

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

In the Matter of:)	
)	
POLICIES AND PROCEDURES)	Administrative Directive
FOR STATEWIDE GLOBAL)	<u>No. 2011 - 41</u>
POSITION SYSTEM)	(Replacing Administrative
MONITORING PROGRAM)	Directive No. 2009-29)
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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.

On June 27, 2007, the Administrative Director adopted the policies and procedures for a statewide global position system monitoring program through Administrative Directive No. 2007-02.

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. It also orders that the Administrative Director adopts guidelines 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.

On September 16, 2008, Administrative Directive No. 2008-01 was issued to comply with legislative changes, Administrative Order No 2008-73, and implement the new Smart One Wearable Tracking Device (WMTD).

On November 3, 2008, Administrative Directive No. 2008-02 was issued to revise and replace the policies and procedures for a statewide global position system monitoring program in order to afford flexibility for probation departments dealing with offenders who cannot purchase or access a landline telephone by allowing them to place these offenders on a device that uses cell phone communication.

On October 15, 2009, Administrative Directive No. 2009-29 was issued to comply with legislative changes.

On July 1, 2011, BI Inc. was named as the new contracted vendor for GPS monitoring services. This contract change necessitated the need to modify existing GPS policies and procedures to reflect the technology and terminology used by the new vendor. Therefore, after due consideration,

IT IS DIRECTED that the policies and procedures, attached hereto, governing the Global Position System monitoring program, be adopted and replace the policies and procedures adopted on October 15, 2009 by Administrative Directive No. 2009-29.

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

Dated this 20th day of December, 2011.

David K. Byers
Administrative Director

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

A. Definitions

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

Collects coordinate information from satellites once per minute and transmits via cellular communications each hour except when in a “violation” status, the person’s location is collected every 15 seconds. The 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 ExacuTrack one (ET1).

BI Inc., the State contractor for GPS automatically generates a Daily Summary Report (DSR) every day of the week which is sent to the Adult Probation Department (APD)’s designees and Monitoring Analysts.

- **Advanced Forward Lateral Triangulation (AFLT):**

A secondary method of locating a client using cell phone tower triangulation if GPS locations are unavailable.

- **Alert:**

A violation of the clients’ GPS rules and/or conditions of probation that require follow up by a Monitoring Analyst but are typically technical in nature.

- **Beacon:**

The beacon is a radio frequency (RF) device that determines a probationer’s presence or absence at a predefined location by tethering the ET1 to the device. This information is then relayed to the central monitoring computer via the ET1 device. If the ET1 leaves the predetermined proximity of the beacon, the GPS tracking begins again.

- **BI Inc. :**

Statewide contractor for the GPS program.

- **Daily Summary Report (DSR):**

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 Regional Monitoring Analyst (RMA) by email, the following morning around 7 am.

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

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

- **Event:**

Any activity that occurs with the tracking unit that is not considered an alert.

- **Exacutrack One (ET1):**

Mechanism that communicates information wirelessly to and from BI's central monitoring computer and receives information from GPS satellites. The ET1 also receives the violation notifications sent automatically by BI's central monitoring computer, as well as audio messages sent by the supervising officers or the Monitoring Analyst. The probationer is required to acknowledge receiving the audio messages by pressing the acknowledgment sensor. Additionally, there are 3 LED lights, which can notify the client of battery life, GPS signal, and whether or not they are in range of the beacon. The beacon and cell signal LED's can be turned off by the agency's TA user.

- **Exclusion Zone:**

An area that is off limits to the client (examples: victim, park, school etc.)

- **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:**

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

- **High Priority Violations**

High priority violations occur when the location of the probationer is unknown or the equipment integrity is compromised.

- **Homebase 105 (HB105):**

The BI Homebase 105 works with the ET1 and provides a means of downloading location data to the central monitoring computer. The unit relies on a traditional landline connection to communicate ET1 messages.

- **Inclusion Zone:**

If the probationer enters or leaves this area an alert will issue after the scheduled time period or later than the grace period, if one is in effect.

