

IN THE SUPREME COURT OF THE STATE OF ARIZONA  
ADMINISTRATIVE OFFICE OF THE COURTS

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In the Matter of: )  
)  
POLICIES AND PROCEDURES FOR ) Administrative Directive  
STATEWIDE GLOBAL POSITION ) No. 2023 - 02  
SYSTEM MONITORING PROGRAM ) (Replacing Administrative  
) Directive No. 2011-41)  
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Administrative Order No. 2006-90 orders the Administrative Director of the Administrative Office of the Courts (Administrative Director) to adopt policies and procedures that are necessary to implement a statewide Global Position System monitoring program. In addition, Administrative Order No 2008-73 orders the Administrative Director to adopt guidelines that are necessary to charge all local probation fees accounts one hundred percent of the cost of the GPS monitoring devices and that the Administrative Director is to retain a subsidy of up to fifty percent of the monitoring devices cost on behalf of the adult probation departments contributing to the Judicial Collection Enhancement Fund (JCEF) probation surcharge revenues.

In accordance with Administrative Orders 2006-90 and 2008-73, Global Position System policies and procedures were most recently adopted in Administrative Directive No. 2011-41 on December 20, 2011. A review of those policies and procedures has now been completed.

Therefore, after due consideration,

IT IS DIRECTED that the attached GPS Policies and Procedures governing the Global Position System monitoring program be adopted and replace the policies and procedures adopted in Administrative Directive No. 2011-41.

IT IS FURTHER DIRECTED that these policies and procedures are effective on and after the date of signature.

Dated this 13th day of March, 2023.

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DAVID K. BYERS  
Administrative Director of the Courts

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

**A. Definitions**

- **Alert:**

A notification that requires a follow up by a Monitoring Analyst / APD Designee.

- **Adult Probation Department (APD) Designee:**

Specific to Maricopa County: A regional supervisor assigned to oversee and monitor all GPS supervising teams in Maricopa County ensuring that: points are monitored and documented appropriately; alerts are resolved in prescribed timelines; coverage is arranged for GPS issues during staff absences; and collaboration with other GPS supervisors occurs regularly to ensure consistency and accountability with GPS monitoring and responsibilities. Serves as a liaison to the GPS vendor and the AOC. Submits monthly stats to the AOC monthly. Prepares reports as needed as requested from AOC and department leadership. Reviews monthly vendor invoices for approval or disapproval and communicates results to the AOC and department finance director.

May assist supervision staff with the installation of new equipment and the return of old or malfunctioning equipment.

- **Arizona Sex Offender Assessment Screening Profile:**

The instrument utilized by Arizona criminal justice agencies as a guideline for sex offender community notification purposes. Pursuant to A.R.S. § 13-3825(A)(2) this screening profile is termed “risk assessment,” and, once completed, the probationer is categorized as a level one, two or three for the purpose of determining specific notifications to the community.

- **Battery Pack:**

A recharger that can be connected to, and is used for, charging GPS units; commonly referred to as a recharger.

- **Beacon:**

The beacon is a radio frequency (RF) device that can be used with the GPS tracking device. The beacon determines a probationer’s presence or absence at a preapproved location, where the beacon is placed, by tethering the GPS device to the beacon. The beacon has tamper technology, including motion detection technology, so the probationer cannot move the beacon without a

Monitoring Analyst or APD Designee knowing. When the GPS device leaves the preapproved beacon location boundary the GPS tracking begins again.

- **BI Inc.:**

State vendor for GPS equipment, software and monitoring services for mandatory and exempt discretionary GPS cases.

- **Charger (or Charger with Beacon):**

A charger may also be called a charging station. A device that plugs into the wall and is used to recharge a battery pack.

- **Dangerous Crime Against Children (DCAC):**

Conviction as defined by A.R.S. § 13-705.

- **Discretionary GPS Case:**

A probationer assigned by the court to participate in GPS monitoring who does not meet the criteria of conviction or adjudication of a DCAC offense and does not score as a level three on the Arizona Sex Offender Assessment Screening Profile for community notification.

- **Event:**

Any activity that occurs with the tracking unit and/or beacon.

- **Exclusion Zone:**

An area that is designated off limits to the probationer (e.g.: victim, park, school, etc.)

- **Exempt Discretionary GPS Case:**

A probationer ordered to GPS prior to July 1, 2021 who did not meet the criteria of conviction or adjudication of a DCAC offense and does not score as a level three on the Arizona Sex Offender Assessment Screening Profile for community notification.

Additionally, all intercounty DCAC GPS cases will be tracked regardless of discretionary or exempt discretionary status and shall remain on AOC invoicing due to billing requirements.

