



POLICY STATEMENT

Policy Statement 4008

Policy Area: Supervision

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Approved: _____

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GLOBAL POSITIONING SYSTEM (GPS) TRACKING OF OFFENDERS

I. COVERAGE

This Policy Statement establishes procedures for the Court Services and Offender Supervision Agency for the District of Columbia (CSOSA or Agency) staff involved in the Global Positioning System (GPS) tracking of offenders. CSOSA staff with specific responsibilities under these procedures include GPS electronic monitoring technician staff, Community Supervision Officers (CSOs), Supervisory Community Supervision Officers (SCSOs), and Branch Chiefs (BCs). This policy does not apply to the Pretrial Services Agency (PSA).

II. BACKGROUND

Historically, electronic monitoring has been used as a special condition of release ordered by the Superior Court of the District of Columbia or the United States Parole Commission (USPC) for offenders under community supervision. In recent years, CSOSA has piloted use of a specific form of electronic monitoring, GPS tracking, as a sanctioning condition. This and other forms of electronic monitoring can be used to enforce curfews, establish prohibited/restricted areas, and assess and monitor offender movement in the community. These tools allow CSOSA to provide heightened supervision of identified offenders while allowing such offenders to remain in the community.

III. POLICY

CSOSA utilizes GPS tracking or curfew monitoring of offenders as a special condition of release ordered by the releasing authority, a case planning and supervision tool, a crime prevention measure, a component of the Agency's graduated sanctions continuum, and as a mechanism for collaborating with the Metropolitan Police Department and other allied law enforcement agencies to track criminal behavior of designated CSOSA offenders. GPS tracking is used to establish curfews for moderate/high risk offenders, to monitor movement of high risk offenders in the community, and to monitor sex offenders and offenders with stay away orders as determined by order of the releasing authority or when determined necessary by a CSO, in consultation with his/her SCSO. The offender is required to sign Global Positioning System (GPS) Basic

Guidelines Contract (Appendix B), which details the terms of the imposed period of GPS tracking.

CSOSA's GPS electronic monitoring technicians are responsible for installing and operating all monitoring equipment. GPS staff also are required to report any curfew violations to the assigned CSO on a daily basis. This information may be relayed via automatic or manually created e-mails, phone calls, faxes, and violation reports. The GPS staff will provide training to CSS staff and allied law enforcement staff as defined by a Memorandum of Understanding (MOU) or formal agreement with CSOSA, make recommendations for improving the GPS process, and investigate offender GPS usage and equipment as requested by the CSO or SCSO.

CSOs are responsible for supervising offenders during the period of GPS tracking/curfew monitoring, closely monitoring their GPS tracks, and preparing any alleged violation reports (AVRs) as needed to advise the releasing authority when verifiable GPS tracking violations occur. CSOs shall review the GPS tracking information received each business day from the GPS Unit to note any violations. Violations must be investigated with the GPS staff, and offenders shall be sanctioned according to CSOSA's policy if violations are substantiated by the GPS staff. Information received from the GPS staff may include automatic or manually sent e-mails, phone calls, faxes, and violation reports. Information received regarding violations is to be noted in SMART, along with sanctions, within three business days of the CSO receiving confirmation from the GPS unit. CSOs also shall log into the GPS software system to review offender tracking points as needed. CSOs shall recommend to the SCSOs offenders for placement on GPS.

SCSOs are responsible for reviewing CSO requests for GPS placement and then referring eligible offenders for GPS tracking or curfew monitoring so GPS staff can begin the monitoring process. SCSOs are to review at least weekly the violation reports received from the GPS staff. SCSOs shall ensure that the CSOs respond swiftly to GPS violations appropriately. SCSOs shall be required to confer with the CSOs within two business days of the receipt of e-mails noting an offender's GPS violation. The purpose of the consultation is to provide direction to the CSO that the appropriate sanction is implemented due to the offender's GPS violation.

IV. AUTHORITIES, SUPERSEDES, REFERENCES, AND ATTACHMENTS

A. Authorities

National Capital Revitalization and Self-Government Improvement Act of 1997, D.C. Official Code § 24-133 (c) (2001 Edition).

28 C.F.R. § 2.85(a)(15) (Conditions of release; D.C. Code parolees)

B. Supersedures

PS 4008, Global Positioning System (GPS) Tracking of Offenders, effective 5/11/2005.
OI CSS-2008-04, GPS Monitoring and Discovery of No GPS Tracking Points, effective 8/21/2008.