- **Monitoring Analyst:**

Officers assigned to a Regional Monitoring Center (RMC). The Monitoring Analyst is responsible for monitoring duties in the APD's geographically falling into the same RMC.

- **Passive Global Position System Monitoring:**

The form of monitoring where the ET1 records a location point every minute, but only reports calls out on the BI server at the rate of once every 12 hours, except all alerts reported real time are received in the software application and are recorded real time.

- **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.

- **Total Access® Software (TA):**

Total Access (TA) is a tracking and monitoring software accessed via the internet on the APD computers system, or mobile devices. TA 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.

- **Violation Notification:**

BI's computer sends automatic notifications for all levels of violation. The notifications are sent for the violations selected in TA by the APD's designee. The APD's designee shall select to receive violation notifications for all high priority violations.

For active monitoring, the violation notification is sent to the APD's designees and the Monitoring Analyst within 2 minutes of BI'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, PDA), or fax.

For passive monitoring, the violation notification is sent to the APD's designees and the RMA 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 ET1 is docked).

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. Finally, this Administrative Order provides that each local probation department shall cover the cost of monitoring devices from the adult probation fees account.

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 (mandatory and discretionary) pursuant to A.R.S. § 13-902(G).

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

1. Level 3 community notification may not always be established at the time of sentencing, therefore probation officers shall recommend GPS tracking for offenders based upon their criminogenic risk level, their DCAC pre-sentence, or combination reports if a new offense.

Judges have judicial discretion to order GPS for these offenders prior to any determination of level 3 community notification. If the statute is applicable, the conditions of probation must include the requirement that if the offender has to register as a sex offender and is assessed as level 3 notification the offender shall be placed on GPS.

Once the offender is assessed as a level 3 community notification by the local law enforcement or the sheriff, probation departments shall place the probationers on GPS for the duration of their probation.

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

E. Determination of Active or Passive Monitoring

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

During supervision of the probationer, any modification of the level of monitoring based upon a modification of the level of risk, shall be as required by the probationer's placement on Standard or Intensive Probation consistent with Arizona Code of Judicial Administration (ACJA) § 6-201.01 or 6-202.01.

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". (Please note that A.C.J.A. § 6-202 has been changed. All departments are now governed by § 6-202-01.)

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 DSR are reviewed and that the officers are contacted before the close of business each day of the week.

2. The RMC is 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 BI 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:

1. Obtaining from the pre-sentence or field 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.
2. Communicating the information once received to the RMC monitoring their county.
3. 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

1. Enrollment of a probationer

- a. For offenders who committed a DCAC offense and were convicted on or after November 1, 2006 with a probation term after jail or the Arizona Department of Corrections and not yet on probation:

Probation officers shall ensure placement of offenders on GPS as provided in their existing conditions of probation.

Probation officers shall ensure enrollment and activation of the GPS monitoring upon report by the probationer to the APD with the assistance of the Monitoring Analyst.

b. The Court

- (1) May exercise its discretion by placing the probationer on GPS monitoring notwithstanding the level of community notification. In such a case, the APD's designee shall initiate enrollment and activation of the GPS monitoring with the assistance of the 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 and 13-3826. In such a case, within 72 hours of the APD's designee obtaining the information that the local law enforcement or sheriff has placed the offender into a level 3 notification, the APD's designee shall enroll and activate the GPS monitoring with the assistance of the Monitoring Analyst.

c. The APD's designee

- (1) Shall contact 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) If the local law enforcement agency or sheriff has not provided APD with the level of notification within the forty-five days time frame specified in A.R.S. § 13-3825, the APD's designee shall follow up the request via email.

d. The APD's designee

Shall ensure before activating monitoring of the probationer that at least the following information is entered in TA 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 DSR,
 - APD's recipients of the phone calls and violation notifications pursuant to provision K "Specific Actions for High Priority Violations".
- e. The APD's designee shall ensure that all the information entered in TA is accurate.

