ARIZONA JUDICIAL COUNCIL

Request for Council Action

Date Action Requested:	**Type of Action Requested:**	**Subject:**
May 22, 2007	_x_ Formal Action/Request __ Information Only __ Other	Statewide GPS Policies and Procedures

FROM: Adult Probation Department

DISCUSSION:

1. Determine how the state of Arizona shall use both active and passive monitoring.

2. The current provisions D and E of the draft GPS Policies and Procedures provide that the sentencing judge determines the placement of a probationer on active or passive monitoring, as well as the level of passive monitoring pursuant to the recommendations of the APD.

Discuss the following alternative options:

   a. The Policies and Procedures provide that all probationers are placed on active monitoring for 6 months and then the probation officer will petition the court to modify the monitoring if appropriate, or
   b. The sentencing judge orders that the APD is in charge of placing a probationer on active or passive monitoring and determining the level of passive monitoring based on risk assessment.

3. The current provision 4.2.b of the draft GPS Policies and Procedures provides that during business hours, after hours, weekends and holidays, for the category A violations (*i.e.* highest violations) for active and all levels of passive monitoring the APD's designee shall initiate an appropriate response upon receiving the information <u>as soon as possible but not later than within 60 minutes</u>.

Discuss the following alternative options:

a. The APD's designee shall initiate an appropriate response upon receiving the information as soon as possible, or
b. The APD's designee shall initiate an appropriate response upon receiving the information within a reasonable time.

4. Address any other issues regarding the GPS Policies and Procedures.

RECOMMENDED COUNCIL ACTION:

Vote to support the GPS Policies and Procedures.

DRAFT
ARIZONA SUPREME COURT
ADMINISTRATIVE OFFICE OF THE COURTS
GPS POLICIES AND PROCEDURES

A. Definitions

•Dangerous Crime Against Children (DCAC):

Conviction as defined by A.R.S. §13-604.01(M). A probationer convicted for DCAC on or after November 1, 2006, shall be placed on Global Position System monitoring for the duration of the term of probation.

•Pro Tech:

Statewide contractor for the GPS program.

•Global Position System (GPS):

Worldwide satellite navigational system formed by 24 satellites orbiting the earth and their corresponding receivers on the earth. The GPS satellites continuously transmit digital radio signals that contain data on the satellites location and the exact time to the earth-bound receiver by using three satellites, GPS can calculate the longitude and latitude of the receiver based on where the three spheres intersect. By using four satellites, GPS can also determine altitude.

•GPS Monitoring:

The Adult Probation Department and the Regional Monitoring Center upon receiving a violation notification from Pro Tech shall initiate an appropriate response 24 hours a day seven days a week within a specific time frame pursuant to provisions K, L and M.

The Adult Probation Department and the Regional Monitoring Center do not monitor a screen 24 hours a day, seven days a week.

•Miniature Tracking Device (MTD):

Mechanism that receives information wirelessly from the ankle bracelet transmitter and GPS satellites. The MTD also receives the violation notifications sent automatically by Pro Tech's server, as well as text messages sent by the supervising officers or the Monitoring Analyst. The probationer is required to acknowledge receiving the text messages.

•Ankle Bracelet:

The transmitter and strap installed on the probationer's ankle, which serves as a wireless electronic tether to the MTD.

•Docking Station (Base Unit):

A small stationery device used to recharge the MTD and transmit all location history information and violation information to the vendor's server. The Docking Station is programmed to call Pro Tech every 6 hours to report its status.

•Inclusion Zone:

If the probationer leaves this area an alarm will issue.

•Exclusion Zone:

If the probationer enters this area an alarm will issue.

•Pro Tech Client Enrollment Application (PCE):

PCE is tracking and monitoring software installed on the APD computers system. PCE provides access to reports, maps and offender's information. It also allows users to enter and change data *i.e* probationer's information, exclusion and inclusion zones, case notes.

•Daily Violation Summary Report (DVSR):

This report lists daily violations of all probationers. This report is available for active and all passive monitoring.

This report is generated once per day every day of the week and is automatically sent to the APD's designees and the Monitoring Analyst by email, the following morning around 7 am.

•Violation Notification:

Pro Tech's computer sends automatically notifications for active and passive levels 2 and 3 monitoring. The notifications are sent for the violations selected in PCE by the APD's designee. The APD's designee shall select to receive violation notifications for all category A violations: bracelet strap, base unit unable to connect, MTD unable to connect (passive and active), hot zone, MTD battery (active), motion no GPS (active), bracelet gone (active), MTD tamper.

