

# State of Indiana

## Justice Reinvestment Advisory Council



### Electronic Monitoring Annual Report for Calendar Year 2023

## Contents

INTRODUCTION .....	3
GENERAL INFORMATION ON ELECTRONIC MONITORING & EVIDENCE-BASED PRACTICES .....	3
TOTAL NUMBER OF TRACKED INDIVIDUALS UNDER SUPERVISION, OFFENSES, AND OFFENSE LEVELS.....	4
Total Number of Tracked Individuals by Legal Status .....	4
Offense Categories and Levels of Offense .....	5
Adult Supervisions:.....	6
Juvenile Supervisions: .....	11
TOTAL NUMBER OF TRACKED INDIVIDUALS UNDER SUPERVISION ASSIGNED TO EACH EMPLOYEE OR CONTRACTOR .....	14
Total Number of Supervisions .....	15
Supervision Staff.....	15
Adult Supervision Staff: .....	16
Juvenile Supervision Staff:.....	17
TOTAL COSTS AND FEES LEVIED AND COLLECTED .....	18
TOTAL NUMBER OF TRACKED INDIVIDUALS UNDER SUPERVISION TERMINATED FROM SUPERVISION AND THE REASON FOR TERMINATION .....	20
Adult Supervisions:.....	20
Juvenile Supervisions: .....	21
TOTAL NUMBER OF FALSE LOCATION ALERTS AND/OR DEVICE MALFUNCTIONS FROM TRACKED INDIVIDUALS.....	21
False Location Alerts .....	21
Adult Supervisions:.....	23
Juvenile Supervisions: .....	24
Device Malfunctions:.....	24
Adult Supervisions:.....	24
Juvenile Supervisions: .....	24
CONCLUSIONS AND NEXT STEPS: .....	25
Appendix .....	26
DEFINITIONS .....	26

## Introduction

On January 1, 2023, supervising agencies began collecting specific electronic monitoring supervision data to submit to their Local JRACs as required by Ind. Code § 35-38-2.7-2(b). Each Local JRAC and the Department of Correction, Division of Parole Services, then submits the required data to the [State JRAC](#), which is compiled and published quarterly and provided to Legislative Council and the Judicial Conference of Indiana.

This report includes narratives along with the quarterly data to aid in outlining the context of reported data and to better inform stakeholders about the complexity regarding electronic monitoring supervision practices. As an appendix to this report, key definitions are provided to aid in reviewing this information. To review the quarterly data submissions from the Division of Parole Services and each Local JRAC, please visit: [JRAC: Reports \(in.gov\)](#).

Some reporting agencies experienced challenges with the data collection process. The Indiana Office of Court Services and the Indiana Office of Court Technology provided technical assistance to these agencies.

## General Information on Electronic Monitoring & Evidence-Based Practices

Community supervision agencies use electronic monitoring to aid in supervising clients. The implementation and use of electronic monitoring as a supervision tool requires careful planning and policy development.

Sound electronic monitoring policies and procedures must address numerous factors, including eligibility criteria for placement on electronic monitoring, the type of monitoring device(s) being used, inclusion and exclusion zones parameters, alert settings, etc. In addition, there often are additional factors and considerations to address for special populations (e.g., domestic violence offenders, sex offenders, etc.) or individualized conditions required by a court.

Properly trained and qualified staff are crucial to the implementation of electronic monitoring supervision strategies. Often, electronic monitoring supervision is only one portion of a community supervision staff's overall duties and workload responsibilities. It is not only the number of individuals on supervision that impacts the community supervision agencies, but also the associated workload necessary to protect public safety and reduce recidivism.

In addition, community supervision agencies have different methods for providing this type of supervision. Some agencies will add job duties to existing staff positions and outline their responsibilities as it relates to electronic monitoring, while other agencies may hire dedicated staff or contract with providers for specific monitoring responsibilities (e.g., field officers, call centers, etc.). These variations further emphasize the need for local criminal justice stakeholders to work with supervision agencies to ensure policies and procedures enhance public safety.

To aid supervision agencies and the communities they serve, the American Probation and Parole Association published a guidebook<sup>1</sup> that provides an overview of key information and outlines the critical, complex conversations necessary to develop policies and procedures that address the public safety considerations important within each unique community.