2. Ongoing information to enter in the TA application

- a. Upon receipt of new information, APD's designee shall with the assistance of the Monitoring Analyst update the information available in TA 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 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 designee shall:

- Read and explain the APD 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 ET1,

- Provide BI 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 High Priority Violations) and L (Specific Actions for Alert Violations) of these policies and procedures.
5. Deactivation of GPS monitoring of a probationer
- a. A probationer shall be deactivated from TA in the following cases:
- Expiration, termination or revocation of probation status,
 - Probationer has defaulted and cannot be located,
 - 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 TA 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

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 TA,

- c. Each day of the week, review the DSR alerts and events and make a confirmed communication (voice, email, text) 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 of these policies and procedures.
 - d. Be the liaison with AOC and BI Call Center unless otherwise designated by the Regional Monitoring Center and/or AOC,
 - 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 TA upon request of the APD's designee. Insure that BI deactivates the probationer from TA,
 - g. Serve as a resource and mentor to officers with GPS cases.
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,
 - Send the DSR to the Monitoring Analyst providing coverage,
 - Indicate the email address of the Monitoring Analyst providing coverage to BI,
 - Specify the period of time of the coverage to BI.
 - 3 The monitoring analyst shall be responsible to inventory all GPS equipment.
 4. Each RMC may increase and add duties to the Monitoring Analyst.

K. Specific Actions for High Priority and Alert 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).

2. Alert Violations include situations that are more technical in nature but require follow up by a Monitoring Analyst and APD.
3. APD's designee shall enter the following information in TA for high priority violations:
 - a. For active and passive monitoring, APD's designees are provided a DSR each day of the week from BI.

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 persons in TA software. This information shall be entered in the comments section under the Client Profile Screen.

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

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

- b. For active monitoring, APD's designees receive telephone calls from BI.

For passive monitoring, APD's designees receive Violation Notification from BI.

Upon activation of the GPS monitoring system, the APD's designee shall indicate for each probationer in TA under the comments section under the Client Profile Screen the following information:

- the names, and the cellular numbers of the first and the second person on-call of the APD during business hours,
- the names, and the cellular numbers of the first and the second person on-call of the APD after business hours,
- the names, and the cellular 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. For probationers supervised out of the central region, refer to the GPS dispatch protocols regarding officer contact information.

Upon activation of the GPS monitoring system, the APD's designee shall indicate for each probationer in TA under the comments section under the Client Profile Screen.

4. Response to High Priority violations for active and passive:

VIOLATIONS	DESCRIPTION OF THE VIOLATIONS	AUTOMATIC MESSAGE OR VIOLATION NOTIFICATION SENT TO THE PROBATIONER BY BI
ET1 Tracker Strap Tamper	The bracelet strap has been compromised or removed from the bracelet.	No
ET1 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
ET1 Tracker low Battery	ET1 battery is low and needs to be charged	Yes
ET1 Tracker Case Tamper	The tracking unit's case was opened because it was tampered with or the battery was replaced	No
ET1 No motion	There is no motion ranging from 1 to 240 minutes	No
Exclusion Zone	A client entered a forbidden zone and has been in that zone longer than the grace period if one is in effect.	No

FOR ACTIVE AND ALL LEVELS OF PASSIVE MONITORING : MONITORING ANALYST AND APD'S DESIGNEES ACTION FOR ALL VIOLATIONS IN THIS CATEGORY

1. Monitoring Analyst's Response

a. Review the DSR by noon each day of the week. If a violation has occurred, make a confirmed communication with the APD's designee(s) by noon of 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 high priority alert, 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 TA 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 BI,
- 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, 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 tracker case tamper:

- the compromised equipment shall be replaced,

- The ET1 shall be returned to the person in charge of the equipment in each county and the bracelet strap shall be returned to BI,

- 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 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 details the response initiated and the outcome.

- Timeframe to enter the data:

The APD's designee 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 designee shall file a petition to revoke probation and request that the court issue a warrant.