For active monitoring, the violation notification is sent to the APD's designees and the Monitoring Analyst within 2 minutes of Pro Tech's computer receiving the

alert (once receiving the cellular communication) by email (sent to a desktop computer, a laptop or any devices that can receive a text message *i.e.* cell phones, alphanumeric pagers, PDA), page, or fax.

For level 2 passive, the violation notification is sent to the APD's designees and the Monitoring Analyst by email (sent to a desktop computer, a laptop or any devices that can receive a text message *i.e.* cell phones, alphanumeric pagers, PDA) within 2 minutes of the server receiving the alert (once MTD is docked).

For level 3 passive, the violation notification is sent to the APD's designees and the Monitoring Analyst by email (sent to a desktop computer, a laptop or any devices that can receive a text message *i.e.* cell phones, alphanumeric pagers, PDA), fax or page within 2 minutes of the server receiving the alert (once MTD is docked).

•Active Global Position System Monitoring:

Collects coordinate information from satellites once per minute and transmits via cellular communications each hour. However, when in a "violation" status, the person's location is collected every 15 seconds; the first violation point is transmitted upon the violation, and the following violation points are transmitted after the violation clears or after a download command is sent to the Miniature Tracking Device (MTD).

Pro Tech's computer automatically generates a Daily Violation Summary Report (DVSR) once per day, everyday of the week which is sent to the Adult Probation Department (APD)'s designees and Monitoring Analysts by email the following morning around 7 am (mountain zone).

Pro Tech's computer also automatically generates Violation Notifications every day of the week which are sent within 2 minutes of Pro Tech's computer receiving the alert (by cellular communication) to the APD's designees and the Monitoring Analyst by email (sent to a desktop computer, a laptop or any devices that can receive a text message *i.e.* cell phones, alphanumeric pagers, PDA), page, or fax.

•Passive Global Position System Monitoring:

Collects and stores in the Miniature Tracking Device (MTD) a full day of coordinate information from satellites once per minute and upon the MTD being placed in the Base Unit (docking station) transmits information by a land line telephone to Pro Tech's computer (presumably once per day, but can be multiple times). However, when in a "violation" status, the person's location is collected once every 15 seconds until the violation is cleared, but this information is not transmitted to Pro Tech's computer until the MTD is docked.

•level 1: Pro Tech's computer automatically generates a DVSR once per day every day of the week which is sent to the APD's designees and the Monitoring Analyst by email, the following morning at approximately 7 am (mountain zone).

•level 2: Pro Tech's computer automatically generates a DVSR once per day every day of the week which is sent to the APD's designees and the Monitoring Analyst by email, the following morning at approximately 7 am (mountain zone).

Pro Tech's computer also automatically generates Violation Notifications which are sent every day of the week within 2 minutes of the computer receiving the alert (once the MTD is docked) to the APD's designees and the Monitoring Analyst by email. E-mail may be sent to a desktop computer, a laptop or any devices that can receive a text message *i.e.* cell phones, alphanumeric pagers, PDA.

•level 3: The same as level 2 monitoring. The only difference is that the violation notification is sent not only by email (to a desktop computer, a laptop or any devices that can receive a text message *i.e.* cell phones, alphanumeric pagers, PDA), but also by fax or page.

•Manual Screening of Alerts:

Pro Tech will provide manual screening of alerts for passive monitoring levels 2 and 3 and active monitoring utilizing call center staff for an additional fee of one dollar per day, per probationer. When a violation cannot be otherwise cleared the call center staff will make phone calls to the probationers and/or to the APD's designees. Pro Tech does not offer Manual Screening of Alerts for level 1 passive monitoring.

•Case Management:

The Case Management tool allows officers to add notes on probationer activity and address equipment and technology issues with the ability to sort data by date or probationer name. The Case Management also contains Pro Tech Call Center staff outcome of the telephone contact made with the probationer.

This Case Management is accessible on-line through the PCE website.

•Regional Monitoring Center (RMC):

For the purpose of the GPS program, the State of Arizona is divided into 3 Regional Monitoring Centers.

The northern center (Yavapai County) serves 7 counties: Apache, Coconino, Gila, La Paz, Mohave, Navajo, and Yavapai.

The central center (Maricopa County) serves 1 county: Maricopa.

The southern center (Pima County) serves 7 counties: Cochise, Graham, Greenlee, Pima, Pinal, Santa Cruz, and Yuma.

•Monitoring Analyst:

Officers assigned to a RMC. Monitoring Analyst is responsible for monitoring duties in the APDs geographically falling into the same RMC.