C. Procedural References

CSOSA Screener
Graduated Sanctions Policy Statement
Loss-of-Contact Policy Statement

D. Attachments

Appendix A. General Procedures
Appendix B. Global Positioning System (GPS) Basic Guidelines Contract

**Guidance
Disclaimer**

The contents of this guidance do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

APPENDIX A

GENERAL PROCEDURES

Global Positioning System (GPS) monitoring provides a powerful tool to help Community Supervision Officers (CSOs) enforce offenders' compliance with supervision and treatment requirements. CSOSA uses GPS as a tool to enhance the supervision strategies employed by the CSOs. In addition to intensively supervising offenders placed on GPS through office visits, home and employment verifications, and drug testing, GPS is used to closely monitor the movements and whereabouts of offenders placed on GPS. GPS also is used to establish curfews and exclusionary zones where offenders are not permitted to enter.

The GPS Unit is responsible for coordinating and managing the GPS program for CSOSA. CSOs are responsible for reviewing offender compliance with GPS monitoring and taking appropriate action to address violations once verified by the GPS unit.

A. Offender Eligibility Requirements

1. General Eligibility Requirements

The offender must meet each of the following requirements in order to be enrolled in GPS. If all requirements are not met, but extenuating circumstances are reported to the CSO that may pose a problem with the referral to GPS, the CSO shall consult with management for further instruction. CSOs shall proceed with supervision based upon applicable existing CSOSA policies and procedures:

- a. The offender must sign the GPS Agreement;
- b. The offender must agree and have the ability to charge the GPS device every 8-10 hours. Homeless offenders are not prohibited from being placed on GPS. They can report to the GPS office on a daily basis to charge the device, or can report to their assigned CSO/supervision unit to charge their device, as long as a charger is available on the unit;
- c. When applicable, the owner/lessee of the property where the equipment will be installed (if different from the offender) must sign the GPS Basic Guidelines Contract prior to installation of the required equipment;
- d. When applicable, the person in whose name the telephone is listed (if different from the offender and/or the owner/lessee) must sign a GPS Basic Guidelines Contract prior to installation of the GPS equipment; and
- e. The offender must not have willfully destroyed or lost any electronic monitoring or GPS equipment during a previous enrollment period.

2. Special Condition Orders

- a. Offenders placed on GPS pursuant to an order of the releasing authority, generally the USPC or the Superior Court for the District of Columbia, are automatically eligible to participate in the GPS program if all of the general eligibility requirements in section A.1, above, have been met.

If the GPS tracking time frame is not specified in the order from the releasing authority, the referring CSO shall determine the number of days an offender must submit to GPS tracking up to a maximum of ninety (90) days. The tracking period can be extended in 30 day increments with the approval of the SCSO.

3. GPS as a Sanction

In response to non-compliant behavior or identified risk, the CSO may implement GPS monitoring as a sanction on the offender for up to thirty (30) calendar days. Where aggravating circumstances exist, such as continuous curfew violations, new arrest, loss of contact, or positive drug tests, the length of time the offender is placed on GPS tracking may be extended for up to a total of ninety (90) calendar days, upon documented approval of an SCSO.

Offenders may be placed on GPS tracking under any of the following circumstances:

a. Loss of Contact

Once contact is reestablished through an office visit, the CSO shall examine the circumstances resulting in the offender's loss of contact. Should the CSO determine that an actual loss of contact violation has occurred, the CSO shall refer the offender for GPS placement as a sanction within two (2) business days. If the offender is assessed as being high-risk, is a sex offender, or has a stay away order as determined by order of the releasing authority, the CSO and the SCSO shall confer and decide whether to place the offender on GPS tracking within five (5) business days after contact has been reestablished with the offender. These procedures do not supersede CSOSA's policy regarding loss of contact.

b. Re-arrest

Any offender currently under supervision, who is re-arrested and then released to the community pending judicial action, may be referred to GPS as a sanction within five (5) business days of the CSO's notification of the re-arrest in consultation with the SCSO.

The CSO and the SCSO shall confer with respect to the utility of placing the arrested offender on GPS tracking as a sanction and the appropriate number of days if it is determined that GPS tracking would be useful.

c. Sex Offender Cases

Any sex offender presenting high-risk behavior (e.g., unsupervised contact with children, violation of stay-away orders, or substance abuse), as determined through screening and assessment, shall be referred with the SCSO's approval to the GPS staff for GPS tracking for up to ninety (90) days.