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<sup>1</sup> [Offender Supervision with Electronic Technology Community Corrections Resource](#), Second Edition 2009, American Probation and Parole Association.

The use of electronic monitoring continues to increase, and the available technology continues to evolve. As a result, community supervision agencies must continuously adapt and modify their policies and procedures.

In addition to the Division of Parole Services, numerous local agencies and contractors provide electronic monitoring supervision. Based on the Local JRAC reports, electronic monitoring supervision is collectively provided by probation departments, community corrections agencies, contract agencies, a sheriff-run work release, and pretrial services agencies.

Electronic monitoring is a supervision tool used across the spectrum of the justice system. It can be used as a condition of pre-trial or pre-adjudication release, or as a condition of a sentence or dispositional order that includes time on community supervision (e.g., probation, community corrections, or parole). Depending on the release or sentencing conditions in each case, tracked individuals can be on electronic monitoring after serving incarcerated time (e.g., time in jail before bond posted, serving a term of years before placement on community supervision, release to parole, etc.)<sup>2</sup>.

The report sections will present the data for both the adult and juvenile populations supervised on electronic monitoring. For more details from each Local JRAC and the Division of Parole Services, please visit the [JRAC Reports website](#) to review the quarterly submissions.

## **Total Number of Tracked Individuals Under Supervision, Offenses, and Offense Levels**

### **Total Number of Tracked Individuals by Legal Status**

This section provides the total number of tracked individuals on electronic monitoring supervision during each quarter by legal status. This information includes tracked individuals who are on electronic monitoring supervision as a part of a court-ordered condition, as an imposed sanction for violating supervision conditions, or as a requirement of another level of supervision (e.g. work release, residential placement, etc.). Generally, individuals are counted only one time by a supervision agency within a quarter. If the electronic monitoring supervision was transferred to a new agency during the quarter, this person will be counted by both the sending agency and the receiving agency. The individual's legal status category is determined at the end of each quarter if they are still under an electronic supervision condition or at the end of the electronic monitoring supervision condition.

The Pretrial/Pre-Disposition Only category includes tracked individuals who are only on electronic monitoring supervision in pretrial or pre-disposition matters.

The Post-Disposition/Multiple electronic monitoring supervisions category includes tracked individuals who are on electronic monitoring supervision in the following situations:

- Post-Disposition supervision
- Multiple electronic monitoring supervisions – a tracked individual is simultaneously supervised on pretrial and post-disposition matters
- Tracked individuals as a condition of a withheld judgment

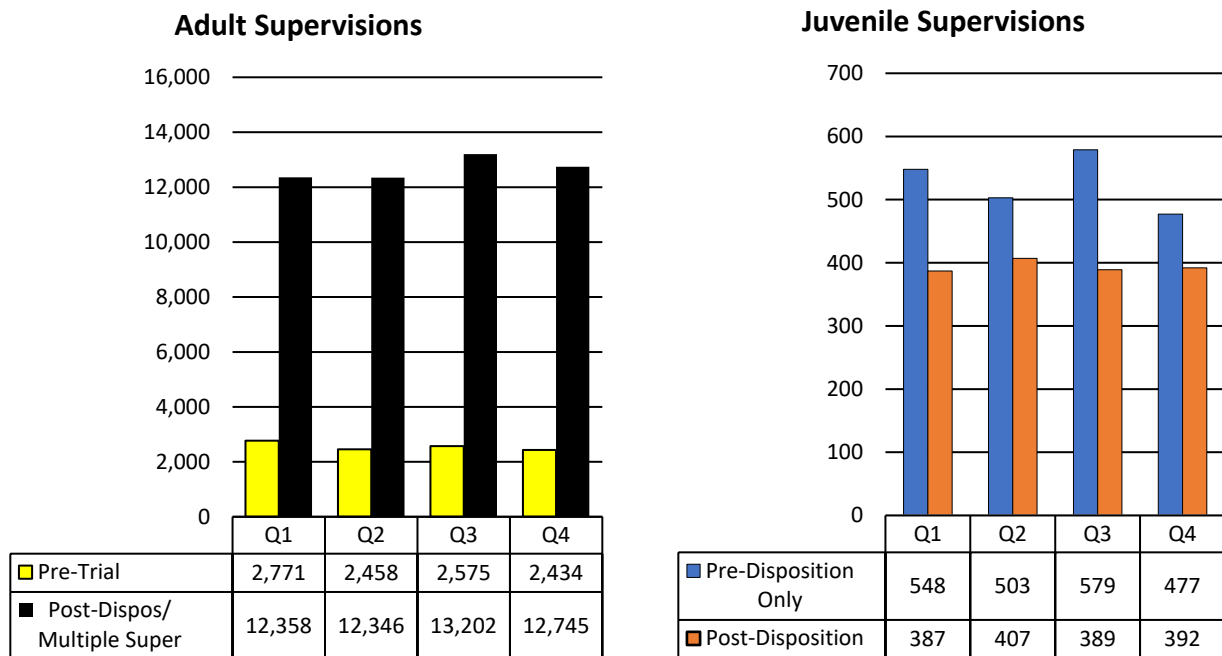
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<sup>2</sup>IC 35-33-8 and 35-33-8.5 set forth the law regarding the release of individuals on bail and IC 31-37-6-6 sets forth the law regarding the release of juveniles prior to adjudication. IC 35-38-2.6-1 specifies offenses that are not eligible for direct placement to community corrections.