1. Response to alert violations for active and passive:

Violation	Description
Failed to Enter Inclusion Zone	A client is required to enter a zone by a scheduled time but failed to do so by the end of the grace period, if any.
Beacon Case Tamper	The beacon's outer shell casing has been opened or tampered with.
<p style="text-align: center;">FOR ACTIVE AND ALL LEVELS OF PASSIVE MONITORING : MONITORING ANALYST AND APD'S DESIGNEES ACTION FOR ALL VIOLATIONS IN THIS CATEGORY</p> <p>1. Monitoring Analyst's Response</p> <p>a. Review the DSR by noon each day of the week. If a violation has occurred, make a confirmed communication 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.</p> <p>b. The Monitoring Analyst shall inform the APD's designee that the violation is an alert, indicate the nature of the response and the timeframe to provide it according to provision 2 below (APD's Designee Response).</p> <p>c. The Monitoring Analyst shall document the details of the contact made with the probation officer in TA and APETS within a time that shall not exceed 72 hours.</p> <p>At least the following information shall be entered in APETS:</p> <ul style="list-style-type: none"> • When violation has 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 designee, • Details of the contact, • When violation is cleared. <p>2. APD's Designee Response</p> <p>a. Nature of APD's Designee Response:</p> <p>APD's designee shall determine (with the assistance of the Monitoring Analyst, if needed) 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.</p> <p>b. Time frame for APD's Designee to Initiate an Appropriate Response:</p> <p>During business hours, weekend and holidays, the APD's designee shall initiate an</p>	

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,
- 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 TA and APETS within a time that cannot exceed 72 hours.

L. Events

Events are activities that occur with the tracking unit but are not considered an alert of violation. However, the event must be considered within the parameters of the probationer's compliance to supervision before determining the appropriate response. The following is a list of common BI events and their definitions.

Beacon Event	Description
Beacon Battery Restore	The Beacon's battery has been replaced following a <i>Beacon Low Battery</i> Event.
Beacon Case Tamper Reset	The beacon's outer shell casing has been reassembled following a tamper attempt to the case.
Beacon First Found	Beacon is initially paired with the ET1
Beacon Enter	The client entered the range of a beacon when scheduled.
Beacon Did Not Enter	The client did not enter the range of a beacon when scheduled.
Beacon Low Battery	The beacon's battery contains a charge of 25% or less. The battery must be replaced.
Beacon Unauthorized Enter	The ET1 entered the range of the beacon during an already scheduled curfew period.
Beacon Unauthorized Leave	The ET1t left the range of the beacon during a scheduled curfew period.
Beacon Moving	The beacon sensed motion. The client 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).
Beacon Leave	The ET1 has left the range of the beacon and will begin GPS acquisition.
Beacon Not Found	The ET1 did not recognize its assigned beacon upon initial tracker installation.
Beacon Stationary	The beacon returned to a motionless state following a <i>Beacon Moving</i> event.
Tracking Unit Event	Description
Acknowledged	The client acknowledged a voice notification or text