\*Footnote: On July 1, 2021, the Administrative Director regulated that mandatory GPS cases defined by legislative change to A.R.S. § 13-902(G) in 2010 be subsidized by JCEF revenues. Upon consideration of cases receiving this subsidy since that date, the Administrative Director grandfathered in

dangerous crimes against children level one level two cases that were not released from a GPS sentence by the court. The Administrative Director further acknowledged that intercounty dangerous crimes against children GPS cases, regardless of registration level shall be monitored on the AOC contracted vendor invoice and may be eligible to receive the JCEF subsidy. Policies and procedures were updated to reflect these changes.

- **Global Position System (GPS) Monitoring:**

Device and system that use satellites, Wi-Fi and cellular communication to collect points on the probationer wearing it. The GPS points are transmitted back to be viewed individually or collectively to track the probationer's movements. The device has technology to alert the monitoring analyst and/or APD designee when the probationer attempts to remove or tamper with the device. Geographic zones (exclusion, inclusion or other) can be established and used to help monitor and modify the probationer's behaviors and locations. Likewise, schedules can be set up around those zones if needed to assist with probationer compliance. Two monitoring service levels are available:

- Option A: (GPS coordinate collected every minute, data transmitted via cellular communication every 30 minutes. If GPS satellite fix cannot be acquired device will search for a Wi-Fi point every 5 minutes. If neither can be found the device will search for a Cell Tower triangulation fix every 30 minutes.)
- Option B: (GPS coordinate collected every minute, data transmitted via cellular communication every 720 minutes (12 hours). If GPS satellite fix cannot be acquired the device will search for a Wi-Fi point every 5 minutes.)

- **GPS Tracking Device:**

Mechanism that communicates information wirelessly to and from the vendor's central monitoring system and receives information from GPS satellites, cellular communication and Wi-Fi.

- **High Priority Violations:**

High priority violations occur when the location, activity or event of the probationer may be unknown or unauthorized or the equipment integrity may be compromised.

- **Inclusion Zone:**

Any area that is designated approved by the supervision team.

- **Mandatory GPS Case:**

Pursuant to A.R.S. § 13-902(G): If a person is convicted on or after November 1, 2006 of a dangerous crime against children as defined in section 13-705, a term of probation is imposed, the person is required to register pursuant to

section 13-3821 and the person is classified as a level three offender pursuant to section 13-3825, the court shall require global position system or electronic monitoring for the duration of the term of probation. The court may impose a fee on the probationer to offset the cost of the monitoring device required by this subsection. The fee shall be deposited in the adult probation services fund pursuant to section 12-267, subsection A, paragraph 3. This subsection does not preclude global position system or electronic monitoring of any other person who is serving a term of probation.

- **Monitoring Analyst:**

Officers assigned to monitor the movements of mandatory or exempt discretionary GPS cases and to alert primary supervision team of activities or events that are not pre-approved. Serves as a liaison to the GPS vendor and the AOC. May assist supervision staff with the installation of new equipment and the return of old or malfunctioning equipment.

- **Monitoring Regions:**

For purpose of the GPS program, Arizona is divided into three Monitoring Regions:

The Northern Monitoring Region (housed within Yavapai APD) serves 7 counties: Apache, Coconino, Gila, La Paz, Mohave, Navajo, and Yavapai. Monitoring Analysts discern the movements of mandatory and exempt discretionary GPS cases in these counties.

The Central Monitoring Region (housed within Maricopa APD) serves 1 county: Maricopa. Each APD supervising officer discerns the movements of mandatory and exempt discretionary GPS cases in this county. Consultation, when needed, is done through the department's APD Designee.

The Southern Monitoring Region (housed within Pima APD) serves 7 counties: Cochise, Graham, Greenlee, Pima, Pinal, Santa Cruz, and Yuma. Monitoring Analysts discern the movements of mandatory and exempt discretionary GPS cases in these counties.

- **System Reports:**

Cumulative data accessed by any agency officer or staff who have permissions in the vendor software system. All reports can be run at any time or can be set up by the officer or agency to be auto generated and emailed to them at scheduled dates.

- **Total Access® Software (TA):**

Total Access (TA) is a tracking and monitoring software accessed via the internet. TA provides access to reports, maps and probationer information. It

also allows users to enter and change data (*i.e.* probationer's information, exclusion and inclusion zones, case notes).

- **Tracking System:**

The AOC approved automated case management system which contains adult probation staff work product created and used by adult probation to manage and access cases for purposes of supervision.

- **Violation Notification:**

Notification of a violation, regardless of level, is sent via TA to the Monitoring Analyst or APD Designee.

## **B. Applicability**

In 2006, the legislature passed A.R.S. § 13-902(G) which provided: "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".