Examples:

1. If an individual is placed on Pretrial/Pre-Disposition electronic monitoring supervision in month 1, and then moves to Post-Disposition electronic monitoring supervision in month 3, this individual will be counted only one time within the Post-Disposition category.
2. If an individual is placed on Pretrial/Pre-Disposition electronic monitoring supervision in month 1 and the individual either:
  - a. remains on Pretrial/Pre-Disposition electronic monitoring supervision at the end of the quarter, or
  - b. the individual's electronically monitoring supervision condition ended during the quarterthis individual will be counted only one time within the Pretrial/Pre-Disposition category.
3. If an individual has both a Pretrial/Pre-Disposition electronic monitoring supervision and a Post-Disposition electronic monitoring supervision running concurrently, then this individual is only counted in the Post-Disposition category.

Since some individuals may be under supervision in multiple quarters, the data is presented by quarters to avoid any artificial inflation of the data. During this calendar year the following quarterly data was reported by Local JRACs and Division of Parole Services:



As illustrated above, most adults supervised on electronic monitoring are doing so post-disposition while most juveniles are supervised on electronic monitoring pre-disposition.

### Offense Categories and Levels of Offense

This section, considering the previously described populations, provides the total number of tracked individuals on electronic monitoring supervision during each quarter by highest level of offense.

If an individual has multiple cases, only the highest level of offense among all cases for that individual is counted within the report. The charge hierarchy will be dictated by the highest level of offense first. If multiple charges have the same offense level, then the offense categories dictate the highest level of offense for reporting purposes in the following priority order: crimes against a person, crimes against property, crimes related to controlled substances, crimes involving a motor vehicle, and all other crimes.

Example:

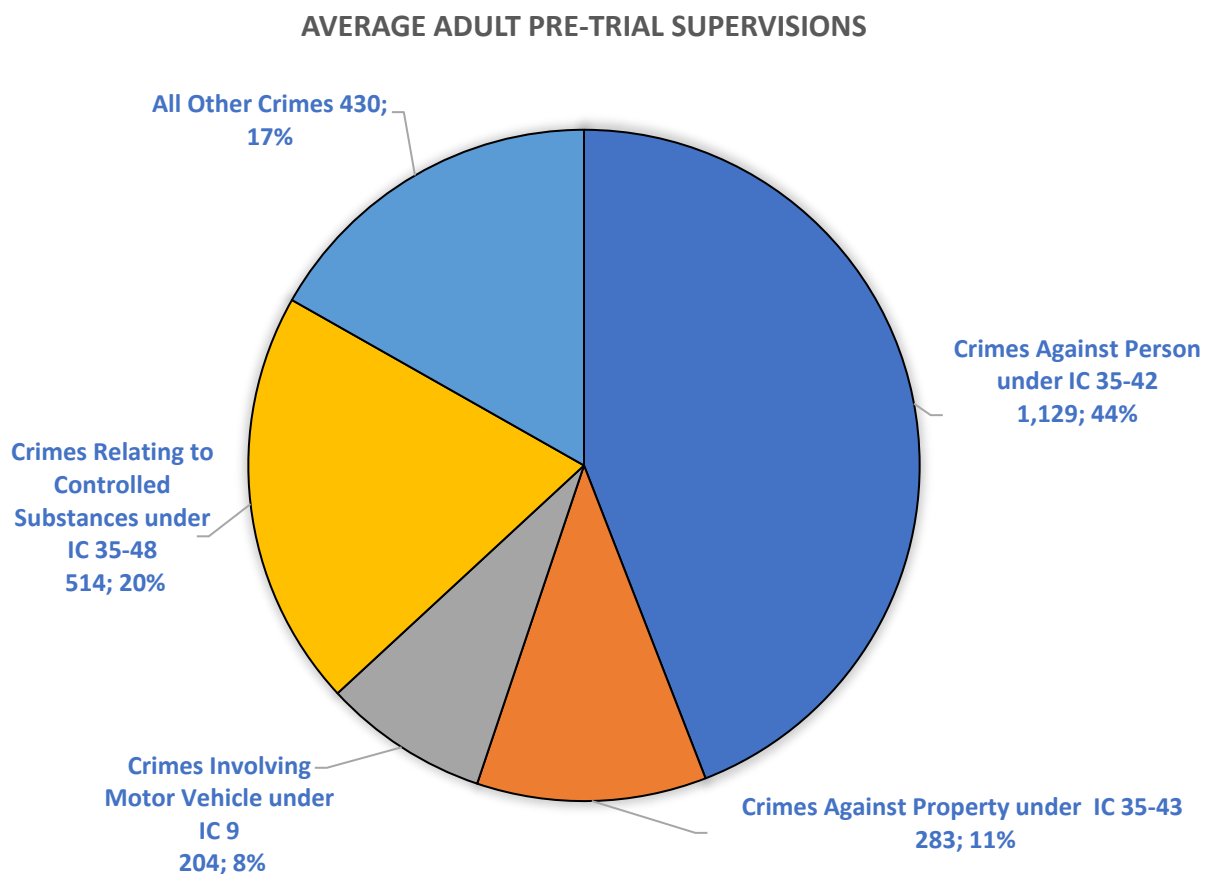
If an individual is placed in the electronic monitoring program in Circuit Court for a Level 6 felony, and in Superior Court for a Level 5 felony, this individual should be counted only once as a Level 5 felon.

If an individual is transferred to Indiana from another state for supervision, the individual's out of state offense is matched to the closest Indiana offense for the purpose of this report.

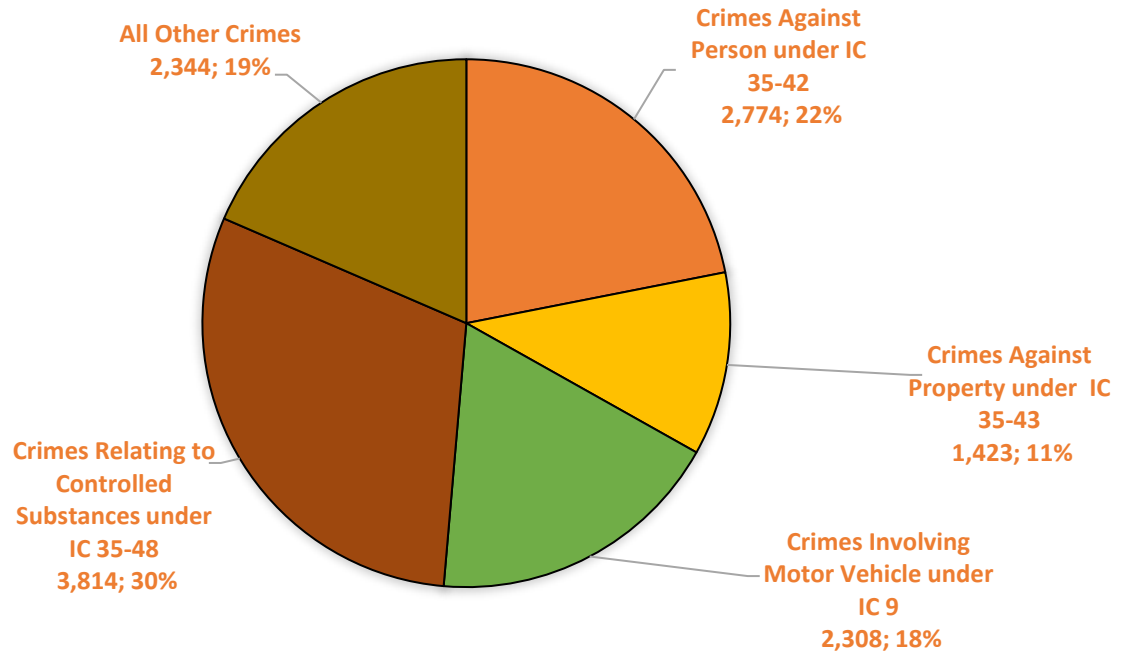
Since some individuals may be under supervision in multiple quarters, the data for this item is presented by quarters to avoid any artificial inflation of the data. The detailed quarterly data for this report item is available on the [JRAC Reports webpage](#).