Any sex offender with a history of escape from halfway houses or other transitional programs shall be referred to GPS staff for GPS enrollment up to ninety (90) days or, if the offender is assessed as being high-risk for reoffending (maximum or intensive supervision) shall be referred for GPS enrollment for up to ninety (90) days.

d. Mental Health Cases

Mental health offenders who are non-compliant with their supervision plan, as it relates to infractions other than the failure to use their prescribed psychotropic medication, may be referred to GPS staff for GPS enrollment for a minimum of thirty (30) days. GPS will be used to provide close monitoring as a component of their treatment plan to bring them into compliance with supervision.

e. Domestic Violence Cases

Domestic violence offenders who are subject to stay away conditions may be referred to GPS staff for GPS enrollment for up to ninety (90) days based on the risk of the case as assessed by the CSO and confirmed by the SCSO. Domestic violence respondents who are subject to Civil Protection Orders are not eligible for GPS tracking unless the presiding judge has ordered GPS as a special condition, or authorization of the presiding judge and the concurrence of the Assistant D.C. Attorney General is obtained after imposition of the CPO.

f. Recalcitrant, Unemployed Offenders

Offenders who are unemployed and not enrolled in school or a training program; are at maximum or intensive level of supervision; and are not actively, aggressively searching for employment shall be placed on GPS as an incentive to find employment. Once employment has been obtained, and the offender has maintained that employment for 30 consecutive days, the GPS can be removed at the CSO's discretion.

g. PCP Positive Drug Testing Offenders

Offenders testing positive for the drug PCP shall be immediately sanctioned with GPS and referred to the GPS staff for emergency placement on GPS. Continued sanctioning in accordance with Agency policy and procedures also shall be initiated.

B. GPS Monitoring Referral Process

1. Upon determining eligibility for GPS and concurrence with the SCSO, the CSO shall make a GPS referral in SMART within two (2) business days and shall complete and submit via e-mail a GPS monitoring referral form to the GPS Help Desk staff.
2. Within two (2) business days of receipt of the referral, GPS Unit staff shall provide written confirmation of referral receipt to the supervising CSO.
3. Within two (2) business days of the confirmation, GPS staff shall schedule a GPS monitoring equipment installation date at the GPS office
4. GPS staff shall notify the CSO of the scheduled installation date at least three (3) business days prior to installation so the CSO can notify the offender.
5. Should GPS staff be unable to complete the equipment installation process due to the offender's lack of cooperation, the offender's failure to report for GPS equipment installation, or the inability to secure the required authorization from the offender and/or the owner/lessee of the property, GPS staff shall notify the CSO. The CSO shall request cooperation from the offender and/or the owner/lessee. If the CSO is unable to get the needed cooperation, the CSO must notify the releasing authority via an Alleged Violation Report (AVR) within three (3) business days that the offender and/or owner/lessee is not cooperating with GPS installation, and the equipment cannot be installed due to the offender's lack of cooperation.
6. GPS staff shall document in SMART the date that the offender was placed on GPS and any other relevant comments to complete the referral process.
7. GPS staff also shall make an emergency GPS placement, if requested by the SCSO.

C. CSO Responsibilities

Regarding the placement of offenders on GPS, the CSO is responsible to:

1. Identify offenders to be placed on GPS and get concurrence from his or her SCSO.

2. Ensure the offender understands why he or she is being placed on GPS and for how long, if there is a curfew or zone exclusion area, and consequences for failing to abide by the conditions of GPS.
3. Obtain all necessary consent forms from the offender and home owner or leasee, if applicable.
4. Document the CSO referral in the Agency's information system, SMART (Supervision, Management, and Automated Record Tracking system).
5. Send an electronic e-mail copy of the GPS Referral Form to the GPS Unit staff, along with all required consent forms.
6. Consistently and actively monitor an offender's GPS activity for the entire time the offender is on GPS and address all violations within three (3) business days.
 - a. The CSO or designee shall review the offender's compliance on a daily basis by reviewing e-mails, faxes, violation reports, or the GPS tracks and shall immediately address any violations and sanction the offender, if appropriate, according to Agency policy specific to offender sanctioning.
 - b. At least one (1) time per week, the CSO shall review in the GPS software program the offender's movement and discuss with the offender his or her movements in the community to determine areas the offender has frequented that may contribute to new violations, to establish collateral contacts previously unknown, and to assess the offender's compliance with the GPS system. If the offender is found to be in violation of a curfew or zone exclusion area, or has other GPS violations (i.e., bracelet strap, No GPS signals, low battery, etc.), the offender is to be sanctioned according to Agency policy specific to offender sanctioning.
 - c. The CSO shall discuss with the offender any noted GPS violations and, if needed, send the offender to the GPS staff to inspect the GPS equipment and verify that the equipment is fully functional. **NOTE: For offenders on GPS who are assigned to a sex offender team, were placed on GPS as a result of a stay away order, or were identified as a person of interest to any law enforcement partners, the CSO shall view the offender's movement each business day to ascertain if the offender has violated any of the general or special conditions of the offender's release.**
 - d. If the offender is found to be in violation of GPS conditions, the offender is to be sanctioned according to Agency policy specific to offender sanctioning.
7. Consider legitimate requests from the offender to change a curfew schedule. The CSO shall require the offender to provide notice at least two (2) business days in advance of the requested date of curfew change. Legitimate reasons for curfew changes include, but are not limited to: changes in work schedule, death and funerals of close family members, medical emergencies, or severe physical injury. Curfew changes must be

set in the GPS monitoring system and include a signed copy of the curfew schedule, which is to be provided to the offender and maintained in the case file. **NOTE: Curfews are not valid unless signed documentation exists verifying that the offender is aware of the curfew parameters.**

