

REPORT TO THE LEGISLATURE
Pursuant to P.A. 188 of 2010
Section 608
GPS Electronic Tether Program

Section 608 of 2010 P.A. 188 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 system (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 8 probationers who are monitored based on extenuating circumstances surrounding the nature of their instant offense. 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:

- Group 1: Criminal Sexual Conduct (CSC) 1st degree (MCL 750.520b) and CSC 2nd degree – either of which is limited to those offenses with a victim under 13 and perpetrator age 17 or older (MCL 750.520c(1)(a)) and if the offense occurred on or after August 28, 2006 – GPS monitoring for life.
- Group 2: Any current offense for CSC 1st, 2nd, or 3rd 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 term¹. If the offender screened low risk on the VASOR, the first 6 months of 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 term¹.
- 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 parole¹.
- 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 term¹.
- 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 months¹.

During 2010, there were 2,845 GPS activations and 1,910 terminations. Of the 1,910 terminations, 92 (4.8%) were for administrative reasons. The remaining 1,818 terminations, 559 (30.7%) were a result of technical violations, 54 (3.0%) were a result of new sentence failures, 53 (2.9%) are currently absconders, and 1,152 (63.4%) were a result of successful completion of GPS. Of the 559 terminations that were a result of technical violations, 73 were for uncharged criminal behavior, making up 13.1% of technical violations and 3.8% of all terminations.

Table 1 shows the 2010 end of month populations experienced by each of the Electronic Tether programs.

Table 1 – Monthly Electronic Tether Program Activity

	GPS	RF	Sobriotor	SCRAM
Jan	2,786	1,784	244	514
Feb	2,970	1,787	235	545
Mar	3,133	1,763	245	521
Apr	3,242	1,721	233	554
May	3,378	1,763	209	559
Jun	3,452	1,756	204	540
Jul	3,469	1,744	208	546
Aug	3,454	1,734	190	569
Sep	3,505	1,704	184	602
Oct	3,535	1,716	184	637
Nov	3,539	1,740	178	661
Dec	3,500	1,714	177	690

¹ 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.