

**REPORT TO THE LEGISLATURE**  
**Pursuant to P.A. 252 of 2014**  
**Article V, Section 608**  
**GPS Electronic Tether Program**

*Section 608 of 2014 P.A. 252* 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, 17 probationers who are monitored based on extenuating circumstances surrounding the nature of their instant offense, and 79 offenders who have completed their parole and are wearing Lifetime GPS. Pursuant to state law, if an offender is sentenced to prison for CSC 2<sup>nd</sup> the sentencing court also must sentence the offender to lifetime GPS if the offense was committed on or after August 28, 2006, at the time of the offense the offender was 17 years of age or older, and the victim was less than 13 years of age. The same held true for CSC 1<sup>st</sup> offenders until an appellate court ruling dated May 17, 2012 which stated that if an offender is sentenced to prison for CSC 1<sup>st</sup> for an offense that was committed on or after August 28, 2006 the sentencing court must also sentence the offender to lifetime GPS regardless of the age of the defendant or the age of the victim.

Alerts for Lifetime GPS offenders who have completed their parole are routed through the Michigan State Police for investigation and possible referral for a new felony warrant. The Department does not have any jurisdiction over Lifetime GPS offenders who have completed their parole.

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 Board may waive GPS monitoring when medical and/or mental capacity issues make it impractical. GPS monitoring may also be used for select parolees as an intervention or sanction for non-compliance with the order for parole.

GPS electronic monitoring shall be used for prisoners granted parole for offenses listed below:

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Conviction Charge	Technology/Length (Revised September 6, 2013)
CSC - 1st Degree	GPS for the entire term of parole (then lifetime GPS for an offense committed on or after August 28, 2006).
CSC - 2nd Degree	<p><b>If Lifetime GPS:</b> GPS for life (current term and beyond).</p> <p><b>If not Lifetime GPS case:</b> GPS for the first year. If the parolee is in compliance with supervision they shall be reduced to Curfew Monitoring for the remainder of their parole term.</p>
CSC - 3rd Degree	GPS for the first year. If the parolee is in compliance with supervision they shall be reduced from GPS to Curfew Monitoring for the remainder of their term.
Requires Sex Offender Registration	GPS for a minimum of the first 6 months. If the parolee is in compliance with supervision they shall be reduced from GPS to Curfew Monitoring for the remainder of their term.
Failure to Register as Sex Offender	GPS for a minimum of the first 6 months. If the parolee is in compliance with supervision they shall be reduced from GPS to Curfew Monitoring for the remainder of their term.
Aggravated Stalking or serving any other sentence with a concurrent probation term for Aggravated Stalking	GPS for the entire term of parole
Domestic Violence - Third Offense	<p>GPS for the first six months for offenders whose parole date is on or after 2/17/12. For offenders who paroled prior to 2/17/12, Curfew Monitoring for the first six months.</p> <p>Parolees convicted of Domestic Violence 3<sup>rd</sup> on or after 2/17/12 who receive jail or probation (not returned to prison) as a result of the conviction are required to be on GPS for six months after community supervision continues.</p>
Parole Board Ordered to GPS	GPS for a minimum of the first 6 months. If the parolee is in compliance with supervision they shall be reduced from GPS to Curfew Monitoring for a minimum of 6 additional months.

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During 2014, there were 3,002 GPS activations and 3,326 terminations. Of the 3,326 terminations, 282 (8.5%) were for administrative reasons. For the remaining 3,044 terminations, 369 (12.1%) were a result of technical violations, 113 (3.7%) were a result of new sentence failures, 109 (3.6%) are currently absconders, and 2,453 (80.6%) were a result of successful completion of GPS. Of the 369 terminations that were a result of technical violations, 214 were for uncharged criminal behavior, making up 58.0% of technical violations and 11.1% of all terminations.

Table 1 shows the 2014 end of month populations experienced by each of the Electronic Tether programs.

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

	<b>GPS</b>	<b>Curfew Monitoring</b>	<b>SCRAM</b>
<b>Jan</b>	2,410	1,508	1,269
<b>Feb</b>	2,391	1,481	1,281
<b>Mar</b>	2,386	1,479	1,272
<b>Apr</b>	2,415	1,443	1,276
<b>May</b>	2,451	1,362	1,312
<b>Jun</b>	2,438	1,314	1,339
<b>Jul</b>	2,489	1,245	1,363
<b>Aug</b>	2,509	1,244	1,330
<b>Sep</b>	2,424	1,368	1,300
<b>Oct</b>	2,329	1,632	1,390
<b>Nov</b>	2,359	1,715	1,424
<b>Dec</b>	2,364	1,700	1,430