	message within the acknowledgement window (1-10 minutes).
Exclusion Zone Leave	A client is in a forbidden zone less than the grace period, if any, and then leaves the zone.
Audio Message Delivered	The ET1 received an officer-initiated voice notification from the central monitoring computer.
Audio Message Failed	The ET1 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.
Audio Message Submitted	The central monitoring computer sends a notification to the ET1 speaker queue when battery alerts or officer initiated messages occur.
Callback	The central monitoring computer received the expected callback from the tracking unit.
Cell Signal Acquired	The ET1 acquired cellular coverage.
Charger Disconnected	The ET1 is disconnected from the wall charger.
Position Fix Available	The tracking unit has reacquired a GPS signal after losing the signal.
No Position Fix Available	The ET1 was unable to obtain a GPS location.
Locate Request Submitted	An officer sent a request via TotalAccess to the tracking unit to find and report the client's current location.
Locate Request Delivered	The central monitoring computer contacted the tracking unit to find and report the client's current location.
Locate Request Complete	The officer initiated a Find Client Location request through TotalAccess and the tracking unit reported the client's current location to the central monitoring computer.
Low Battery Restart	The ET1 tracking unit shut down and restarted due to a low battery.
Restart Complete	The ET1 shut down and restarted for one of the following reasons: <ul style="list-style-type: none"> • Battery power was low and ET1 shut down, but was restarted after the client starts charging.
Seeking Location	The ET1 is attempting to acquire a location fix. This event occurs in the following situations: <ul style="list-style-type: none"> • When the tracking unit is initially activated or restarts • When the tracking unit leaves a No GPS state • When the tracking unit leaves a motionless state • When a <i>Beacon Moving</i> event is detected • When a <i>Beacon Leave</i> event occurs
Tracker Battery Charged	The tracking unit's battery is charged to at least 85% of full capacity.
Tracker Battery Charging	The tracking unit is connected to a wall charger or car charger.
Tracker Battery Restore	The tracking unit's battery has been installed or reconnected.

Tracker Case Restore	The tracking unit's case was restored after a tamper or battery replacement.
Tracker Install Successful	This event occurs when the following events have been received: <ul style="list-style-type: none"> • Tracker Restart • Tracker Battery Restore • Tracker Tamper Restore • Cell Signal Acquired • Position Fix Available
Tracker Install Unsuccessful	This event occurs if the following events are not received: <ul style="list-style-type: none"> • Tracker Battery Restore • Tracker Tamper Restore • Tracker Restart • Tracker Tamper Reset • Position Fix Available
Tracker Missed Callback	The ET1 has not called the central monitoring computer for the minimum scheduled interval.
Tracker Moving	The tracking unit began moving after having been in a <i>No Motion</i> state.
Tracker No Client Install	The installation of the tracking unit failed to be completed within the allotted time-frame based on the <i>Tracker No Install Timeout</i> setting.
Tracker Restart	The ET1 was restarted after being turned off or the application was suspended then restarted (initial hook-up or the battery was recharged or replaced) The ET1 shut down and restarted because battery power was low.
Receiver missed callback	The receiver failed to callback the central monitoring computer within 45 minutes of the scheduled callback time.
Tracker Tamper Restore	The ET1 has been restored from a previous tamper state.

M. Equipment

Each APD should contact their regional RMA to coordinate the ordering of equipment directly from the vendor BI.

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 RMA.

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.

N. 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.

O. Review of the Policies and Procedures

These policies and procedures shall be reviewed and revised as necessary.

P. 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(G). 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 offenders on GPS per month per county, including offenders on GPS since November 1, 2006. Beginning September 26, 2008 (effective date of A.R.S. § 12-267(G)), 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 quarterly basis. 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).

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.

For probationers sentenced for DCAC on or after September 26, 2008, a probation officer may recommend that the Court impose a GPS fee in addition to the monthly probation fee pursuant to A.R.S. § 13-901(A).

For probationers sentenced for DCAC on or after November 1, 2006, but before September 26, 2008, and currently on GPS monitoring, a probation officer may request the Court to modify the conditions of probation to include a GPS fee. This fee is prospective only.

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
ExacuTrack One 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. I will charge the tracking device in an electrical outlet for **(2) consecutive** hours (or until the device indicates it is fully charged) 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.
2. I am not permitted to charge the tracking device in a vehicle at anytime. I am not permitted to use any type of converter with the supplied power source. Only the supplied power source is permitted to charge the tracking device.
3. I shall respond **immediately** to all alarms (voice and light commands) on the tracking device.
4. If the tracking device Battery LED flashes red, I shall plug the tracking device in an electrical outlet **immediately** and charge until I receive the voice command that charging is complete. I must respond to all alerts via the acknowledgement button on the device and follow the commands.
5. I am responsible for the care of the equipment issued to me. I will be held responsible for any loss or damage to the equipment. The equipment below may be assigned to me and the replacement cost is as follows:

○ ET One Tracking Device	<u>\$ 1740.00</u>
○ Beacon	<u>\$250.00</u>
○ Wall Charger	<u>\$60.00</u>
○ Strap	<u>\$60.00</u>
6. I shall not tamper with the equipment in any manner.
7. I shall not remove or by pass 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.

