

**REPORT TO THE LEGISLATURE**  
**Pursuant to P.A. 114 of 2009**  
**Section 608**  
**GPS Electronic Tether Program**

*Section 608 of 2009 P.A. 114* requires that the Department of Corrections provide a report for the GPS electronic tether program, including information on:

- Details on the failure rate of parolees for whom GPS tether is utilized, including the number and rate of parolee technical violations, including specifying failures due to committing a new crime that is uncharged but leads to parole termination, and the number and rate of parolee violators with new sentences.
- Information on the factors considered in determining whether an offender is placed on active GPS tether, passive GPS tether, radio frequency tether, or some combination of these or other types of electronic monitoring.
- Monthly data on the number of offenders on active GPS tether, passive GPS tether, radio frequency tether, and any other type of tether.

The use of global positioning satellite (GPS) monitoring allows for the tracking of offender movement in order to determine compliance with supervision plans. The Department only uses active GPS monitoring which constantly monitors offender movements and provides agents with dynamic alerts of boundary violations. Passive GPS monitoring, which stores offender movement information for later review, is no longer used by the Department.

Offenders monitored on GPS consist of parolees who may be monitored up to 2 years and approximately 40 probationers who are monitored on lifetime GPS. To balance public safety interests and available resources, parolees released from prison on or after January 8, 2007, whose current offense requires registration under the Sex Offender Registration Act, shall be monitored on some form of electronic monitoring whenever practical. The Parole and Commutation Board may not require GPS when medical and/or mental capacity issues make it impractical. GPS monitoring may also be used in addition to radio frequency (RF) monitoring as an intervention or sanction for non-compliance with the order for parole for parolees who have breaking and entering-type convictions.

Electronic monitoring shall be used for prisoners granted parole for offenses listed below, including Attempts and Conspiracies to commit these offenses:

- Group 1: Criminal Sexual Conduct (CSC) 1<sup>st</sup> degree (MCL 750.520b) and CSC 2<sup>nd</sup> degree – victim under 13 (MCL 750.520c(1)(a)) – GPS monitoring for life.
- Group 2: Any current offense for CSC 1<sup>st</sup>, 2<sup>nd</sup>, or 3<sup>rd</sup> other than those in Group 1 – GPS for the entire term of parole.
- Group 3: Any offense that requires registration under the Sex Offender Registration Act - GPS for a minimum of the first 6 months, and then RF monitoring for the remainder of the parole term<sup>1</sup>. If the offender screened low risk on the VASOR, the first 6 months of

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<sup>1</sup> Provided the parolee remains in compliance with his/her Transition Accountability Plan. Compliance with the supervision plan is defined as not in violation of the order for parole, special conditions, or the supervision plan, excluding having a balance owed on fees or restitution. Compliance must be for at least (90) ninety continuous days prior to consideration for a reduction in electronic monitoring. Parolees not in compliance shall not be moved from active GPS to RF monitoring, or from RF monitoring off of monitoring.

GPS may be waived and the offender can be supervised on RF monitoring for the entire term.

- Group 4: A conviction for Failure to Register as a Sex Offender - GPS for a minimum of the first 6 months, and then RF monitoring for the remainder of the parole<sup>1</sup>.
- Group 5: A conviction for felony Aggravated Stalking or serving a sentence for any other crime along with a concurrent probation term for Aggravated Stalking - GPS for the entire term of parole<sup>1</sup>.
- Group 6: A conviction for felony Domestic Violence - GPS for a minimum of the first 12 months, and then RF monitoring for the remainder of the parole term<sup>1</sup>.
- Group 7: Any other offender ordered by the Parole and Commutation Board and identified by the Parole Release Unit - GPS for a minimum of 6 months, and then RF monitoring for a minimum of 6 additional months<sup>1</sup>.

During 2009, there were 2,352 GPS activations and 1,255 terminations. Of the 1,255 terminations, 227 (18.1%) were for administrative reasons. The remaining 1,028 terminations, 417 (40.6%) were a result of technical violations, 32 (3.1%) were a result of new sentence failures, 48 (4.7%) are currently absconders, and 531 (51.7%) were a result of successful completion of GPS. Of the 417 terminations that were a result of technical violations, 52 were for uncharged criminal behavior, making up 12.5% of technical violations and 5.1% of all terminations.

Table 1 shows the 2009 end of month populations experienced by each of the Electronic Tether programs.

**Table 1 – Monthly Electronic Tether Program Activity**

	<b>GPS</b>	<b>RF</b>	<b>Sobriotor</b>	<b>SCRAM</b>
<b>Jan</b>	1,243	1,827	314	410
<b>Feb</b>	1,361	1,868	350	411
<b>Mar</b>	1,447	1,814	368	418
<b>Apr</b>	1,574	1,766	340	430
<b>May</b>	1,706	1,732	316	435
<b>Jun</b>	1,965	1,650	309	441
<b>Jul</b>	2,071	1,569	293	479
<b>Aug</b>	2,080	1,532	282	515
<b>Sep</b>	2,148	1,581	261	509
<b>Oct</b>	2,270	1,735	256	538
<b>Nov</b>	2,359	1,711	256	565
<b>Dec</b>	2,616	1,752	248	544