8. Notify the GPS staff of any problems, concerns, changes in offender status, curfew or exclusion zone changes, and offender GPS activations and deactivations.
9. For offenders who are homeless, the CSO shall instruct the offender to report to the GPS staff or assigned CSO's office daily to charge the monitoring device daily in order to download data from the GPS monitoring device.
10. Notify the GPS staff when an offender's GPS device needs to be deactivated due to the offender's status having changed since the offender was placed on GPS (i.e., loss of contact, warrant issued, or rearrest).

D. GPS Unit Staff Responsibilities

The GPS Unit staff must:

1. Place offenders referred by the CSO on GPS within five (5) business days of the initial referral being made, unless the request is for emergency GPS placement.
2. Create a SMART running record to document and notify the CSO that an offender was placed and activated on GPS or did not report for GPS installation as required. The running record is to be e-mailed to the CSO and SCSO.
3. Instruct offenders and/or the owner/leasee on how to properly use the GPS equipment.
4. Notify the CSOs each business day via automatic e-mails, manually generated e-mails, faxes, phone calls, and/or violation reports of offenders who are non-compliant with GPS as evidenced by GPS violations.
5. Investigate alleged equipment failures and provide feedback to the CSO and offender, as appropriate. This information shall be documented in SMART.
6. Manage and track GPS equipment usage and inventory.
7. Work with the GPS system vendor(s) on system issues, billing discrepancies, and system improvements.
8. Remove offenders from GPS and obtain equipment with documentation in SMART.
9. Communicate regularly with CSOs, SCSOs, BCs, and management on GPS issues.

10. Train CSOSA staff and other allied law enforcement agencies on GPS tracking, technology, and issues.

E. Offender and Owner/Leasee GPS Responsibilities

To participate in GPS tracking, both the offender and owner/leasee of the residence in which the offender is residing, if applicable, must agree to adhere to the following conditions during the period of GPS tracking:

1. The CSO shall instruct an offender on GPS to:
 - a. Observe any curfew during the hours specified by the releasing authority and/or supervising CSO in the Offender Agreement and any prohibited zone locations specified by the supervising CSO or releasing authority.
 - b. Allow GPS staff reasonable access to install, service or inspect, disconnect and remove the GPS tracking equipment in the residence.
 - c. Wear an ankle transmitter at all times during the established period of GPS monitoring.
 - d. Comply with the verbal and written instructions, provided by GPS staff or the supervising CSO, for proper operation of the tracking device.
 - e. Furnish electrical power and telephone service, if applicable.
 - f. Refrain from tampering with or removing the tracking device without permission from GPS staff or the supervising CSO.
 - g. Immediately inform the supervising CSO in advance of any change of address, telephone number, discontinuation of phone service, change in home ownership or lease, or any emergency situation necessitating the offender's departure from the residence during the tracking period.
 - h. Report immediately to the CSO and GPS staff any equipment damage, malfunction, or power outages.
 - i. Return the GPS equipment without significant external or internal damage caused by negligent handling or deliberate actions.
 - j. Sign the Global Positioning System (GPS) Basic Guidelines Contract and Tracking Equipment Assignment Contract.

- k. Charge the device every 8-10 hours for 45 minutes to one (1) hour.
 - l. Provide notice to the offender of the consequences for non-compliance with this Policy Statement.
2. Owner/Leasee Conditions

When applicable, the supervising CSO must obtain the written consent and agreement of the owner or leasee of the residence in which the offender will reside to agree to have the GPS tracking equipment installed, prior to the installation of the GPS equipment, if the offender is not the resident owner or leasee of his or her residence. In the written consent form, the owner/leasee must agree to:

- a. Allow GPS staff reasonable access to install, service, inspect, disconnect and remove the GPS tracking equipment in the residence.
- b. Furnish electric power and telephone service for the GPS tracking of the offender living in the residence beginning on the date requested and for the duration of the stated monitoring period.
- c. Follow the verbal and written instructions provided by GPS staff pertaining to proper operation of the GPS device.
- d. Refrain from tampering with or removing the GPS equipment without permission from GPS staff.

