

REPORT TO THE LEGISLATURE
Pursuant to P.A. 124 of 2007
Section 611
Electronic Tether / Monitoring Program

Section 611 of P.A. 124 of 2007 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 by type of offender. Community re-entry program participants shall be categorized by reason for placement. For technical rule violators, the report shall sort offenders by length of time since release from prison, by the most recent violation, and by number of violations occurring since release from prison.
- 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 as part of the CRP details 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 50 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	
	2006	2007	2006	2007	2006	2007	2006	2007	2006	2007	2006	2007	2006	2007	2006	2007
Jan	10	8	73	95	51	52	271	249	37	62	73	73	51	41	566	580
Feb	17	8	65	102	26	48	233	220	28	49	57	59	31	29	457	515
Mar	17	14	80	133	37	62	306	311	41	55	93	92	56	48	630	715
Apr	12	12	79	126	37	55	254	226	16	42	90	89	65	41	553	591
May	10	19	95	161	70	64	267	258	31	65	75	55	53	58	601	680
Jun	14	14	83	186	72	68	281	254	30	70	89	71	54	54	623	717
Jul	3	8	54	209	57	69	279	201	40	60	64	77	46	45	543	669
Aug	19	6	54	223	49	70	276	251	41	44	84	84	52	56	575	734
Sep	17	7	68	226	55	57	252	219	38	42	66	71	49	48	545	670
Oct	14	2	76	285	61	81	182	265	47	43	95	84	56	55	531	815
Nov	9	48	70	207	73	43	255	226	63	72	72	65	36	39	578	700
Dec	12	12	76	190	61	43	255	194	43	36	78	46	33	28	558	549
Total	154	158	873	2,143	649	712	3,111	2,874	455	640	936	866	582	542	6,760	7,935
Avg	12.8	13.2	72.8	178.6	54.1	59.3	259.3	239.5	37.9	53.3	78.0	72.2	48.5	45.2	563.3	661.3

Tables 2 and 3 present, for prisoners only, active sentence information at the time of their admission to electronic monitoring. In 2007, the 158 new monitoring prisoners had 233 active sentences, with roughly similar offense type percentages to the 2006 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*	2006		2007	
	Number	Percent	Number	Percent
0-12 Months	80	22.4%	59	25.3%
13-24 Months	137	38.4%	99	42.5%
25-36 Months	54	15.1%	32	13.7%
37-60 Months	53	14.8%	22	9.4%
61-120 Months	31	8.7%	20	8.6%
121+ Months	2	0.6%	1	0.4%
Life	0	0.0%	0	0.0%
Total Offenses	357	100.0%	233	100.0%

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

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

Offense Type	2006			2007		
	Number	Percent	Average Term*	Number	Percent	Average Term*
Nonassaultive	272	76.2%	37.3	160	68.7%	32.7
Drug	72	20.2%	28.7	60	25.8%	23.4
Assaultive	13	3.6%	51.4	13	5.6%	63.9
Total Offenses	357	100.0%	35.9	233	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, over 75% of the sentencing dates for the 2007 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 about one quarter of the sentences for new monitoring prisoners in 2007.

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

Actual Sentence vs. SGL Range	2006		2007	
	Number	Percent	Number	Percent
Below Range	1	2.6%	1	1.8%
Within Range	37	94.9%	48	85.7%
Above Range	1	2.6%	7	12.5%
Total with SGLs	39	10.9%	56	24.0%
Unknown SGLs	318	89.1%	177	76.0%
Total Offenses	357	100.0%	233	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 67.5% of the 2007 terminations. Prisoners had successful electronic monitoring completions in 73.6% of the 2007 prisoner terminations. Successful prisoners stayed on electronic monitoring for an average of 131 days in 2007. Prisoners who unsuccessfully terminated electronic monitoring stayed for an average of 74.6 days in 2007. 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	
	2006	2007	2006	2007	2006	2007	2006	2007	2006	2007	2006	2007	2006	2007	2006	2007
Jan	13	18	91	83	26	64	299	293	38	41	71	107	49	41	587	647
Feb	12	5	66	65	36	63	229	240	35	60	70	71	42	34	490	538
Mar	21	12	67	84	32	69	290	256	29	50	72	68	49	50	560	589
Apr	15	7	70	99	32	41	227	224	37	63	70	78	57	37	508	549
May	10	17	90	112	41	63	283	278	35	61	99	78	46	51	604	660
Jun	10	18	89	113	52	65	313	257	28	64	82	77	61	55	635	649
Jul	15	16	78	121	39	48	261	252	30	55	79	81	42	45	544	618
Aug	13	13	71	170	51	69	286	225	35	45	81	72	51	56	588	650
Sep	9	5	70	170	61	65	257	219	30	56	70	61	48	50	545	626
Oct	13	4	47	230	63	72	274	263	39	60	63	81	42	49	541	759
Nov	12	9	65	214	53	53	246	274	43	41	81	81	42	49	542	721
Dec	6	7	63	202	53	60	248	204	39	48	67	58	47	29	523	608
Total	149	131	867	1,663	539	732	3,213	2,985	418	644	905	913	576	546	6,667	7,614
Avg	12.4	10.9	72.3	138.6	44.9	61.0	267.8	248.8	34.8	53.7	75.4	76.1	48.0	45.5	555.6	634.5

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	
	2006	2007	2006	2007	2006	2007	2006	2007	2006	2007	2006	2007	2006	2007	2006	2007
Jan	81	39	170	191	109	167	914	830	99	173	123	112	95	99	1,591	1,611
Feb	81	42	173	227	106	155	884	810	90	161	111	99	95	99	1,540	1,593
Mar	74	44	183	285	107	149	891	851	90	166	127	121	98	94	1,570	1,710
Apr	66	49	201	316	110	162	896	880	81	143	142	130	102	97	1,598	1,777
May	63	51	194	359	144	164	889	841	75	139	107	108	105	100	1,577	1,762
Jun	63	47	193	421	157	164	860	840	82	155	125	101	100	100	1,580	1,828
Jul	48	39	169	511	172	193	877	804	94	158	110	102	102	104	1,572	1,911
Aug	47	32	139	565	166	189	860	828	105	150	104	123	108	101	1,529	1,988
Sep	50	34	138	628	166	182	861	823	101	143	119	124	104	100	1,539	2,034
Oct	46	32	167	677	166	181	875	789	131	133	143	117	116	109	1,644	2,038
Nov	34	27	167	658	175	168	876	797	143	148	130	106	117	100	1,642	2,004
Dec	34	28	191	659	177	162	859	770	160	155	141	90	105	96	1,667	1,960
Avg	57.3	38.7	173.8	458.1	146.3	169.7	878.5	821.9	104.3	152.0	123.5	111.1	103.9	99.9	1,587.4	1,851.3

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 parolees 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

2006 Staffing		2007 Staffing
1.0	Parole Probation Manager 3	1.0
1.0	Parole Probation Manager 4	1.0
3.0	Departmental Supervisor-2	3.0
1.0	Departmental Analyst-A	1.0
3.0	Departmental Technician-A	6.0
26.0	Departmental Technician-E	22.0
	General Office Assistant 8	1.0
1.0	Secretary-A	1.0
36.0	Total Electronic Monitoring Center Staff	36.0