In 2008, the legislature modified A.R.S. § 13-902(G) as follows: "After conviction of a dangerous crime against children as defined in section 13-705, if a term of probation is imposed, the court shall require global position system monitoring for the duration of the term of probation. The court may impose a fee on the probationer to offset the cost of the monitoring device required by this subsection. The fee shall be deposited in the adult probation services fund pursuant to section 12-267, subsection A, paragraph 3".

On July 13, 2009, the governor signed legislation modifying A.R.S. § 13-902(G). A.R.S. § 13-902(G) provides that: "After conviction of a dangerous crime against children as defined in § 13-705, if a term of probation is imposed, the person is required to register pursuant to § 13-3821 and the person is classified as a level three offender pursuant to §§ 13-3825 and 13-3826, the court shall require global position system or electronic monitoring for the duration of the term of probation. The court may impose a fee on the probationer to offset the cost of the monitoring device required by this subsection. The fee shall be deposited in the adult probation services fund pursuant to § 12-267, subsection A, paragraph 3. This subsection does not preclude global position system or electronic monitoring of any other person who is serving a term of probation".

On April 28, 2010, the governor signed legislation modifying A.R.S. § 13-902 (G). A.R.S. § 13-902(G) now provides that: "If a person is convicted on or after November 1, 2006 of a dangerous crime against children as defined in section 13-705, a term of probation is imposed, the person is required to register pursuant to section 13-3821 and the person is classified as a level three offender pursuant to sections 13-3825 and 13-3826, the court shall require global position system or electronic

monitoring for the duration of the term of probation....” [Emphasis showing statutory modifications]

A.R.S. § 13-3725 provides that: “A. A person commits interference with monitoring devices by either: 1. Being required to be on electronic monitoring or global position system monitoring and removing or bypassing any device or equipment that is necessary for the electronic monitoring or global position system monitoring. 2. Assisting any person who is required to be on electronic monitoring or global position system monitoring in removing or bypassing any device or equipment that is necessary for the electronic monitoring or global position system monitoring. B. A violation of this section is a class 4 felony.”

A.R.S. § 12-267(C) provides that “the state monies in the adult probation services fund, and probation fees collected pursuant to section 13-901 and section 13-902 subsection G, shall be used in accordance with guidelines established by the supreme court or the granting authority”.

A.R.S. § 12-267(G) provides that “the administrative office of the courts shall periodically charge each local probation fees account an amount established annually by the supreme court to cover a proportional share of the cost of monitoring devices required pursuant to section 13-902, subsection G, consistent with guidelines established to implement section 13-902, subsection G”.

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

Administrative Order No 2008-73 provides that the Administrative Director of the Courts shall adopt guidelines that are necessary to charge all local probation fees accounts one hundred percent of the cost of the GPS monitoring devices. It also provides that the Administrative Director of the Courts shall retain on behalf of the adult probation departments contributing to the state Judicial Collection Enhancement Fund (JCEF) probation surcharge revenues a subsidy of up to fifty percent of the monitoring devices cost. This subsidy shall apply to all local probation departments contributing to the probation surcharge revenues and is subject to the availability of JCEF probation surcharge revenue funds. Further, it provides that each local probation department shall cover the cost of monitoring devices from the adult probation fees account.

Administrative Directive No 2011-41 provides that a new GPS vendor was named and the contract change necessitated the need to modify existing GPS policies and procedures to reflect the technology and terminology used by the new vendor.

### **C. Purpose**

These policies and procedures apply to all probationers convicted on or after November 1, 2006 of a dangerous crime against children and placed on GPS monitoring pursuant to A.R.S. § 13-902(G).

These policies and procedures establish statewide minimum requirements for mandatory and exempt discretionary cases for APDs. Each APD may enhance these minimum requirements to promote community safety.

#### **D. Criteria to Determine Placement on GPS**

1. The court shall order GPS monitoring on sex offenders who meet the criteria as set forth in A.R.S. § 13-902(G), "If a person is convicted on or after November 1, 2006 of a dangerous crime against children as defined in section 13-705, a term of probation is imposed, the person is required to register pursuant to section 13-3821 and the person is classified as a level three offender pursuant to section 13-3825, the court shall require global position system or electronic monitoring for the duration of the term of probation...."

2. The Sex Offender Risk Assessment Screening Profile, which categorizes the community notification level, shall be completed by the assigned agency, pursuant to A.R.S. § 13-3825, which may occur at the presentence stage, while in prison, or upon release from confinement. While there is judicial discretion to order GPS monitoring on a specific case pursuant to county practices and resources, the APD is responsible to assist the court with producing information for the determination of a Mandatory GPS Case or a Discretionary GPS Case.