**Adult Supervisions:**

The charts below display the four quarter average adult pre-trial and post-disposition supervisions by category of offense.



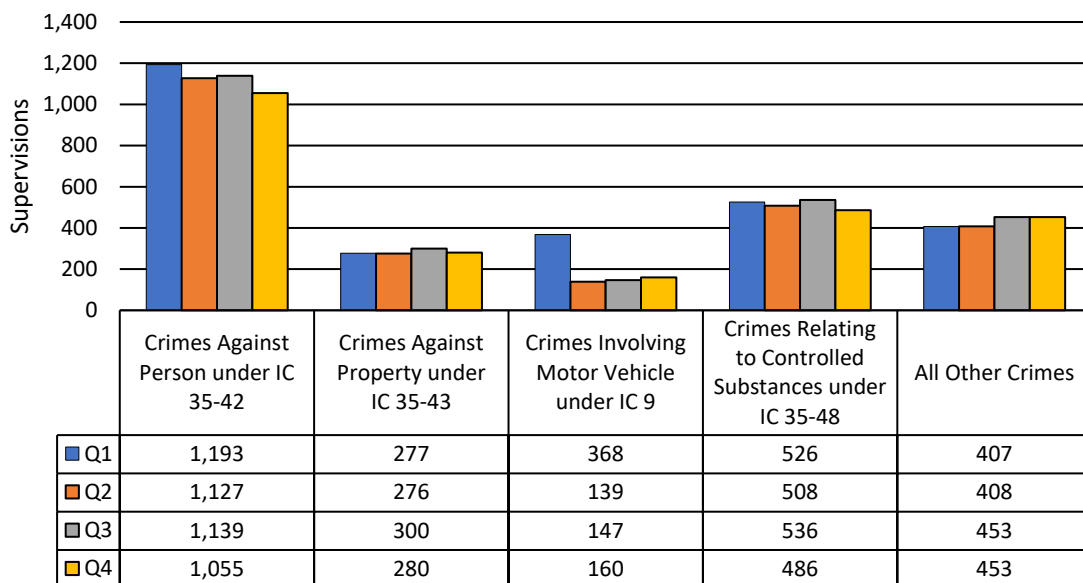
### AVERAGE ADULT POST-DISPOSITION SUPERVISIONS



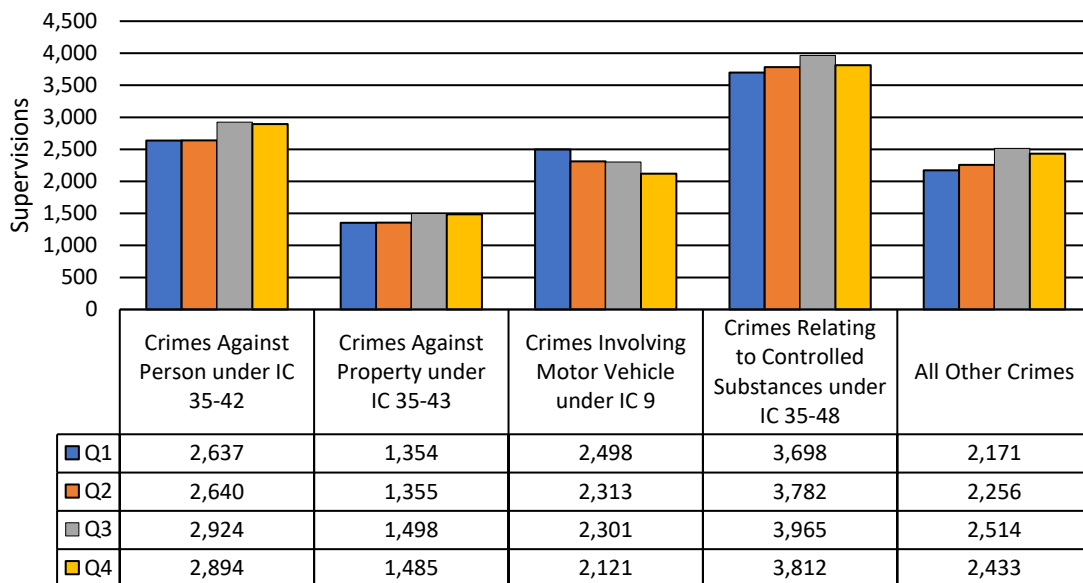
In reviewing the four quarter average adult populations for pre-trial and post-disposition supervision, the frequency of offense types within each population differs. For pre-trial the most common offense category is Crimes Against a Person under IC 35-42, followed by Crimes Relating to Controlled Substances under IC 35-48. For post-disposition supervisions, the most