B. Applicability

A.R.S. § 13-902(G) provides that "beginning November 1, 2006, after conviction of a dangerous crime against children as defined in 13-604.01, if a term of probation is imposed, the court shall require global position system monitoring for the duration of the term of probation".

Administrative Order 2006-90 provides that that the Administrative Director of the AOC shall adopt policies and procedures that are necessary to implement a statewide GPS monitoring program.

C. Purpose

These Policies and Procedures establish statewide minimum requirements for active and passive GPS monitoring for APDs. Each APD may enhance these minimum requirements to promote community safety.

D. Criteria to Determine the Placement on Active or Passive Monitoring

At sentencing, the judge shall determine the placement of a probationer on active or passive monitoring pursuant to the recommendations of the APD.

The APD shall recommend the placement of the probationer on active monitoring in case the probationer cannot purchase or access to a land line telephone in order to use cell phone communication.

E. Determination of the Level of Passive Monitoring

At sentencing, the judge placing a probationer on passive monitoring shall designate the level of passive monitoring pursuant to the recommendations of the APD.

During supervision of the probationer, any modification of the level of passive monitoring based upon a modification of the level of supervision, shall be as required by the probationer's placement on Standard or Intensive Probation consistent with Arizona Code of Judicial Administration (ACJA) § 6-201 or 6-202.

F. Caseload Ratios

1. Probation Teams' Caseloads

a. According to Administrative Order 2006-90, "Each offender sentenced to standard probation under the requirements of A.R.S. § 13-902 (G) shall equate to 3 offenders for determining compliance with caseload limit requirements of A.R.S. § 12-251 (A)".

b. According to Administrative Order 2006-90, "Notwithstanding the requirements of ACJA § 6-202: Adult Intensive Probation, specifically § 6-202 (K)(1) and (K)(2), an intensive probation team or any component of the team may supervise probationers sentenced to A.R.S. § 13-902 (G), if caseload capacity allows".

2. Monitoring Analyst's Caseload

Each Monitoring Analyst shall monitor full time no more than 30 probationers on GPS, except in cases of, notably, vacancy of position, vacation or covering of cases for another Monitoring Analyst.

G. Regional Monitoring Center's Responsibility

1. The department that operates each RMC shall hire and supervise Monitoring Analysts using the GPS funding allocated to them by the AOC for this purpose.

Each RMC shall have at least two Monitoring Analysts dedicated to the GPS program. Except for cases noted in F.2 above, once the number of cases monitored full time by each Monitoring Analyst exceeds 30 cases, the Presiding Judge may apply to the AOC for an additional Monitoring Analyst position.

Each RMC is in charge of determining the schedule of the Monitoring Analysts to ensure that the DVSR are reviewed and that the officers are contacted by noon each day of the week.

2. The RMC are in charge of reviewing and approving the monthly GPS monitoring invoices.

Each Department that operates an RMC, Maricopa, Yavapai and Pima shall designate a person in charge of reviewing and approving the monthly Pro Tech GPS monitoring invoices. The person in charge shall review the invoices, indicate approval or disapproval, and send the reviewed invoices to the Adult Probation Division of the AOC within 7 days of receipt. The person in charge shall state in detail the reason for disapproval of any invoice.

H. Tracking of Offenders Prior to Sentencing or Releasing for DCAC

Prior to sentencing or release of a DCAC offender, the APD shall designate a person in charge of tracking the offenders. That person shall be responsible for:

a. Obtaining from the pre-sentence officers upon assignment of a DCAC case the last and first name of the offender, the case number, the sentencing date, any jail time imposed or any other information deemed necessary.

b. Communicating the information once received to the RMC monitoring their county.

c. Ensuring that the APD has the necessary equipment inventory on hand to place a probationer on GPS monitoring upon report by the probationer sentenced for DCAC to the APD for supervision.

I. APD's Designee General Responsibility

The Policies and Procedures below establish statewide minimum requirements for active and passive GPS monitoring for APDs. Each APD may enhance these minimum requirements to promote community safety.

1. Enrollment of a probationer

a. Upon report by the probationer sentenced for DCAC to the APD, the APD's designee shall enroll and activate the GPS monitoring with the assistance of the Monitoring Analyst.

b. The APD's designee shall ensure before activating monitoring of the probationer that at least the following information is entered in PCE with the assistance of the Monitoring Analyst:

- probationer's information,
- inclusion and exclusion zones defined under the supervision of a supervisor,
- victim's information,
- APD's recipients of the DVSR,
- APD's recipients of the phone calls and violation notifications pursuant to provision K "Specific Actions for Category A of violations".

c. The APD's designee shall ensure that all the information entered in PCE is accurate.