8. I understand that I may be required to report to the APD for equipment inspections, which may interfere with my scheduled activities.
9. I am not permitted to travel outside the state of Arizona without written permission of the supervising probation team.

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

Appendix B

BI GPS Client Guide

BI ExacuTrack[®] One and Beacon Client Guide

To Charge the Battery

Step 1. Plug the power supply into a standard wall outlet. Release the charging port cover from the charging port.

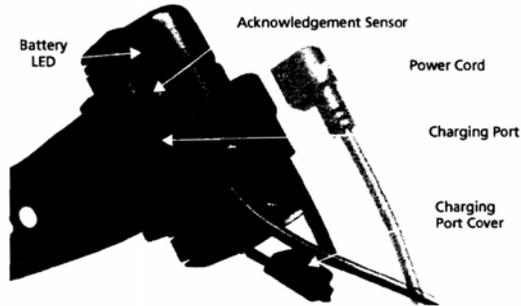
Step 2. Connect the power cord to the charging port. The battery LED will change from a blinking light to a solid light, and you will hear an audible tone.

Step 3. Continue charging the tracking unit until you hear the beeping, and then gently place your finger over the acknowledgement sensor for 1 full second.

Step 4. The tracking unit's internal speaker will play the message "Battery Charged."

Step 5. If required, acknowledge the message by gently placing your finger over the acknowledgement sensor for 1 full second.

Step 6. After the battery is charged, disconnect the power cord, and you will hear an audible tone. Reinsert the charging port cover.



To Listen to a Message

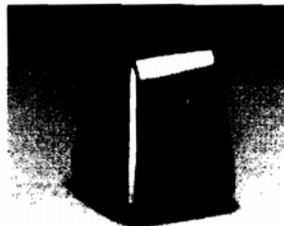
Step 1. The tracking unit will begin to beep. Between beeps, gently place your finger over the acknowledgement sensor for 1 full second. Do not touch the sensor until the beep is completed. You will hear an audible tone, recognizing that you are ready to receive the message.

Step 2. The tracking unit's internal speaker will play the message. Wait until the message is completed, and then gently touch the acknowledgement sensor for 1 full second. Do not touch the sensor while the message is playing. You will hear an audible tone, acknowledging you have received the message.

Officer Initiated Messages

Your officer can send you the following messages:

- Call your officer now.
- Low battery, recharge unit.
- Please pay your fees immediately.
- Remember your appointment.
- Report to the office immediately.



Beacon Placement Guidelines

- Place the Beacon three feet above the floor on a solid wooden surface. Do NOT place directly on the floor.
- Keep the Beacon away from direct sunlight, mirrors, metal, and appliances.
- Do NOT place anything on top of the Beacon.

BI ExacuTrack® One y Beacon

Guía para el Cliente

Para Cargar la Batería

Paso 1. Conecte el cable eléctrico al enchufe de la pared. Suelte y separe la tapa del puerto de carga.

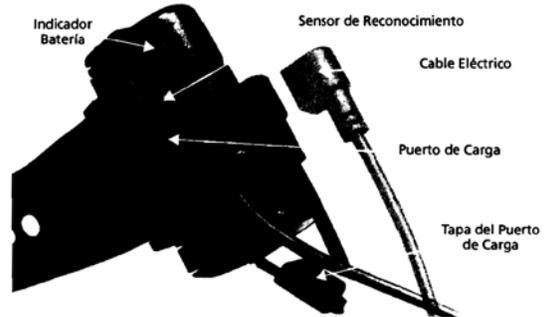
Paso 2. Conecte el cable eléctrico al puerto de carga. El indicador luminoso de la batería cambiará de una luz parpadeante a una luz constante, y escuchará un tono.