common offense category is Crimes Relating to Controlled Substances under IC 35-48, followed by Crimes Against a Person IC 35-42.

The charts below display the quarterly data by offense categories for the adult pre-trial and post-disposition populations separately.

### Adult Pre-Trial Supervisions



### Adult Post-Disposition Supervisions

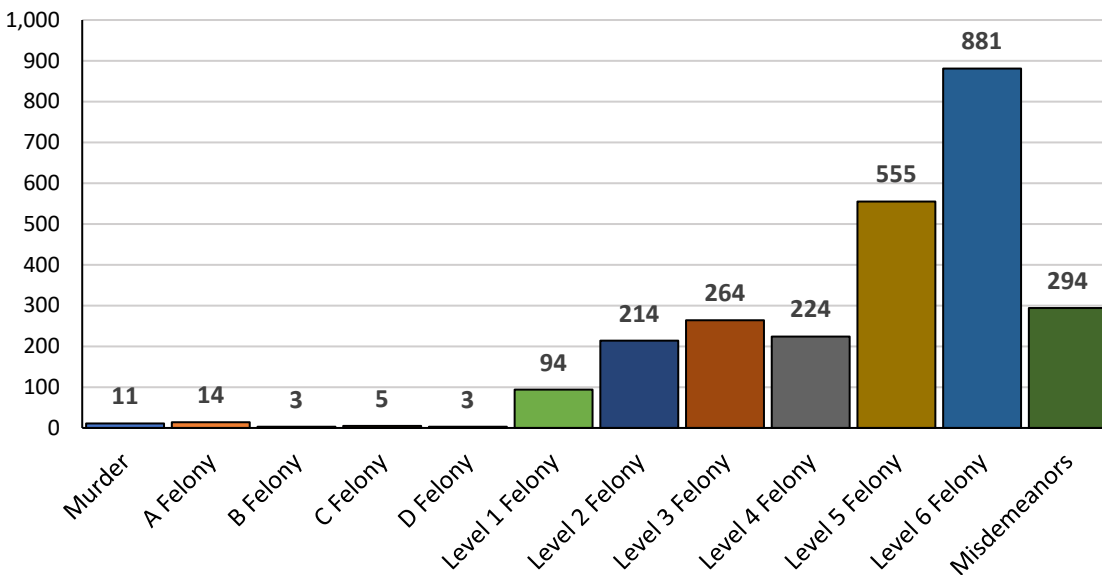


In reviewing the adult pre-trial and post-disposition supervision populations by quarter, the pre-trial Crimes involving Motor Vehicle offenses under IC 9 had the most fluctuation while the remaining offense categories for both populations were relatively stable.