2. Ongoing information to enter in the PCE application

a. Upon receipt of new information, APD's designee shall with the assistance of the Monitoring Analyst update the information available in PCE to reflect any modification of the information required in paragraph 1.b. above.

b. The APD's designee with the assistance of the Monitoring Analyst shall ensure that a picture of the offender is available in PCE within a maximum of 30 days upon activating a probationer on GPS monitoring.

3. Procedure to place a probationer on GPS monitoring

After installing the GPS monitoring equipment on the probationer and prior to activation, the APD's designee shall:

- Read and explain the APD Global Positioning System Rules document to the probationer and obtain the probationer's signature on the document,
- Instruct the probationer on how to respond to messages sent to the MTD,
- Provide Pro Tech Monitoring Inc. Participant User Guide to the Probationer,
- Confirm that the GPS monitoring equipment is operating correctly.

4. Supervision of a probationer on GPS monitoring

The APD's designee shall provide specific information and response to each category of violations pursuant to provisions K (Specific Actions for Category A), L (Specific Actions for Category B) and M (Specific Actions for Category C) of these policies and procedures.

5. Deactivation of GPS monitoring of a probationer

a. A probationer shall be deactivated from PCE in the following cases:

- Expiration, termination or revocation of probation status,
- Probationer is considered an absconder,
- Arrest of the probationer,
- Death of the probationer,
- Court order.

b. Within 24 hours of expiration, termination, revocation of probation status, determination of absconder status, arrest of the probationer, death of the probationer or court order, APD's designee shall:

- Request the Monitoring Analyst to deactivate the probationer from PCE indicating the reasons of this deactivation,

- Return available deactivated equipment to the person in charge of the equipment in each APD.

c. APD's designee shall make every effort to retrieve GPS equipment and return it to the person in charge of equipment in each APD.

J. Monitoring Analyst's General Responsibility

The Policies and Procedures below establish statewide minimum requirements for active and passive GPS monitoring for APDs. Each Regional Monitoring Center may enhance these minimum requirements to promote community safety.

1. Monitoring Analysts shall, notably but not exclusively:

a. Assist the APD's designee in enrolling and activating a probationer on GPS monitoring,
b. Assist the APD's designee in entering and updating the data in PCE,
c. By noon each day of the week, review the DVSR and make a voice contact with the APD's designee(s) if a violation has occurred. Until the violation is cleared, the Monitoring Analyst shall maintain communication with the APD's designee(s) pursuant to provisions K, L and M of these policies and procedures.
d. Be the liaison with AOC and Pro Tech Call Center unless otherwise designated by local APD,
e. Function as a back up to the APD's designees in responding to violation alerts in exceptional circumstances and upon approval of the Monitoring Analyst's supervisor,
f. Deactivate a probationer from PCE upon request of the APD's designee. Insure that Pro Tech deactivates the probationer from PCE,
g. Serve as a resource and mentor to officers with GPS cases.
h. Update PCE maps with private and public schools, as well as with licensed day cares with the assistance of the APD's designee.

2. In exceptional circumstances, a Monitoring Analyst of one county may provide temporary coverage for an RMC of another county. In such a case, the RMC requesting the coverage shall:

- Obtain the approval of the chief probation officers or designees of each RMC,
- request Pro Tech to send the DVSR to the Monitoring Analyst providing coverage,
- indicate the email address of the Monitoring Analyst providing coverage to Pro Tech,
- specify the period of time of the coverage to Pro Tech.

3. Each RMC may increase and add duties to the Monitoring Analyst.

K. Specific Actions for Category A Violations.

1. The policies and procedures below establish statewide minimum requirements for active and passive GPS monitoring for APDs. Each APD may enhance these minimum requirements to promote community safety.

2. Violations Category A are considered the highest violations, because the location of the probationer is unknown or the equipment integrity is compromised (even though still functional).

3. Information APD's designee shall enter in PCE for category A of violations:

a. For active and all levels of passive monitoring, APD's designees receive a DVSR each day of the week from Pro Tech.

Upon activation of the GPS monitoring system, the APD's designee shall enter the email addresses and cell phone numbers of at least the following person in PCE software:

- Monitoring Analyst,
- Probation officer,
- Surveillance officer, if any.

APD's designee is in charge of keeping the information of the recipients of the DVSR accurate with the assistance of the Monitoring Analyst.

b. For active and levels 2 and 3 of passive monitoring, APD's designees receive telephone calls from Pro Tech.