#### **E. GPS 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...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 full time Monitoring Analyst funded by the AOC shall monitor no more than 30 probationers on GPS, except in instances of, vacancy of position, vacation or short-term case coverage. Once the number of cases monitored by each Monitoring Analyst exceeds 30 cases for three or more months, the Chief Probation Officer may apply to the AOC for additional Monitoring Analyst position funding.

## **F. Monitoring Region's Responsibilities**

1. The APD that operates each Monitoring Region shall assign and supervise Monitoring Analysts or designees. The Northern and Southern Monitoring Regions shall use the GPS funding allocated to them by the AOC for this purpose. Each Monitoring Region is responsible for GPS monitoring, communication specific to monitoring, communication specific to monitoring observations, equipment ordering, equipment installation, staff training, and coverage.
2. The Monitoring Region reviews the monthly GPS invoices and shall, in writing, notify the AOC designee of approval or disapproval within seven days of receipt from the vendor. The person in charge of invoice reviews shall state in detail the reason for disapproval of any invoice.

## **G. Prior to Sentencing or Release for DCAC**

Prior to sentencing or release from incarceration, an APD staff person shall notify a Monitoring Analyst/APD Designee that an individual may meet the criteria of a mandatory GPS case. The notification shall include offender name, case number, sentencing date, county of jurisdiction, imposed jail time and/or other related data. The Monitoring Analyst/APD Designee shall then order and make available necessary GPS monitoring equipment.

## **H. General Responsibilities of GPS Monitoring**

1. Enrollment of a probationer
  - a. The APD shall enroll and activate GPS monitoring with the assistance of the Monitoring Analyst within 72 hours of the APD obtaining the information that the local law enforcement or sheriff has placed the offender into a level 3 notification.
    - (1) Before activation, the APD shall ensure that at least the following information is entered in TA with the assistance of the Monitoring Analyst, or APD Designee:
      - probationer's information,
      - inclusion and exclusion zones defined under the supervision of a supervisor,
      - victim information,
      - APD's recipients of the alert information
      - APD's recipients of the phone calls and violation notifications pursuant to provision J "Specific Actions for High Priority Violations".
    - (2) The APD shall ensure that a GPS unit is placed on mandatory GPS probationers as provided in their existing court documents.

- (3) The probation team shall ensure enrollment and activation of the GPS monitoring upon report by the probationer to the APD with the assistance of the Monitoring Analyst.
- (4) Upon activation of GPS monitoring, the APD's Designee or a Monitoring Analyst shall enter the email addresses and cell phone numbers of at least the following persons in TA software. This information shall be entered in the comments section under the Client Profile Screen and/or User's Profile.
  - Monitoring Analyst,
  - Probation officer,
  - Surveillance officer, if applicable.
- (5) The APD supervising officer shall maintain accurate information and provide it to the Monitoring Analyst. For probationers supervised in the Central Region, refer to the department's GPS Dispatch Protocols regarding officer contact information.

b. The Court

- (1) May exercise its discretion by placing a probationer on GPS monitoring notwithstanding the level of community notification. In such a case, the APD shall initiate enrollment and activation of the GPS monitoring. The APD shall coordinate GPS monitoring activation for mandatory cases with the assistance of a Monitoring Analyst upon the probationer's initial report to the APD;
- (2) Shall order GPS monitoring for probationers required to register pursuant to A.R.S. § 13-3821 and assessed as a level 3 community notification pursuant to A.R.S. § 13-3825. In such a case, within 72 hours of the APD obtaining the information that the local law enforcement or sheriff has placed the offender into a level 3 notification, the APD shall enroll and activate the GPS monitoring with the assistance of the Monitoring Analyst.

c. The APD Supervising Officer

- (1) Shall contact the local law enforcement agency or sheriff within 72 hours of sentencing to probation without jail time, release from confinement, or registration after change of name, address or residence to request via email that the notification level be provided;
- (2) Shall ensure, before activating GPS monitoring of the probationer, that at least the following information is entered in TA with the assistance of the Monitoring Analyst or APD Designee, if applicable:

- i. probationer's information,
- ii. inclusion and exclusion zones defined under the supervision of a supervisor,
- iii. victim information,
- iv. APD's recipients of the alert information,
- v. APD's recipients of the phone calls and violation notifications pursuant to provision J "Specific Actions for High Priority Violations" and K "Specific Actions for Alert Violations".

(3) Shall ensure that all the information entered in TA is accurate, with the assistance of the Monitoring Analyst, if applicable:

(4) Shall add the applicable GPS Client Special Attribute in the tracking system within 5 business days.