F. GPS Violations, Sanctions, and Alleged Violation (AVR) Reports

The offender population is very creative in its attempts to find ways to deter GPS detection. For example, offenders have learned that wrapping the GPS device in aluminum foil can make the GPS tracking points untraceable and disappear. Offenders also may devise other methods to deter GPS detection. Until technology is implemented to address this issue, CSOs must be vigilant in reviewing offenders' GPS activities via GPS reports, GPS tracks, faxes or e-mails on a daily basis so that acts of non-compliance can be quickly identified and sanctioned.

All GPS violations shall be investigated by the GPS Unit staff upon request by the CSO and, if found valid, the offender is to be sanctioned according to Agency policy. The violation and sanction shall be documented in SMART, as appropriate and according to Agency policy, within three (3) business days of discovering the violation.

1. Types of Violations

a. Refusal to cooperate with GPS placement.

If an offender is referred for GPS tracking but fails to report as scheduled for the initial GPS equipment installation, the GPS staff shall notify the CSO immediately by placing a running record entry into SMART noting the offender's no-show for GPS installation. The GPS staff will e-mail the running record to the assigned CSO. The CSO is to sanction the offender for not reporting as required and is to re-refer the offender for GPS enrollment. If the offender's failure to report is excused by the CSO, the CSO shall reschedule the offender's installation within five (5) business days. If the offender fails to report for the second installation date, and that appointment is not excused by the CSO, the CSO shall submit an Alleged Violation Report to the releasing authority within three (3) business days of the second missed date.

b. No GPS Alert.

The No GPS alert means that the GPS device is not able to determine the offender's location for a predetermined length of time, usually after one (1) hour, and will result in a No GPS alert. With a No GPS alert, the GPS device is working and calling into the GPS system with monitoring data. However, because of poor cellular coverage or some kind of interference in certain areas, the device cannot be picked up by the satellites. Offenders who reside in apartment complexes may experience No GPS alerts more often. However, the GPS system can still track the offender's last movement before the No GPS alarm first started.

c. Low Battery Alarm.

A low battery alarm occurs if the battery is in need of charging. If the offender fails to charge the battery after receiving this warning, the GPS device will continue to buzz until the device shuts down, and the offender will not be able to be tracked. **The low battery alarm violation usually precedes the message gaps violation.**

d. Message Gaps.

Message gaps are generated after the GPS system has not communicated with the GPS device for a predetermined amount of time one (1) hour. Typically, this violation is caused because the GPS device has lost power due to it not being charged correctly, the GPS device is in a poor cellular coverage area, or the offender may be tampering with the GPS device by putting aluminum foil around the unit or trying to circumvent the signal. The best indicator that the GPS device

has lost power and simply needs to be recharged is when the message gap violation was preceded by a low battery event, usually four (4) hours before the message gap event occurs. Additionally, when the offender charges the device, the data are called in and will send in all GPS points and event records that occurred during the time of the message gap.

e. Bracelet Strap Alert.

A bracelet strap alert is an indication that some type of strap tamper has occurred. The offender may have removed the device and/or the device may be sending a false reading. The bracelet strap alert violation occurs as soon as the device is removed or is not operating properly. All offenders who receive a bracelet strap violation shall be sent to the GPS office by the CSO as soon as the CSO is aware that a violation has been detected, or the next business day, so that the GPS staff can conduct an investigation to determine if the violation is valid.

f. Inclusion Zone (Curfew) Alert.

An inclusion zone alert is produced when the GPS offender who has a scheduled curfew has gone outside of his or her area, namely the place of residence or has not returned prior to the curfew expiring. In either case, the offender is outside of his or her coverage area. The CSO shall refer the matter to the GPS unit to investigate the alert to determine if the zone needs to be adjusted, or if the address needs to be updated.

g. Exclusion Zone Alarm.

An exclusion zone alarm is produced when the GPS offender enters into a restricted area designated as off limits by the CSO and/or the releasing authority. This alarm indicates that the offender, who was instructed to stay away from the location, has violated this condition.

h. No GPS Points—Possible GPS Tampering.

Offenders who attempt to hide their GPS data may wrap their GPS device in aluminum foil. To identify these cases where GPS tracking points are missing, it is imperative that the CSO review GPS data on a daily basis to determine if any GPS tracking points are missing for an extended period of time where the reason for the missing points cannot be attributed to the offender cutting off the GPS bracelet or failing to charge the GPS device. An extended period of time is for 15 minutes or greater. If the offender tampers with the GPS device, such as by wrapping the GPS device in aluminum foil, an automatic violation may not be recorded. One can assume that an offender who attempts to thwart the GPS signal may be engaging in criminal activity that the offender does not want to be known to the Agency or the Metropolitan Police Department (MPD). Therefore, it is

critical that the CSO review the GPS tracking points on a daily basis to determine if any are missing.