Upon activation of the GPS monitoring system, the APD's designee shall indicate for each probationer in PCE under "Notes Tab" the following information:

- the names, and the cellular or pager numbers of the first and the second person on-call of the APD during business hours,
- the names, and the cellular or pager numbers of the first and the second person on-call of the APD after business hours,
- the names, and the cellular or pager numbers of the first and the second person on-call of the APD during the weekends and holidays,
- definition of business hours and holidays.

APD's designee is in charge of keeping the on-call persons information accurate with the assistance of the Monitoring Analyst.

c. For active and levels 2 and 3 of passive monitoring, APD's designees receive Violation Notification from Pro Tech.

Upon activation of the GPS monitoring system, the APD's designee shall indicate for each probationer in PCE:

- For active monitoring, the contact information of at least the first person on call and by which means (email, fax or page) the person(s) shall be notified,
- For Level 2 passive monitoring, the email address(es) of at least the first person on call,
- For Level 3 passive monitoring, the contact information of at least the first person on call and by which means (email, fax or page) the person(s) shall be notified.

APD's designee is in charge of keeping the information on the recipient of the Violation Notification accurate with the assistance of the Monitoring Analyst.

4. Response to category A violations for active and all levels of passive

VIOLATIONS	DESCRIPTION OF THE VIOLATIONS	AUTOMATIC MESSAGE SENT TO THE PROBATIONER BY PRO TECH	FOR ACTIVE AND ALL LEVELS OF PASSIVE MONITORING : MONITORING ANALYST AND APD'S DESIGNEES ACTION FOR ALL VIOLATIONS IN THIS CATEGORY
Bracelet strap	The bracelet strap has been compromised or removed from the bracelet.	No	**1. Monitoring Analyst's Response** a. Review the DVSR by noon each day of the week. If a violation has occurred, make a voice contact with the APD's designee(s) by noon each day of the week. Until the violation is cleared, the Monitoring Analyst shall maintain communication with APD's designee to ensure APD's designee has received notification of the violation and that an appropriate response is initiated. b. The Monitoring Analyst shall inform the APD's designee that the violation is a category A, indicate the nature of the response and the timeframe to provide it according to provision 2 below (APD's Designee Response). c. The Monitoring Analyst shall document the details of the contact made with the probation officer in PCE and APETS within a time that shall not exceed 72 hours. At least the following information shall be entered in APETS: • When violation has occurred,
Base unit unable to connect	Base unit programmed to call Pro Tech every 6 hours, alerts when no contact within 6.5 hours	No	
MTD unable to connect – passive	MTD has not called in within past 24 hours	No	

MTD unable to connect – active	On active, the MTD calls Pro Tech's server every hour. Violation when MTD has not called in within past 2.5 hours	No	• When violation was transmitted by Pro Tech, • Nature of violation, • Time and duration of the violation, • Date and time of the contact made with APD's designee, • Details of the contact, • When violation is cleared. **2. APD's Designee Response** a. Nature of APD's Designee Response: • APD's designee shall determine with the assistance of the Monitoring Analyst, the appropriate response to the violations. The appropriate response includes but is not limited to telephone calls to the probationer, and/or visual contacts with the probationer, and/or inspection of the equipment, and/or requesting assistance of law enforcement, and/or arresting the probationer and filing a petition to revoke. • In case of bracelet strap or MTD tamper: -the compromised equipment shall be replaced, -The MTD shall be returned to the person in charge of the equipment in each county and the bracelet strap shall be thrown away, -the APD's designee may request if appropriate a petition to revoke pursuant to ARS §13-3725 with approval of supervisor. • Officers shall consider personal safety when responding in person to violation alerts (especially bracelet strap violations). Consideration should be given to doing so with another officer or with law enforcement assistance. b. Time frame for APD's Designee to Initiate an Appropriate Response during business hours, after hours, weekend and holidays: The APD's designee shall initiate an appropriate response upon receiving the information but not later than within 60 minutes. c. Documenting the response • Data to enter in: - PCE: indicate if a response has been initiated and when the violation is cleared, - APETS: document in details the response
Hot zone	Probationer has violated a Hot Zone (either inclusion or exclusion)	Inclusion Zone - Yes Exclusion Zone - No	
Motion No GPS – Active	MTD has accumulated 5 min. of motion in 60 min. without the probationer regaining GPS signal within the 10 min. grace period	Yes	
Bracelet Gone – Active	Probationer (transmitter) is out of range of the MTD	Yes	
MTD Battery – Active	MTD battery is low and needs to be placed in the Base Unit	Yes	
MTD Tamper	The MTD has	No	

	been compromised in some manner but information can still be transmitted		initiated and the outcome. • Timeframe to enter the data: The APD's designee shall document the response provided in PCE and APETS within a time that shall not exceed 72 hours. d. Time frame to request a warrant against absconders If the probationer is not located within 72 hours, the APD's designee shall file a petition to revoke probation and request that the court issue a warrant.