Paso 3. Continúe cargando la unidad de restreo hasta que escuche el pitido, y luego ponga suavemente el dedo sobre el sensor de reconocimiento por 1 segundo entero.

Paso 4. La bocina interna de la unidad de restreo tocará el mensaje "Batería cargada."

Paso 5. Si se requiere, reconozca el mensaje poniendo suavemente el dedo sobre el sensor de reconocimiento por 1 segundo entero.

Paso 6. Después de cargar la batería, desconecte el cable eléctrico y usted escuchará un tono. Reinserte la tapa del puerto de carga.



Para Escuchar un Mensaje

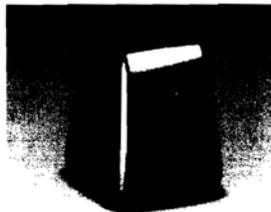
Paso 1. La unidad de restreo empezará a emitir pitidos. Entre pitidos, ponga suavemente el dedo sobre el sensor de reconocimiento por 1 segundo entero. No toque el sensor hasta que termine el pitido. Escuchará un tono, reconociendo que usted está listo para recibir el mensaje.

Paso 2. La bocina interna de la unidad de restreo tocará el mensaje. Espere a que el mensaje termine y luego toque suavemente el sensor de reconocimiento por 1 segundo entero. No toque el sensor mientras que el mensaje está tocando. Escuchará un tono, reconociendo que usted ha recibido el mensaje.

Mensajes iniciados por el oficial

Su oficial puede enviarle los siguientes mensajes:

- Llame su oficial ahora.
- La batería baja, recarga la unidad.
- Pague sus cargos inmediatamente.
- Recuerde su cita.
- Repórtese inmediatamente a la oficina.



Pautas de Colocación Del Beacon

- Coloque el Beacon en una superficie de madera y a tres pies de altura por encima del piso. No lo coloque directamente en el piso.
- Mantenga alejado de la luz solar directa, los espejos, el metal, y electrodomésticos.
- No ponga nada encima del Beacon.

Appendix C

BI Instructions for Online Training

Training Instructions

System Training

The following information will guide your agency through the process of successfully completing the BI TotalAccess® system training and certification. BI requires each agency to complete BI TotalAccess certification to ensure proper use of the product. You will need a computer with internet access when attending this training.

The certification process involves two sections:

- ❖ Equipment Training
- ❖ Software Training

Equipment Training: (Helpful if completed prior to the software training)

The equipment section of the training can be accomplished by completing the online equipment training.

Software Training:

The BI Training Department conducts this portion of the training. The following information outlines the process for attending and completing the software section of the training.

Software training is comprised of three sections.

- ❖ **TA I** (Basic) - required in order to be issued a username and password for TotalAccess
- ❖ **TA II** (Advanced) - optional
- ❖ **TA III** (Reports and Q&A) - optional

The information below outlines what is covered in each section and the days/times the training is offered.

TA I - Basic Training (required)	TA II - Advanced Training (optional)	TA III - Reports and Q&A (optional)
<p style="text-align: center;">Enrollments</p> <p style="text-align: center;">Unit Configurations</p> <p style="text-align: center;">Tools</p> <p style="text-align: center;">Inactivate/Reactivate</p> <p style="text-align: center;">Rules Overview</p> <p style="text-align: center;">Schedules & Zones</p> <p style="text-align: center;">Using the Help Tool</p>	<p style="text-align: center;">Caseload Snapshot</p> <p style="text-align: center;">Handling Alerts & Events</p> <p style="text-align: center;">Unit Configurations</p> <p style="text-align: center;">Tools</p> <p style="text-align: center;">Client Menu - other options</p> <p style="text-align: center;">Device History</p> <p style="text-align: center;">Audit Trail</p> <p style="text-align: center;">My Profile</p>	<p style="text-align: center;">Run Reports</p> <p style="text-align: center;">Mapping Reports</p> <p style="text-align: center;">Question & Answer</p>