# REPORT TO THE LEGISLATURE
## Pursuant to P.A. 331 of 2006
## Section 402
## Electronic Tether Program

*Section 402 of 2006 P.A. 331* requires that the Department of Corrections provide individual reports for the community re-entry program, the electronic tether program, and the special alternative to incarceration program, including information on:

- Monthly new participants.
- Monthly participant unsuccessful terminations, including cause.
- Number of successful terminations.
- End month population by facility/program.
- Average length of placement.
- Return to prison statistics.
- Description of each program location or locations, capacity, and staffing.
- Sentencing guideline scores and actual sentence statistics for participants, if applicable.
- Comparison with prior year statistics.
- Analysis of the impact on prison admissions and jail utilization and the cost effectiveness of the program.

## Electronic Tether / Monitoring Program

This report will focus on the offenders on electronic tether / monitoring. There are four broad offender types on electronic monitoring: probationers, prisoners, parolees, and contractual. Probationers and parolees may be further divided by whether they participated in the Special Alternative Incarceration (SAI) program or not. Electronic monitoring may have been imposed as an initial condition of sentencing or release; alternatively, electronic monitoring may have been imposed as a sanction for violation behavior. Prisoners serving sentences on electronic monitoring, considered part of the Community Residential Program (CRP), are included in this report and are not reported on in the separate CRP section of the Re-Entry report. Global Positioning System (GPS) electronic monitoring is excluded from this report as a separate report is required for GPS monitoring.

The Electronic Monitoring Center is staffed 24 hours a day, 7 days a week, 365 days a year. Monitored probationers and parolees are assigned to and supervised by field agents throughout the State, but all monitoring of the equipment, alert processing and notification, and inventory control is managed through the Monitoring Center. The Center handles all Law Enforcement Information Network (LEIN) activity in the Department, due to their alert processing and notification responsibilities. The Center also contracts to provide monitoring services for Community Electronic Monitoring (CEM) and for the Regional Detention Services System (RDSS).

The program currently has sufficient equipment to handle approximately 3,000 offenders on monitoring. The program has been fully operational at that level in the past, but has seen considerable reduction in numbers since the implementation of the Truth-in-Sentencing legislation, which has caused the number of prisoners in the CRP program to fall from around 1,500 prisoners on electronic monitoring to less than 100 recently.

Table 1 breaks down the new electronic monitoring participants by month and type of offender. In this report, tables in this format combine offender counts from two sources: Prisoner counts are from the Corrections Management Information System, which also provides more details for the prisoner only tables in this report, while the other offender counts are from the monitoring software's less detailed database.

**Table 1 - New Electronic Monitoring Participants Monthly By Offender Type**

| | Prisoner | | Parole | | Parole SAI | | Probation | | Probation SAI | | CEM | | RDSS | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 2005 | 2006 | 2005 | 2006 | 2005 | 2006 | 2005 | 2006 | 2005 | 2006 | 2005 | 2006 | 2005 | 2006 | 2005 | 2006 |
| Jan | 29 | 10 | 113 | 73 | 39 | 51 | 350 | 271 | 53 | 37 | 98 | 73 | 46 | 51 | 728 | 566 |
| Feb | 32 | 17 | 94 | 65 | 40 | 26 | 312 | 233 | 22 | 28 | 81 | 57 | 39 | 31 | 620 | 457 |
| Mar | 28 | 17 | 114 | 80 | 35 | 37 | 379 | 306 | 41 | 41 | 94 | 93 | 47 | 56 | 738 | 630 |
| Apr | 39 | 12 | 83 | 79 | 31 | 37 | 333 | 254 | 33 | 16 | 74 | 90 | 56 | 65 | 649 | 553 |
| May | 35 | 10 | 119 | 95 | 47 | 70 | 333 | 267 | 27 | 31 | 69 | 75 | 62 | 53 | 692 | 601 |
| Jun | 18 | 14 | 106 | 83 | 51 | 72 | 377 | 281 | 52 | 30 | 67 | 89 | 67 | 54 | 738 | 623 |
| Jul | 23 | 3 | 87 | 54 | 35 | 57 | 318 | 279 | 31 | 40 | 65 | 64 | 48 | 46 | 607 | 543 |
| Aug | 25 | 19 | 123 | 54 | 29 | 49 | 360 | 276 | 27 | 41 | 88 | 84 | 73 | 52 | 725 | 575 |
| Sep | 22 | 17 | 128 | 68 | 34 | 55 | 322 | 252 | 34 | 38 | 95 | 66 | 48 | 49 | 683 | 545 |
| Oct | 24 | 14 | 80 | 76 | 26 | 61 | 251 | 182 | 41 | 47 | 90 | 95 | 67 | 56 | 579 | 531 |
| Nov | 13 | 9 | 79 | 70 | 44 | 73 | 273 | 255 | 30 | 63 | 78 | 72 | 78 | 36 | 595 | 578 |
| Dec | 20 | 12 | 73 | 76 | 25 | 61 | 268 | 255 | 32 | 43 | 63 | 78 | 55 | 33 | 536 | 558 |
| Total | 308 | 154 | 1,199 | 873 | 436 | 649 | 3,876 | 3,111 | 423 | 455 | 962 | 936 | 686 | 582 | 7,890 | 6,760 |
| Avg | 25.7 | 12.8 | 99.9 | 72.8 | 36.3 | 54.1 | 323.0 | 259.3 | 35.3 | 37.9 | 80.2 | 78.0 | 57.2 | 48.5 | 657.5 | 563.3 |