L. Specific Actions for Category B Violations.

1. The Policies and Procedures below establish statewide minimum requirements for active and passive GPS monitoring for APDs. Each APD may enhance these minimum requirements to ensure community safety.

2. Information to enter in PCE for category B of violations:

a. For active and all levels of passive monitoring, APD's designees receive a DVSR each day of the week from Pro Tech.

Upon activation of the GPS monitoring system, the APD's designee shall enter contacts information and email addresses in PCE software of at least the following persons:

- Monitoring Analyst,
- Probation officer,
- Surveillance officer, if any.

APD's designee is in charge of keeping the information of the recipients of the DVSR accurate with the assistance of the Monitoring Analyst.

b. For active and levels 2 and 3 of passive monitoring, Pro Tech shall make telephone calls to the probationers.

Upon activation of the GPS monitoring system, the APD's designee shall indicate for each probationer in PCE:

- The home and cellular phone number of the probationer if any,
- The primary and second phone number Pro Tech shall contact.

In such a case, Pro Tech shall note in the Case Management if they have reached a person identifying themselves as the probationer, the questions asked to the probationer or any other person that has answered and the answers given.

The Monitoring Analyst shall in all cases review the Case Management, inform the APD's designee that a violation category B has occurred and request the APD to initiate a response pursuant to provision B below (Response to category B violations for active and all levels of passive).

3. Response to category B violations for active and all levels of passive:

VIOLATIONS	DESCRIPTION OF THE VIOLATIONS	**AUTOMATIC MESSAGE SENT TO THE PROBATIONER BY PRO TECH**	**FOR ACTIVE AND ALL LEVELS OF PASSIVE MONITORING : MONITORING ANALYST AND APD'S DESIGNEES ACTION FOR ALL VIOLATIONS IN THIS CATEGORY**
Home Curfew	MTD is not in Base Unit when Home Curfew is scheduled	Yes	**1. Monitoring Analyst's Response** a. Review the DVSR by noon each day of the week. If a violation has occurred, make a voice contact with the APD's designee(s), by noon each day of the week. Until the violation is cleared, the Monitoring Analyst shall maintain communication with APD's designee to ensure APD's designee has received notification of the violation and that an appropriate response is initiated. b. The Monitoring Analyst shall inform the APD's designee that the violation is a category B, indicate the nature of the response and the timeframe to provide it according to provision 2 below (APD's Designee Response). c. The Monitoring Analyst shall document the details of the contact made with the probation officer in PCE and APETS within a time that shall not exceed 72 hours. At least the following information shall be entered in APETS: • When violation has occurred, • When violation was transmitted by Pro Tech, • Nature of violation,
Base unit a/c power	Base Unit has lost electricity power and is running on backup battery	Yes	
Phone number caller ID	Base Unit has possibly been moved to new phone line	Yes	

			• Time and duration of the violation, • Date and time of the contact made with APD's designee, • Details of the contact, • When violation is cleared. **2. APD's Designee Response** a. Nature of APD's Designee Response: APD's designee shall determine with the assistance of the Monitoring Analyst, the appropriate response to the violations. The response includes but is not limited to telephone calls to the probationer, and/or visual contacts with the probationer. b. Time frame for APD's Designee to Initiate an Appropriate Response: During business hours, weekend and holidays, the APD's designee shall initiate an appropriate response upon receiving the information but not later than 24 hours. c. Documenting the response • Data to enter in: - PCE: indicate if a response has been initiated and when the violation is cleared, - APETS: document in details the response initiated and the outcome. • Timeframe to enter the data: The APD's designee shall document the response provided in PCE and APETS within a time that cannot exceed 72 hours.

M. Specific Actions for Category C of Violations.

1. The Policies and Procedures below establish statewide minimum requirements for active and passive GPS monitoring for APDs. Each APD may enhance these minimum requirements to ensure community safety.

2. Information to enter in PCE for category C of violations:

For active and all levels of passive monitoring, APD's designees receive a DVSR each day of the week from Pro Tech.

Upon activation of the GPS monitoring system, the APD's designee shall enter contacts information and email addresses in PCE software of at least the following persons:

- Monitoring Analyst,
- Probation officer,
- Surveillance officer, if any.

APD's designee is in charge of keeping the information of the recipients of the DVSR accurate with the assistance of the Monitoring Analyst.