## 2. Entering updated information into TA

- a. Upon receipt of new information, the APD supervising officer shall communicate changes to the Monitoring Analyst (where applicable), who will update the information available in TA to reflect any modification of the information required in paragraph 1.a. above.
- b. The APD's supervising officer with the assistance of the Monitoring Analyst (where applicable) shall ensure that a picture of the probationer is available in TA 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 supervising officer shall:

- Read and explain the Adult Global Positioning System Rules document to the probationer and obtain the probationer's signature on the document (see Exhibit A),
- Instruct the probationer on how to respond to messages sent to the GPS tracking device,
- Provide a copy of the BI Client Guide to the probationer,
- Confirm that the GPS monitoring equipment is operating correctly.

## 4. Supervision of a probationer on GPS monitoring

The APD's supervising officer shall provide specific information and response to each category of violations pursuant to provisions J (Specific Actions for High

Priority Violations) and K (Specific Actions for Alert Violations) of these policies and procedures.

5. Deactivation of GPS monitoring of a probationer

- c. The supervising probation officer shall request the Regional Monitoring Analyst, or designee to deactivate the probationer from TA within 24 hours of any of the following events:
  - Expiration, termination or revocation of probation status,
  - Probationer has absconded and cannot be located,
  - Probationer has removed GPS unit,
  - Arrest of the probationer,
  - Death of the probationer,
  - Court order.
- d. APD's supervising officer shall make every effort to retrieve GPS equipment and return it to the person in charge of equipment in each APD. The supervising officer shall communicate with the Regional Monitoring Analyst or designee about the status of the GPS equipment.
- e. The supervising officer shall remove the applicable GPS Client Special Attribute in the tracking system within 5 business days.

**I. Monitoring Analyst (or APD Designee) General Responsibility**

1. Monitoring Analysts or APD Designee shall:

- a. Assist the APD in enrolling, activating and updating information for a mandatory and exempt discretionary GPS probationers,
- b. Assist the APD in entering and updating data for mandatory and exempt discretionary GPS probationers in TA,
- c. Review alerts and/or events daily and make a confirmed communication (voice, email, text) with the APD's supervising officer if an area of concern and/or high priority violation has occurred. Until the situation is resolved, the Monitoring Analyst or APD Designee and supervising officer shall maintain communication,
- d. Be the liaison between APD and BI and AOC as needed,
- e. Function as a back up to the APD's supervising officer in responding to violation alerts in exceptional circumstances,
- f. Deactivate a probationer from TA upon request of the APD's supervising officer. Confirm that BI deactivates the probationer from TA,

- g. Serve as a resource and mentor to officers with GPS cases,
  - h. The monitoring analyst, or designee, shall be responsible to inventory all GPS equipment for mandatory and exempt discretionary cases,
  - i. Each Monitoring Region may increase and add GPS related duties to the Monitoring Analyst or APD Designee,
  - j. The monitoring analyst / APD Designee is responsible for Review monthly invoices and maintain an accurate count of equipment for counties and/or officers in the assigned region.
2. In exceptional circumstances, a Monitoring Analyst employed in one county may provide temporary coverage for a Monitoring Region in another county. In such a case, the Monitoring Region requesting coverage shall:
- a. Obtain the approval of the chief probation officers of each Monitoring Region,
  - b. Notify the AOC staff.

**J. Specific Actions for High Priority Violations.**

1. High Priority Violations include situations where the location of the probationer is unknown or the equipment integrity is compromised (even though still functional).
- a. The Central Monitoring Region shall use the APD’s dispatch team to respond to alert violations.
  - b. The Northern and Southern Monitoring Regions shall require Monitoring Analysts to document in the case record contacts with and correspondence to supervising officers and related APD staff through phone calls, emails or other measures within the same business day. Should a supervising officer not respond to the contact from a Monitoring Analyst, the Monitoring Analyst shall contact the supervising officer’s supervisor within 24 hours, and if no response within 24 hours, the monitoring analysts shall contact AOC staff.
2. High Priority Violations:

<b>VIOLATIONS</b>	<b>DESCRIPTION OF THE VIOLATIONS</b>	<b>AUTOMATIC MESSAGE OR VIOLATION NOTIFICATION SENT TO THE PROBATIONER BY BI</b>
Tracker Strap Tamper	The strap has been compromised or removed.	No

Tracker Proximity Tamper (TPT) Alert	The unit is not touching the probationer's ankle and the unit needs to be checked for tamper or strap wear.	No
Tracker Still Missed Call	The central monitoring computer reports this event every 24 hours if the tracking unit had not communicated with the central monitoring computer following the Tracker Missed Callback event	No
Tracker Low Battery	Device battery is low and needs to be charged	Yes
Exclusion Zone	A probationer entered a forbidden zone and has been in that zone longer than the grace period, if one is in effect.	No