Tables 2 and 3 present, for prisoners only, active sentence information at the time of their admission to electronic monitoring. In 2006, the 154 new monitoring prisoners had 357 active sentences, with roughly similar offense type percentages to the 2005 prisoners. The details presented in these two tables are for individual active sentences only, since a composite or cumulative minimum term would obscure offense type information.

**Table 2 - Minimum Term Groups for All Active Offenses at the
Time of Admission to Electronic Monitoring - Prisoners Only**

| Minimum Term Groups* | 2005 | | 2006 | |
|---|---|---|---|---|
| | Number | Percent | Number | Percent |
| 0-12 Months | 103 | 17.9% | 80 | 22.4% |
| 13-24 Months | 208 | 36.2% | 137 | 38.4% |
| 25-36 Months | 95 | 16.6% | 54 | 15.1% |
| 37-60 Months | 103 | 17.9% | 53 | 14.8% |
| 61-120 Months | 56 | 9.8% | 31 | 8.7% |
| 121+ Months | 9 | 1.6% | 2 | 0.6% |
| Life | 0 | 0.0% | 0 | 0.0% |
| Total Offenses | 574 | 100.0% | 357 | 100.0% |

* These Minimum Terms represent individual active sentences and disregard consecutives.

**Table 3 - Offense Types for All Active Offenses at the
Time of Admission to Electronic Monitoring - Prisoners Only**

| Offense Type | 2005 | | | 2006 | | |
|---|---|---|---|---|---|---|
| | Number | Percent | Average Term* | Number | Percent | Average Term* |
| Nonassaultive | 420 | 73.2% | 37.3 | 272 | 76.2% | 32.7 |
| Drug | 132 | 23.0% | 28.7 | 72 | 20.2% | 23.4 |
| Assaultive | 22 | 3.8% | 51.4 | 13 | 3.6% | 63.9 |
| Total Offenses | 574 | 100.0% | 35.9 | 357 | 100.0% | 31.9 |

* In months, these Average Terms represent individual active sentences and disregard consecutives.

Sentencing Guidelines (SGL) information has been captured in OMNI on a statewide basis since October of 2002 thus, 2003 is the first available, full year of the 1999 Legislative Sentencing Guidelines. Unfortunately, nearly 90% of the sentencing dates for the 2006 new monitoring prisoners are from before 2003 and additional complications, such as, a mix of sentences with and without SGL data, and the change in handling of SGLs with regard to probation violations, make interpreting SGL sentencing characteristics dubious at this time. Regardless, Table 4 shows that nearly all of the actual sentences agree with the SGL ranges, though this comparison is meaningless since it represents just over one tenth of the sentences for new monitoring prisoners in 2006.

**Table 4 - Comparison of Actual Sentence with SGL Range for New Electronic Monitoring Participants - Prisoners Only**

| Actual Sentence vs. SGL Range | 2005 | | 2006 | |
|---|---|---|---|---|
| | Number | Percent | Number | Percent |
| Below Range | 3 | 8.1% | 1 | 2.6% |
| Within Range | 32 | 86.5% | 37 | 94.9% |
| Above Range | 2 | 5.4% | 1 | 2.6% |
| Total with SGLs | 37 | 6.4% | 39 | 10.9% |
| Unknown SGLs | 537 | 93.6% | 318 | 89.1% |
| Total Offenses | 574 | 100.0% | 357 | 100.0% |

Table 5 returns to the combined offender type format and shows the monthly electronic monitoring terminations by offender type. Across all of the offender types, successful completions occurred in 68.8% of the 2006 terminations. Prisoners had successful electronic monitoring completions in 73.6% of the 2006 prisoner terminations. Successful prisoners stayed on electronic monitoring for an average of 163.5 days in 2006. Prisoners who unsuccessfully terminated electronic monitoring stayed for an average of 87.6 days in 2006. Below are typical reasons for unsuccessful terminations on electronic monitoring:

- Administrative terminations occur when the offender is unable to continue for reasons beyond their control, such as, loss of home placement, hospitalized, or commitment to a treatment program.
- Failure to pay for tether services
- Substance abuse violations
- Curfew violations
- Tampering with tether device
- Escape or abscond violation
- New felony

**Table 5 - Monthly Electronic Monitoring Terminations by Offender Type**

| | Prisoner | | Parole | | Parole SAI | | Probation | | Probation SAI | | CEM | | RDSS | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 2005 | 2006 | 2005 | 2006 | 2005 | 2006 | 2005 | 2006 | 2005 | 2006 | 2005 | 2006 | 2005 | 2006 | 2005 | 2006 |
| Jan | 50 | 13 | 97 | 91 | 39 | 26 | 350 | 299 | 49 | 38 | 91 | 71 | 59 | 49 | 735 | 587 |
| Feb | 43 | 12 | 81 | 66 | 46 | 36 | 324 | 229 | 34 | 35 | 97 | 70 | 36 | 42 | 661 | 490 |
| Mar | 45 | 21 | 105 | 67 | 44 | 32 | 323 | 290 | 36 | 29 | 82 | 72 | 50 | 49 | 685 | 560 |
| Apr | 50 | 15 | 113 | 70 | 31 | 32 | 356 | 227 | 37 | 37 | 91 | 70 | 46 | 57 | 724 | 508 |
| May | 47 | 10 | 113 | 90 | 50 | 41 | 373 | 283 | 34 | 35 | 77 | 99 | 61 | 46 | 755 | 604 |
| Jun | 36 | 10 | 113 | 89 | 44 | 52 | 361 | 313 | 35 | 28 | 79 | 82 | 67 | 61 | 735 | 635 |
| Jul | 21 | 15 | 109 | 78 | 33 | 39 | 329 | 261 | 40 | 30 | 63 | 79 | 54 | 42 | 649 | 544 |
| Aug | 21 | 13 | 98 | 71 | 34 | 51 | 353 | 286 | 42 | 35 | 70 | 81 | 54 | 51 | 672 | 588 |
| Sep | 23 | 9 | 95 | 70 | 30 | 61 | 356 | 257 | 31 | 30 | 79 | 70 | 65 | 48 | 679 | 545 |
| Oct | 28 | 13 | 101 | 47 | 33 | 63 | 332 | 274 | 36 | 39 | 84 | 63 | 48 | 42 | 662 | 541 |
| Nov | 24 | 12 | 101 | 65 | 36 | 53 | 323 | 246 | 28 | 43 | 96 | 81 | 70 | 42 | 678 | 542 |
| Dec | 25 | 6 | 79 | 63 | 33 | 53 | 308 | 248 | 26 | 39 | 71 | 67 | 64 | 47 | 606 | 523 |
| Total | 413 | 149 | 1,205 | 867 | 453 | 539 | 4,088 | 3,213 | 428 | 418 | 980 | 905 | 674 | 576 | 8,241 | 6,667 |
| Avg | 34.4 | 12.4 | 100.4 | 72.3 | 37.8 | 44.9 | 340.7 | 267.8 | 35.7 | 34.8 | 81.7 | 75.4 | 56.2 | 48.0 | 686.8 | 555.6 |

The monthly new monitoring participants, monthly monitoring terminations, and average lengths of stay resulted in the end of month electronic monitoring populations shown in Table 6.