2. Sanctions in Response to Violations.

Before an offender is sanctioned for a GPS violation, or the violation is cited in an AVR, the violation must be investigated to determine if the GPS violation is valid. Upon discovering a possible violation, the CSO is to contact the offender within one (1) business day and direct the offender to report into the office to address the violation issue. The CSO also is to contact the GPS unit staff to determine if there was any GPS system or equipment issue that could have resulted in a violation. The GPS staff and the CSO shall confirm the validity of any and all GPS violations to ensure the violation is not due to a misunderstanding on the part of the offender on how to operate the equipment, or is not defective equipment. The CSO, duty officer, SCSO, or BC should see the offender within one (1) business day of the day that the violation is discovered, if possible.

a. Confirmation of the First Valid Violation.

After confirmation from the GPS Unit staff that the equipment is functioning and operational on the offender, the CSO shall recommend a sanction for the first confirmed violation of:

- i. No GPS Alert, No Message, and Battery Alarm where the signal was lost for more than 15 minutes.
- ii. Missing GPS tracks that could indicate tampering with the GPS device, as evidenced by No GPS alert violation or message gap violations.
- iii. Bracelet Strap Alert, where the out of range was more than ten minutes.
- iv. Inclusion Zone (Curfew) Alert, where the curfew violation lasted more than ten minutes.
- v. Exclusion Zone Alarm for any length of time. Recommended sanction is modifying the curfew or increasing the offender's reporting frequency and submission of an AVR report.
- vi. Failure to comply with the conditions of the GPS contract, failure to charge the device, or failure to comply with curfew requirements.

In the case of missing GPS points, the CSO is to discuss with the offender the issue of the missing GPS tracking points to determine if the offender has any explanation for the missing GPS tracking points. The CSO also should ask the offender about his or her whereabouts over the period that the GPS tracking points are missing. If the GPS Technician is available, the CSO shall have the GPS technician check the offender's GPS device to ensure it is fully functional or shall call the GPS technician to determine if there is any system issue.

If the CSO, in consultation with the SCSO, determines there is probable cause to believe that the offender may have purposefully tampered with the GPS tracking device, the CSO should consider suspending the offender from the community via the Halfway Back option. One can assume that the offender's efforts to thwart the GPS signal result from the offender engaging in activity that he or she does not want to be known to the Agency or MPD.

For offenders suspected of tampering with their GPS device, a response short of revocation needs to be imposed on these offenders. Continued infractions will require notification via an Alleged Violation Report (AVR) to the releasing authority requesting graduated jail sanctions in probation cases and a Residential Reentry Center (RRC) placement in parole and supervised release cases.

At the time the violation is confirmed and the offender is sanctioned, the CSO shall review with the offender the GPS Basic Guidelines Contract (Appendix B) and advise the offender that a violation has occurred and what the offender must do to ensure that he or she does not incur any future violations.

b. Confirmation of a Second Valid Violation.

If the offender incurs a second, confirmed GPS violation, the CSO shall:

- i. Set up an SCSO conference within three (3) business days of the second violation, sanction the offender, and notify the releasing authority by submitting an AVR report.
 - ii. Maintain the offender in GPS tracking until a disposition is rendered by the releasing authority to address the monitoring violation, generally not to exceed ninety (90) days.
- c. The CSO shall submit an Alleged Violation Report (AVR) to the releasing authority within three (3) business days of the following violations:
- i. Verified information that the offender's ankle transmitter has been removed by the offender (bracelet strap violation);
 - ii. Verified information that the offender has violated a stay away condition (from person or place); or
 - iii. Verified information that the offender willfully destroyed the GPS monitoring equipment.

The CSO shall report offender rearrests in accordance with the established CSOSA policies and directives.

3. GPS Monitoring.

The CSO must review the daily GPS incident and violation reports of offenders assigned to them to determine if any GPS monitoring violations occurred. As stated previously, the GPS Unit should be contacted to confirm any GPS violation.

G. GPS Equipment

The GPS equipment consists of a tracking device, which is a small bracelet transmitter with a strap that is placed on the offender's ankle.

The ankle transmitter is waterproof and is not to be removed by the offender during the entire monitoring period. Some GPS devices may minimally disrupt telephone conversations, but will not affect the telephone bill on the phone line to which it is connected.

The GPS anklet bracelet transmitter is designed to communicate with the ankle bracelet and GPS satellites. The anklet bracelet transmitter will collect position data via GPS once every minute. The device will store the last known data point for use by tracking staff.