3. Response to category C violations for active and all levels of passive:

VIOLATIONS	DESCRIPTION OF THE VIOLATIONS	AUTOMATIC MESSAGE SENT TO THE PROBATIONER BY PRO TECH	FOR ACTIVE AND ALL LEVELS OF PASSIVE MONITORING : MONITORING ANALYST AND APD'S DESIGNEES ACTION FOR ALL VIOLATIONS IN THIS CATEGORY
Bracelet battery	Bracelet battery is getting low, needs replacement within 72 hours	Yes	**1. Monitoring Analyst's Response** a. Review the DVSR by noon each day of the week. If a violation has occurred, make a voice contact with the APD's designee(s) by noon each day of the week. Until the violation is cleared, the Monitoring Analyst shall maintain communication with APD's designee to ensure APD's designee has received notification of the violation and that an appropriate response is initiated. b. The Monitoring Analyst shall inform the APD's designee that the violation is a category C, indicate the nature of the response and the timeframe to provide it according to provision 2 below (APD's Designee Response). c. The Monitoring Analyst shall document the details of the contact made with the probation officer in PCE and APETS within a time that shall not exceed 72 hours. At least the following information shall be entered in APETS: • When violation has occurred,
Motion no GPS – passive	MTD has accumulated 5 min. of motion in 60 min. without the probationer regaining GPS signal within the 10 min. grace period	Yes	
Bracelet gone – passive	Probationer (transmitter) is out of range of the	Yes	

	MTD		• When violation was transmitted by Pro Tech, • Nature of violation, • Time and duration of the violation, • Date and time of the contact made with APD's designee, • Details of the contact, • When violation is cleared. **2. APD's Designee Response** a. Nature of APD's Designee Response: • APD's designee shall determine with the assistance of the Monitoring Analyst, the appropriate response to the violations. The response includes but is not limited to telephone calls to the probationer, and/or visual contacts with the probationer, and/or inspection of the equipment. • In all cases of base unit tamper (even though the equipment remains functional): -the compromised equipment shall be replaced. -the base unit shall be returned to the person in charge of the equipment in each county, -the APD's designee may request if appropriate a petition to revoke pursuant to ARS §13-3725 with approval of supervisor. b. Time frame for APD's Designee to Initiate a Response. During business hours, after hours, weekends and holidays, the APD's designee shall initiate an appropriate response upon receiving the information but no later than 72 hours. c. Documenting the response • Data to enter in: - PCE: indicate if a response has been initiated and when the violation is cleared, - APETS: document in details the response initiated and the outcome. • Timeframe to enter the data: The APD's designee shall document the response provided in PCE and APETS within a time that cannot exceed 72 hours.
MTD battery - Passive	MTD Battery is low and needs to be placed in the Base Unit	Yes	
Base Unit Battery	The Base Unit has been running on the backup battery and is about to go dead. The battery shall be replaced	Yes	
Base unit tamper	Base Unit has been compromise d	No	
Base unit phone line disconnect	Phone line has been removed from Base Unit, receive alert when re-connected	Yes	

N. Equipment

Each APD has the ability to order equipment directly from the vendor Pro Tech.

Each APD shall designate two persons in charge of keeping, tracking and ordering new and replacement equipment and sending the failed equipment back to the vendor. Each APD shall maintain an inventory not to exceed equipment currently in use.

The assigned staff shall maintain an up-to-date database of the GPS equipment inventory.

When assigning GPS equipment to a probationer, the assigned staff in each county shall update the inventory database with the GPS monitoring equipment serial number, installation date, offender's name and the probation officer's name in charge of monitoring the probationer.

The assigned staff shall ensure that the GPS monitoring equipment is maintained in a secure environment prior to installation on the probationer.

O. Inter County Transfers of Probationers on, or subject to be placed on, GPS Monitoring

The transfer of a probationer on, or subject to be placed on, GPS monitoring from one county to another county in the state shall be governed by Rule 27.2 of Arizona Rules of Criminal Procedure, and Arizona Code of Judicial Administration section 6-211.

P. Review of the Policies and Procedures

These policies and procedures shall be reviewed and revised if necessary no later than August 31st 2007.

DRAFT APPENDIX A

SUPREME COURT OF ARIZONA
Adult Probation Department
Active Global Positioning System (GPS) Rules

A.R.S. §13-902 provides Global Position System (GPS) monitoring for the duration of the term of probation for people convicted of a dangerous crime against children on or after November 1, 2006.

