

REPORT TO THE LEGISLATURE
Pursuant to P.A. 63 of 2011
Section 608
GPS Electronic Tether Program

Section 608 of 2011 P.A. 63 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, 8 probationers who are monitored based on extenuating circumstances surrounding the nature of their instant offense, and 5 offenders who have completed their parole and are wearing Lifetime GPS. Pursuant to state law, if an offender is sentenced to prison for CSC 1st or 2nd, 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. 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	
	Prior to 6/1/2011	As of 6/1/2011
CSC - 1st Degree	<p>If Lifetime GPS: GPS for life (current term and beyond).</p> <p>If not Lifetime GPS case: GPS for the entire term of parole.</p>	<p>If Lifetime GPS: GPS for life (current term and beyond).</p> <p>If not Lifetime GPS case:</p> <ul style="list-style-type: none"> - If any VASOR (or any other MDOC approved sex offender assessment tool) or COMPAS (Violence/Recidivism) score is HIGH or victim was a stranger or non-family member, GPS is required for their entire term - If the offenders highest VASOR (or any other MDOC approved sex offender assessment tool) or COMPAS (Violence/Recidivism) score is MODERATE or LOW and the victim was a family member, GPS is only required for the first year. If the parolee is in compliance with supervision they shall be reduced to RF for the remainder of their parole term
CSC - 2nd Degree	<p>If Lifetime GPS: GPS for life (current term and beyond).</p> <p>If not Lifetime GPS case: GPS for the entire term of parole.</p>	<p>If Lifetime GPS: GPS for life (current term and beyond).</p> <p>If not Lifetime GPS case: GPS for the first year. If the parolee is in compliance with supervision they shall be reduced to RF for the remainder of their parole term</p>
CSC - 3rd Degree	GPS for the entire term of parole	GPS for the first year. If the parolee is in compliance with supervision they shall be reduced from GPS to RF 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 RF for the remainder of their term	No Change
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 RF for the remainder of their term	No Change
Aggravated Stalking or serving any other sentence with a concurrent probation term for Aggravated Stalking	GPS for the entire term of parole	No Change
Domestic Violence - Third Offense	GPS for a minimum of the first 12 months, and then RF electronic monitoring for the remainder of the parole term	RF for the first six months.
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 RF for a minimum of 6 additional months.	No Change

During 2011, there were 1,819 GPS activations and 3,240 terminations. Of the 3,240 terminations, 239 (7.4%) were for administrative reasons. The remaining 3,001 terminations, 391 (13.0%) were a result of technical violations, 41 (1.4%) were a result of new sentence failures, 47 (1.6%) are currently absconders, and 2,522 (84.0%) were a result of successful completion of GPS. Of the 391 terminations that were a result of technical violations, 110 were for uncharged criminal behavior, making up 28.1% of technical violations and 3.4% of all terminations.

Table 1 shows the 2011 end of month populations experienced by each of the Electronic Tether programs. In June 2011 the GPS policy was modified reducing the amount of time that some parolees were required to be monitored on GPS (see chart on page 2). All parolees who complete GPS are either discharged from supervision or reduced to RF. The only exception is parolees sanctioned to RF as a result of violation behavior. This policy change resulted in a decrease in GPS electronic monitoring participants and an increase in RF electronic monitoring participants, as evidenced in this table.

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Table 1 – Monthly Electronic Tether Program Activity

	GPS	RF	Sobriotor	SCRAM
Jan	3,451	1,695	151	707
Feb	3,405	1,701	147	717
Mar	3,382	1,725	157	763
Apr	3,367	1,756	169	779
May	3,301	1,775	148	805
Jun	2,669	2,303	147	825
Jul	2,485	2,424	133	860
Aug	2,427	2,515	142	940
Sep	2,400	2,524	135	967
Oct	2,360	2,499	119	988
Nov	2,339	2,478	111	970
Dec	2,310	2,375	102	994