Data collected by the GPS device is downloaded every ten (10) minutes via the satellites that call into a data center. Once downloaded, the data can be observed through GPS mapping, monitoring status reports and cell phone alerts.

1. Equipment Failure

Any of the following events shall constitute an equipment failure:

- a. A physical breakdown of the functioning of the ankle strap or transmitter device;
- b. An electrical power outage lasting for more than forty-eight (48) hours and affecting the offender's residence of record; or
- c. When applicable, telephone service is discontinued, in instances when additional GPS equipment must be placed in an offender's residence and telephone service is required.

2. Responses to Equipment Failure.

- a. GPS staff shall respond to an equipment failure by scheduling an equipment inspection within one (1) business day of the vendor/offender notification of the failure.

- b. Within two (2) business days of the equipment inspection, GPS staff shall complete and make the appropriate running record entry in SMART and in the GPS access log.

H. GPS Installation, Activation/Deactivation, and Removal.

The GPS Unit staff is responsible for installing the GPS equipment, activating the GPS unit, and deactivating the GPS unit.

1. GPS Installation. Prior to installation, the SCSO shall confirm with the CSO that the CSO has received all necessary written authorization forms. The GPS staff shall:
 - a. Schedule the installation of the GPS tracking device in the offender's address of record, if applicable, within three (3) business days of the receipt of the GPS monitoring referral from the CSO. Prior to installation, GPS staff shall confirm that the CSO has received all necessary written authorization forms.
 - b. On the date of the installation, arrive at the time of the scheduled appointment, review the GPS Basic Guidelines Contract with the offender, if applicable, provide owner/leasee/offender with a copy of the signed contracts, provide the offender with a copy of any operating instructions, and answer any questions from the offender and/or residents at the address.
 - c. After the contracts and questions have been addressed, install the GPS tracking equipment by locking the ankle bracelet on the offender, connecting the equipment if applicable, and testing the equipment to ensure that all equipment is properly operating.
 - d. Notify the CSO that full tracking equipment installation was completed within one (1) business day by entering a running record entry in SMART for activation and e-mailing the running record entry to the CSO. The standard or alternate monitoring schedule shall begin immediately after the completed installation of the monitoring equipment.

2. GPS Activation/Deactivation.

It is the CSO's responsibility to request the GPS Unit staff to activate or deactivate an offender on GPS. The CSO shall notify GPS staff, via e-mail, of the decision to terminate an offender's GPS tracking within three (3) business days of the determination to do so. The CSO is to update the offender's GPS referral in SMART to document the date GPS was completed.

Upon receiving notification from the CSO to activate or deactivate an offender's GPS unit, the GPS staff shall:

- a. Notify the CSO via e-mail that the offender was activated or deactivated.
- b. Document in SMART the date of the activation or deactivation and any relevant information within one (1) business day of activating the offender on GPS or deactivating the offender's GPS.

3. Removal of GPS Equipment

Once the CSO has notified the GPS staff that an offender's GPS is to be deactivated, the GPS staff shall:

- a. Schedule an appointment with the offender for removal of the GPS device equipment within three (3) business days of the CSO's notification of the GPS tracking termination.
- b. Receive the assigned GPS equipment (GPS device bracelet and charging adaptor) from the offender when the offender reports to the GPS office on the scheduled date.
- c. Close out the entry of the tracking log, documenting the date of return and the condition of the equipment at the time the equipment was returned.
- d. Document in SMART and report to the SCSO all instances of significant damage to any of the equipment which renders the equipment inoperable.

If the offender was rearrested, and the arresting authority removed the offender's GPS equipment, the GPS staff shall make every effort to contact the arresting authority and retrieve the GPS equipment.

APPENDIX B

GLOBAL POSITIONING SYSTEM (GPS) BASIC GUIDELINES CONTRACT GPS and Tracking Equipment Assignment Contract (TO BE PLACED ON CSOSA LETTERHEAD)

The following rules apply to the Global Positioning Satellite System (GPS) Tracking Program. Failure to comply with the following conditions would constitute a violation of your parole/probation/supervised release and subject you to possible revocation.