### 3. Monitoring Analyst's Response to High Priority Violations

- a. Review the Alert Summary by noon each day of the week. If a violation has occurred, make a confirmed communication with the APD's supervising officer. Until the violation is cleared, the Monitoring Analyst shall maintain communication with APD's supervising officer to ensure that an appropriate response is initiated.
- b. The Monitoring Analyst shall inform the APD's supervising officer that the violation is a high priority alert, indicate the nature of the response and the timeframe to provide it according to provision 4 below (APD's Supervising Officer Response o High Priority Violations).
- c. The Monitoring Analyst shall document the details of the contact made with the supervising officer in TA and tracking system within a time that shall not exceed 72 hours. At least the following information shall be entered in the tracking system:
  - When violation occurred,
  - When violation was transmitted by BI,
  - Nature of violation
  - Time and duration of the violation,
  - Date and time of the contact made with APD's supervising officer,
  - Details of the contact,
  - When violation is cleared.

### 4. APD's Supervising Officer Response to High Priority Violations

- a. Nature of Response:

- APD's supervising officer shall staff GPS violations with the immediate supervisor and then shall determine (with the assistance of the Monitoring Analyst, if needed) 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 tracker strap tamper or proximity tamper alert:
    - the compromised equipment shall be replaced,
    - the equipment shall be returned to the person in charge of the equipment in each county and returned to BI,
    - the APD's supervising officer 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 strap violations). Consideration should be given to doing so with another officer or with law enforcement assistance.
- b. Time frame for APD's Supervising Officer to initiate an appropriate response during business hours, after hours, weekend and holidays:

The APD's supervising officer shall immediately initiate an appropriate response upon receiving the information.

c. Documenting the response

- Data to enter in:
  - TA: indicate if a response has been initiated and when the violation is cleared,
  - APETS: document in detail the response initiated and the outcome. (In the Central Region the supervising officer shall also complete steps in 1.c. above).
- Timeframe to enter the data:
  - The APD's supervising officer shall document the response provided in TA 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 supervising officer shall file a petition to revoke probation and request that the court issue a warrant.

e. APD supervising officer shall contact law enforcement to file a report of interference with a monitoring device pursuant to A.R.S. § 13-3725

## K. Specific Actions for Alert Violations.

### 1. Alert Violations:

<b>Violation</b>	<b>Description</b>
<b>Failed to Enter Inclusion Zone</b>	A probationer is required to enter a zone by a scheduled time but failed to do so by the end of the grace period, if any.
<b>Beacon Case Tamper</b>	The beacon's outer shell casing has been opened or tampered with.
<b>Exclusion Zone Enter/Leave</b>	The probationer has entered or left an area or zone deemed to be off limits to the probationer.
<b>Beacon Moving</b>	The beacon has been sensed as being moved, this happens when the beacon has power and is being moved. This is a violation if it is moving outside of the residence or predetermined location of approval.
<b>Beacon Power Loss</b>	The beacon has been unplugged. This can indicate the beacon is moving from the residence or predetermined location of approval.
<b>Tracker Restart</b>	The GPS unit has lost power due to not being charged and is restarting, as it now has power again.
<b>Inclusion Zone Enter/Leave</b>	The supervising officer has designated the probationer to have a curfew and the probationer has entered or left the residence during an unapproved time.
<b>Tracker Low Battery</b>	The probationer has failed to charge the GPS unit and the battery is low at the time of the alert. This signals the GPS unit may die soon and not be able to collect points.
<b>Tracker Strap Tamper</b>	The strap on the GPS unit is compromised and needs to be checked. The strap needs to be replaced.
<b>Tracker Proximity Tamper</b>	The GPS unit is not detecting the unit is on the probationer. The GPS unit needs to be checked and strap to be charged.

## 2. Monitoring Analyst's Response to Alert Violations

a. Review the alert information by noon each day of the week. If a violation has occurred, make a confirmed communication with the APD's supervising officer. Until the violation is cleared, the Monitoring Analyst shall maintain communication with APD's supervising officer to ensure that an appropriate response is initiated.

b. The Monitoring Analyst shall inform the APD's supervising officer that the violation is an alert, indicate the nature of the response and the timeframe to provide it according to provision 3 below.

c. The Monitoring Analyst shall document the details of the contact made with the supervising officer in TA and the tracking system within a time that shall not exceed 72 hours. At least the following information shall be entered in the tracking system:

- When violation occurred,
- When violation was transmitted by BI,
- Nature of violation,
- Time and duration of the violation,
- Date and time of the contact made with APD's supervising officer,
- Details of the contact,
- When violation is cleared.

## 3. APD's Supervising Officer Response to Alert Violations

a. Nature of Response:

APD's supervising officer shall staff GPS violations with the immediate supervisor and then shall determine (with the assistance of the Monitoring Analyst, if needed) the appropriate response to the violation. 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 Supervising Officer to Initiate an Appropriate Response:

During business hours, weekends and holidays, the APD's supervising officer shall initiate an appropriate response upon receiving the information but not later than 24 hours.

c. Documenting the response

- Data to enter in:
  - TA: indicate if a response has been initiated and when the violation is cleared,

- Tracking system: document in detail the response initiated and the outcome.

