at the Adams County Adult Correctional Complex.*