**Table 6 - End of Month Electronic Monitoring Populations by Offender Type**

| | Prisoner | | Parole | | Parole SAI | | Probation | | Probation SAI | | CEM | | RDSS | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 2005 | 2006 | 2005 | 2006 | 2005 | 2006 | 2005 | 2006 | 2005 | 2006 | 2005 | 2006 | 2005 | 2006 | 2005 | 2006 |
| Jan | 180 | 81 | 235 | 170 | 118 | 109 | 1,139 | 914 | 104 | 99 | 154 | 123 | 105 | 95 | 2,035 | 1,591 |
| Feb | 168 | 81 | 235 | 173 | 106 | 106 | 1,128 | 884 | 106 | 90 | 140 | 111 | 104 | 95 | 1,987 | 1,540 |
| Mar | 151 | 74 | 235 | 183 | 106 | 107 | 1,128 | 891 | 97 | 90 | 139 | 127 | 105 | 98 | 1,961 | 1,570 |
| Apr | 140 | 66 | 231 | 201 | 96 | 110 | 1,186 | 896 | 101 | 81 | 142 | 142 | 123 | 102 | 2,019 | 1,598 |
| May | 128 | 63 | 252 | 194 | 100 | 144 | 1,159 | 889 | 94 | 75 | 134 | 107 | 119 | 105 | 1,986 | 1,577 |
| Jun | 110 | 63 | 224 | 193 | 105 | 157 | 1,124 | 860 | 105 | 82 | 114 | 125 | 98 | 100 | 1,880 | 1,580 |
| Jul | 112 | 48 | 199 | 169 | 106 | 172 | 1,118 | 877 | 100 | 94 | 108 | 110 | 99 | 102 | 1,842 | 1,572 |
| Aug | 116 | 47 | 220 | 139 | 106 | 166 | 1,128 | 860 | 85 | 105 | 128 | 104 | 115 | 108 | 1,898 | 1,529 |
| Sep | 115 | 50 | 248 | 138 | 99 | 166 | 1,088 | 861 | 88 | 101 | 145 | 119 | 97 | 104 | 1,880 | 1,539 |
| Oct | 111 | 46 | 218 | 167 | 86 | 166 | 1,018 | 875 | 96 | 131 | 141 | 143 | 131 | 116 | 1,801 | 1,644 |
| Nov | 99 | 34 | 202 | 167 | 97 | 175 | 954 | 876 | 96 | 143 | 127 | 130 | 122 | 117 | 1,697 | 1,642 |
| Dec | 93 | 34 | 188 | 191 | 118 | 177 | 904 | 859 | 101 | 160 | 117 | 141 | 119 | 105 | 1,640 | 1,667 |
| **Avg** | **126.9** | **57.3** | **223.9** | **173.8** | **103.6** | **146.3** | **1,089.5** | **878.5** | **97.8** | **104.3** | **132.4** | **123.5** | **111.4** | **103.9** | **1,885.5** | **1,587.4** |

Return to prison statistics measure a parolee's outcome at the conclusion of a standard follow-up period, however, this is not a relevant measure for most electronic monitoring participants. Return to prison is only relevant for prisoners, parolees, and parolees from SAI. Table 7 replicates a portion of the table of recidivism rates reported to the Legislature in response to *Section 409 of 2006 P.A. 331* by using a flat two year follow-up period and found that offenders paroled in 2004 had a Total Failure Rate of 46.3% (Absconds 14.2%, Technical Violators 18.3%, and New Sentence Violators 13.9%). New electronic monitoring participants (prisoners, parolees, and parolees from SAI) for 2004 are the most recent participants that can have a two year follow-up period, however, they would have paroled from a mixture of years from 2004 and earlier. Thus, these new participants for 2004 will have a failure rate that averages the recidivism rates for paroles in 2004 and earlier.

**Table 7 - (portion of) Two-Year Follow-Up Outcomes of Offenders Who Paroled in 1998 to 2004 by Year**

| Year Paroled | Total Cases | Success Total | Failure Total | Absconds | Technical Violators | New Sentence |
|---|---|---|---|---|---|---|
| 2001 | 9,591 | 53.3% | 46.7% | 11.2% | 23.0% | 12.6% |
| 2002 | 10,254 | 52.7% | 47.3% | 15.9% | 18.1% | 13.3% |
| 2003 | 10,987 | 53.4% | 46.6% | 16.7% | 16.7% | 13.2% |
| 2004 | 10,818 | 53.7% | 46.3% | 14.2% | 18.3% | 13.9% |
| See MPRI Quarterly Status Report, Addendum No. 15, Table 1 at www.michigan.gov/documents/corrections/MPRI_Quarterly_Status_Report_April_2007_2nd_193517_7.pdf | | | | | | |

Electronic monitoring of offenders impacts jail utilization by preserving jail beds for offenders that pose a more serious risk to the public. Electronic monitoring provides the Courts with an option that falls between probation and jail and additionally provides a sanction for noncompliant probationers. Electronic monitoring impacts prison admissions by diverting eligible parole violators who would otherwise be returned to prison as technical violators.

## Electronic Monitoring Center

1305 S. Washington
Lansing, MI

| 2005 Staffing | | 2006 Staffing |
|---|---|---|
| 1.0 | Parole Probation Manager 2 | |
| 1.0 | Parole Probation Manager 3 | 1.0 |
| | Parole Probation Manager 4 | 1.0 |
| 3.0 | Departmental Supervisors | |
| | Departmental Supervisor-2 | 3.0 |
| 1.0 | Departmental Analyst 12 | |
| | Departmental Analyst-A | 1.0 |
| 27.0 | Departmental Technicians | |
| | Departmental Technician-A | 3.0 |
| | Departmental Technician-E | 1.0 |
| | Departmental Technician-E FZN | 25.0 |
| 1.0 | Secretary 9 | |
| | Secretary-A | 1.0 |
| 2.0 | General Office Assistants | |
| **36.0** | **Total Electronic Monitoring Center Staff** | **36.0** |