Additionally, the supervising officer shall contact the Monitoring Analyst via email or phone call to apprise of the resolution. To avoid potential violations, supervising officers shall also notify Monitoring Analyst of all approved travel permits.

- Timeframe to enter the data:  
The APD's designee shall document the response provided in TA and the tracking system within a time that cannot exceed 72 hours.

#### 4. Events

<b>Beacon Event</b>	<b>Description</b>
<b>Acknowledged</b>	The probationer acknowledged a voice notification or text message within the acknowledgement window (1-10 minutes).
<b>Audio Message Delivered</b>	The tracking unit received an officer-initiated voice notification from the central monitoring computer.
<b>Audio Message Failed</b>	The tracking unit did not receive an officer-initiated voice notification from the central monitoring computer. The tracking unit did not have cellular coverage or was turned off.
<b>Audio Message Submitted</b>	The central monitoring computer sends a notification to the tracking unit speaker queue when battery alerts or officer-initiated messages occur.
<b>Beacon Did Not Enter</b>	The probationer did not enter the range of a beacon when scheduled.
<b>Beacon Enter</b>	The probationer entered the range of a beacon when scheduled.
<b>Beacon First Found</b>	Beacon is initially paired with the tracking unit
<b>Beacon Leave</b>	The tracking unit has left the range of the beacon and will begin GPS acquisition.
<b>Beacon Moving</b>	The beacon sensed motion. The probationer may be trying to relocate the unit. If the tracking unit is in range of the beacon during a motion event, it will begin GPS acquisition. (Note: this alert may be turned off in special circumstances).
<b>Beacon Not Found</b>	The tracking unit did not recognize its assigned beacon upon initial tracker installation.
<b>Beacon Stationary</b>	The beacon returned to a motionless state following a <i>Beacon Moving</i> event.

<b>Beacon Unauthorized Enter</b>	The tracking unit entered the range of the beacon during an already scheduled curfew period.
<b>Beacon Unauthorized Leave</b>	The tracking unit left the range of the beacon during a scheduled curfew period.
<b>Tracking Unit Event</b>	<b>Description</b>
<b>Callback</b>	The central monitoring computer received the expected callback from the tracking unit.
<b>Cell Signal Acquired</b>	The tracking unit acquired cellular coverage.
<b>Charger Disconnected</b>	The tracking unit is disconnected from the wall charger.
<b>Exclusion Zone Leave</b>	A probationer is in a forbidden zone less than the grace period, if any, and then leaves the zone.
<b>Locate Request Complete</b>	The officer initiated a Find Probationer Location request through TA and the tracking unit reported the probationer's current location to the central monitoring computer.
<b>Locate Request Delivered</b>	The central monitoring computer contacted the tracking unit to find and report the probationer's current location.
<b>Locate Request Submitted</b>	An officer sent a request via TA to the tracking unit to find and report the probationer's current location.
<b>Low Battery Restart</b>	The tracking unit shut down and restarted due to a low battery.
<b>No Position Fix Available</b>	The tracking unit was unable to obtain a GPS location.
<b>Position Fix Available</b>	The tracking unit has reacquired a GPS signal after losing the signal.
<b>Receiver missed callback</b>	The receiver failed to callback the central monitoring computer within 45 minutes of the scheduled callback time.
<b>Restart Complete</b>	The tracking unit shut down and restarted for one of the following reasons: <ul style="list-style-type: none"> <li>• Battery power was low and the tracking unit shut down, but was restarted after the probationer starts charging.</li> </ul>
<b>Seeking Location</b>	The tracking unit is attempting to acquire a location fix. This event occurs in the following situations: <ul style="list-style-type: none"> <li>• When the tracking unit is initially activated or restarts</li> <li>• When the tracking unit leaves a No GPS state</li> <li>• When the tracking unit leaves a motionless state</li> <li>• When a <i>Beacon Moving</i> event is detected</li> <li>• When a <i>Beacon Leave</i> event occurs</li> </ul>