1. You will inform all with whom you reside that you are required to comply with GPS monitoring set up by the Court Services and Offender Supervision Agency (CSOSA or Agency) and that they must not interfere with the monitoring equipment. You will explain to them, if applicable, that the monitoring equipment will impose minimal impact to the phone system, but will not significantly interfere with regular phone or Internet use.
2. You will wear an ankle bracelet at all times and will not remove or interfere in any way with the functioning of the device system by removing, attempting to mask signals, disconnecting or destroying for any reason.
3. The first day that you are installed on this system, you will have to charge the device prior to going to bed for forty-five (45) minutes to one (1) hour. After the first day, you must place your assigned equipment device in the charger every eight (8) to ten (10) hours, for forty-five (45) minutes to one (1) hour. **(During the charging period, the light on the tag should be orange and then it will turn green). Call your Community Supervision Officer's (CSO's) or the GPS office if the orange light comes and stay on. Failure to report any malfunctions will result in a violation.**
4. **DO NOT** go to sleep while charging the device (charging the device while sleeping) because you may forget that you have the charger on and break it. Do not attach extension cords to the device and do not charge the device while driving.
5. If the GPS device vibrates on your leg this means that the device's battery is low and needs to be charged as soon as possible. Failure to charge the device in a timely manner will result in the device not communicating correctly and will begin sending your CSO alerts that you are not comply with the charging requirements. When the device gets a low battery, your charging time will need to be increased from forty-five (45) minutes to one (1) to two (2) hours. Therefore, it is important to maintain a good charge on the device daily.
6. You will respond to any and all efforts to communicate with you initiated by your CSO or other representative of this Agency.

7. You will report any perceived defects, damage or malfunctions of the equipment immediately to your CSO or other representative of this Agency and follow any instructions given to you by staff concerning this situation.
8. The GPS device must not be taken into a pool, hot tub, or bath tub (**you may take a shower while wearing the device**).
9. You must return the GPS equipment in good working order once this Agency determines that it is time for you to be removed from the system.
10. Should those with whom you reside refuse to permit the monitoring system to be installed, you will explain to them that GPS monitoring is being imposed because you are in violation of your probation/parole/supervised release conditions. GPS is being offered to you as an alternative to incarceration. If you are not able to comply with this sanctioning alternative, you will be subject to having your probation/parole/supervised release revoked and being sent to prison.
11. If applicable your telephone, must be of approved quality.
12. You must obtain approval 2 days in advance from your Community Supervision Officer to change your curfew schedule, if applicable.
13. You must allow CSOSA GPS unit staff reasonable access to your residence to inspect, install or remove the equipment assigned to you upon request.
14. You are responsible for the care of the equipment issued to you. You will be held financially responsible for any malicious destruction of the equipment and be criminally prosecuted for destruction of property or theft. **DO NOT THROW IT AWAY** The value of the equipment exceeds \$1,500, and unauthorized disposal of it constitutes a felony offense.
15. The GPS equipment must be maintained in the location designated by CSOSA.

Other Instructions: The GPS monitoring system is used by CSOSA to impose a sanction on an offender who has violated his/her probation or parole and to monitor those who may pose a serious community safety risk.

1. You understand that if you experience what is considered to be a malfunction of any kind, such as a power outage or other occurrence that will interfere with the compliance of the GPS equipment, you must contact the CSO's office immediately or you may call the GPS office with questions on **(202) 585-7348**.
2. You understand that removing the GPS device or leaving the GPS device at home, work, or other places will be grounds for a violation. If such occurs, you must notify your CSO immediately.
3. You will follow all established **GPS** home, work, etc. rules. Deviation from your schedule and/or approved travel route is a violation.
4. You will not enter areas that are defined as off limits (**stay-aways**).
5. You are to respond immediately to all tag vibration and buzzing messages that are transmitted to your GPS device; you are to call the CSO's office immediately. **Do not press the "Status Button"**.
6. You will notify your CSO of all court proceedings and the outcomes of such proceedings while you are being electronically monitored, specifically, if you are remanded, detained or placed in custody by another law enforcement agency.
7. You understand that all of your movements will be tracked and stored as an official record.

Home Owner/Leasee Agreement (if not the offender, when applicable):

1. As the home owner/leasee, I understand that CSOSA must seek my approval to allow the GPS monitoring equipment to be installed in my home. I understand that I may refuse to have this system installed in my home. I further understand that my refusal to comply could cause the parolee/probationer residing in my home to face adverse legal action, including his/her incarceration. I understand that the GPS system may cause minimal interference with my phone line. If I choose to agree to this arrangement, I will:

- Provide electric power.

The rules of the Electronic Monitoring Program have been provided to and discussed with me. I fully understand what is expected of me, and the possible consequences of my failure to comply with these rules. My signature confirms the above and my receipt of the Electronic Monitoring Equipment.

I agree to have this GPS equipment installed:

Signature of Owner/Lessee

I DO NOT agree to have this GPS equipment installed:

Signature of Owner/Lessee

(Offender Signature) Date: _____

(Offender / Printed Name)

(EMT Signature) Date: _____

(EMT Printed Name) EMT Tel: _____