Probationers shall comply with the following rules:

1. You shall plug the docking station in an electrical outlet at all times, unless approved by the APD. In case the docking station is unplugged from the electrical outlet the probationer shall reconnect the plug and immediately contact the APD.

2. You shall place the tracking device in the docking station immediately upon returning to your residence at all times.

3. You shall take your tracking device with you every time you leave your residence.

4. You shall charge the tracking device in the docking station for at least eight (8) hours each day.

You are responsible for ensuring that the tracking device remains charged. This may require you to take the docking station to your place of employment or make other arrangements.

5. When not in the docking station you shall carry your tracking device free from obstruction at all times.

The tracking device shall not be placed in any covered container or enclosed space as notably locker, trunk, hidden under clothing, car seats, purses, backpacks, briefcases or in any other obstructed manner unless approved in advance by the APD.

6. You shall respond immediately to all alarms and messages on the tracking device assigned to you. You shall acknowledge the notification and follow any instructions on the tracking device screen.

7. If a low battery message is displayed on the tracking device, you shall contact the APD and dock the tracking device in the docking station immediately.

8. You are responsible for the care of the equipment issued to you. You will be held responsible for any loss or damage to the equipment. The equipment checked below will be assigned to you and the replacement costs is as follows:

☐ Tracking Device $ _____
☐ Bracelet Transmitter $ _____
☐ Base Unit $ _____

9. You shall not tamper with the equipment in any manner.

10. You shall not remove or by pass any of equipment assigned to you. According to A.R.S. §13-3725 a probationer who violates this rule will have committed a class four felony.

11. You agree that you may be required to report to the APD for equipment inspections, which may interfere with your scheduled activities.

I acknowledge that I have received a copy of this document and that these rules have been explained to me. I fully understand these rules and that any failure to comply with these rules will constitute a violation of probation.

My signature below confirms my understanding of the above as well as my receipt of the GPS equipment.

_____	_____
Probationer's Name	Officer's Name
_____	_____
Probationer's Signature	Officer's Signature
_____	_____
Date	Date

DRAFT APPENDIX B

SUPREME COURT OF ARIZONA
Adult Probation Department
Passive Global Positioning System (GPS) Rules

A.R.S. §13-902 provides Global Position System (GPS) monitoring for the duration of the term of probation for people convicted of a dangerous crime against children on or after November 1, 2006.

Probationers shall comply with the following rules:

1. You shall plug the docking station in an electrical outlet and an analog phone line at all times, unless approved by the APD. In case the docking station is unplugged from either the electrical outlet or the telephone line, the probationer shall reconnect the plug and contact immediately the APD.

   The analog phone shall not have the caller identification (ID) blocked.

2. You shall place the tracking device in the docking station immediately upon returning to your residence at all times.

3. You shall take your tracking device with you every time you leave your residence.

4. You shall charge the tracking device in the docking station for at least eight (8) hours each day.

   If you do not have or cannot have access to an analog phone line connection, each day of the week you shall dock your tracking device in the docking station available at the address and the hours indicated by the APD.

   If you do not have an electrical connection or cannot access an electrical connection, each day of the week you shall charge your tracking device for at least eight (8) hours in the docking station available at the address indicated by the APD.

5. When not in the docking station you shall carry your tracking device free from obstruction at all times.

The tracking device shall not be placed in any covered container or enclosed space as notably, locker, trunk, hidden under clothing, car seats, purses,

backpacks, briefcases or in any other obstructed manner unless approved in advance by the APD.

6. You shall respond immediately to all alarms or messages on the tracking device assigned to you. You shall acknowledge the notification and follow any instructions on the tracking device screen.

7. If a low battery message is displayed on the tracking device, you shall contact the APD and dock the tracking device in the docking station immediately.

8. You are responsible for the care of the equipment issued to you. You will be held responsible for any loss or damage to the equipment. The equipment checked below will be assigned to you and the replacement costs is as follows:

☐ Tracking Device $ _____
☐ Bracelet Transmitter $ _____
☐ Base Unit $ _____

9. You shall not tamper with the equipment in any manner.

10. You shall not remove or bypass any of the equipment assigned to you. According to A.R.S. §13-3725 a probationer who violates this rule will have committed a class four felony.

11. You agree that you may be required to report to the APD for equipment inspections, which may interfere with your scheduled activities.

I acknowledge that I have received a copy of this document and that these rules have been explained to me. I fully understand these rules and that any failure to comply with these rules will constitute a violation of probation.

My signature below confirms my understanding of the above as well as my receipt of the GPS equipment.

_____	_____
Probationer's Name	Officer's Name
_____	_____
Probationer's Signature	Officer's Signature
_____	_____
Date	Date