<b>Tracker Battery Charged</b>	The tracking unit's battery is charged to at least 85% of full capacity.
<b>Tracker Battery Charging</b>	The tracking unit is connected to a battery pack.
<b>Tracker Battery Restore</b>	The tracking unit's battery has been installed or reconnected.
<b>Tracker Install Successful</b>	This event occurs when the following events have been received: <ul style="list-style-type: none"> <li>• Tracker Restart</li> <li>• Tracker Battery Restore</li> <li>• Tracker Tamper Restore</li> <li>• Cell Signal Acquired</li> <li>• Position Fix Available</li> </ul>
<b>Tracker Install Unsuccessful</b>	This event occurs if the following events are not received: <ul style="list-style-type: none"> <li>• Tracker Battery Restore</li> <li>• Tracker Tamper Restore</li> <li>• Tracker Restart</li> <li>• Tracker Tamper Reset</li> <li>• Position Fix Available</li> </ul>
<b>Tracker Missed Callback</b>	The tracking unit has not called the central monitoring computer for the minimum scheduled interval.
<b>Tracker Moving</b>	The tracking unit began moving after having been in a <i>No Motion</i> state.
<b>Tracker No Client Install</b>	The installation of the tracking unit failed to be completed within the allotted timeframe based on the <i>Tracker No Install Timeout</i> setting.
<b>Tracker Restart</b>	The tracking unit was restarted after being turned off or the application was suspended then restarted (initial hook-up or the battery was recharged or replaced) The tracking unit shut down and restarted because battery power was low.
<b>Tracker Tamper Restore</b>	The tracking unit has been restored from a previous tamper state.

## L. Equipment

Each APD should contact their Monitoring Analyst or Designee to coordinate the ordering of equipment directly from the vendor.

Each APD shall designate one primary person and one alternate person 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 and should coordinate this inventory with the Monitoring Analyst or APD designee.

The designated staff shall maintain an up-to-date database of the GPS equipment inventory. Equipment for mandatory and exempt discretionary cases shall be kept separate from equipment for discretionary cases within the county.

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

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

**M. Intercounty 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.

**N. GPS Fee**

The Arizona Supreme Court has established a fee to be charged to each APD probation fees account pursuant to A.R.S. § 12-267 (A)(3). The purpose of this fee is to cover a proportional share of the monthly cost of the probationers' leasing of the GPS equipment. The fee is based upon a calculation of the total number of mandatory, exempt discretionary and intercounty transferred probationers on GPS per month per county. Beginning September 26, 2008 (effective date of A.R.S. § 12-267 (A)(3), AOC will charge one hundred percent (100%) of the cost of the GPS monitoring devices to the probation fees account of the fifteen adult probation departments on a regular basis. Maricopa APD shall be invoiced monthly, and the fourteen other counties shall be invoiced quarterly. AOC will retain on behalf of the adult probation departments contributing to the JCEF probation surcharge revenues a subsidy of up to fifty percent (50%) of the cost described above. Maricopa County does not contribute to the JCEF probation surcharge revenues pursuant to A.R.S. § 12-269 (C) and (D).

Pursuant to A.R.S. § 13-902 (G) the APD may request and the court may impose a fee to offset the cost of the monitoring device to each probationer convicted of DCAC on or after November 1, 2006. The fee charged to the probationer shall not exceed the fee levied on the APD for the individual. This fee is prospective from the date the fee is ordered and monitoring services commence. The fee collected by the adult probation departments shall be deposited in the adult probation services fund.

# **APPENDIX A**

## **GPS Rules**

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

Probationer Name: \_\_\_\_\_ Case(s): \_\_\_\_\_

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. I will charge the GPS unit with a fully charged battery pack/re-charger in an electrical outlet each day. I am responsible for ensuring that the tracking device remains charged. This may require me to take the charger to my place of employment or make other arrangements. Best practices are to switch the battery every 12 hours once at the beginning of the day and at the end of the day.
2. I must have written permission to charge the tracking device in a vehicle. Absent that, I am not permitted to use a charger in any vehicle and only the supplied power source is permitted to charge the tracking device.
3. I am not permitted to take my charger or battery pack in the shower or in or near water.
4. I shall respond **immediately** to all alarms (voice, vibration and light commands) on the tracking device.
5. If I receive a low battery alert, I will immediately exchange the battery for a fully charged battery. I must respond to all alerts via the acknowledgement function on the device and follow the commands.
6. I am responsible for the care of the equipment issued to me. I may be held responsible for any loss or damage to the equipment. The equipment below will be assigned to me and replacement will be issued from the vendor at time of loss or damage:
  - Tracking Device
  - Beacon
  - Charging Station
  - Strap
  - Recharger Battery
7. I will not tamper with the equipment in any manner.
8. I will not remove or bypass the equipment assigned to me. According to A.R.S. § 13-3725 a probationer who violates this rule will have committed a **class four felony**.
9. I agree that I may be required to report to the APD for equipment inspections, which may interfere with my scheduled activities.
10. I am not permitted to travel outside the state of Arizona without written permission of the supervising probation team. If permitted to travel by air, my supervising officer may provide me with documentation to comply with TSA rules regarding air travel.

**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 Signature / Date

\_\_\_\_\_  
Officer Signature / Date