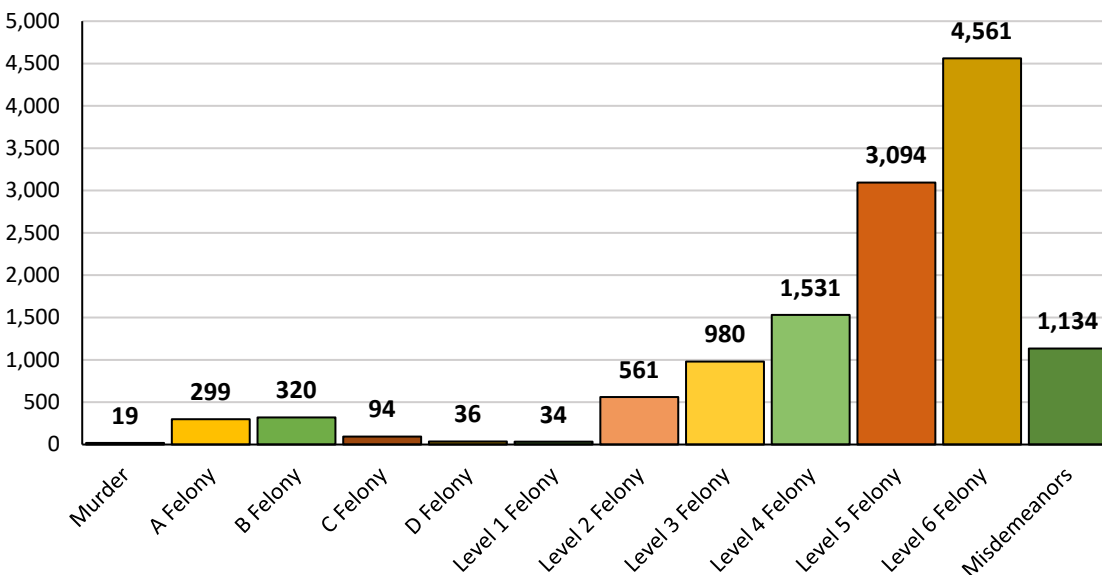


The charts below show the four quarter average adult pre-trial and post-disposition populations by level of offense.

**Average Adult Pre-Trial Supervisions by Offense Level**



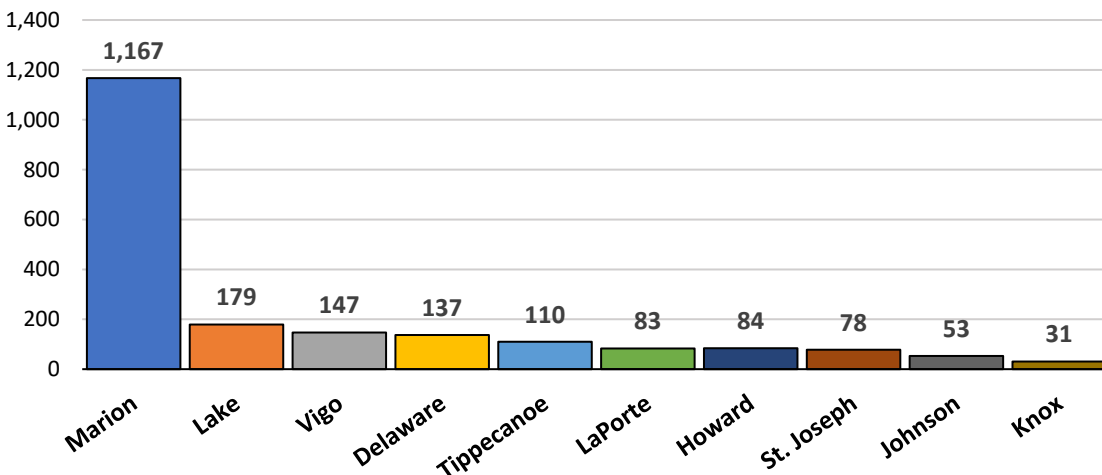
**Average Adult Post-Disposition Supervisions by Offense Level**



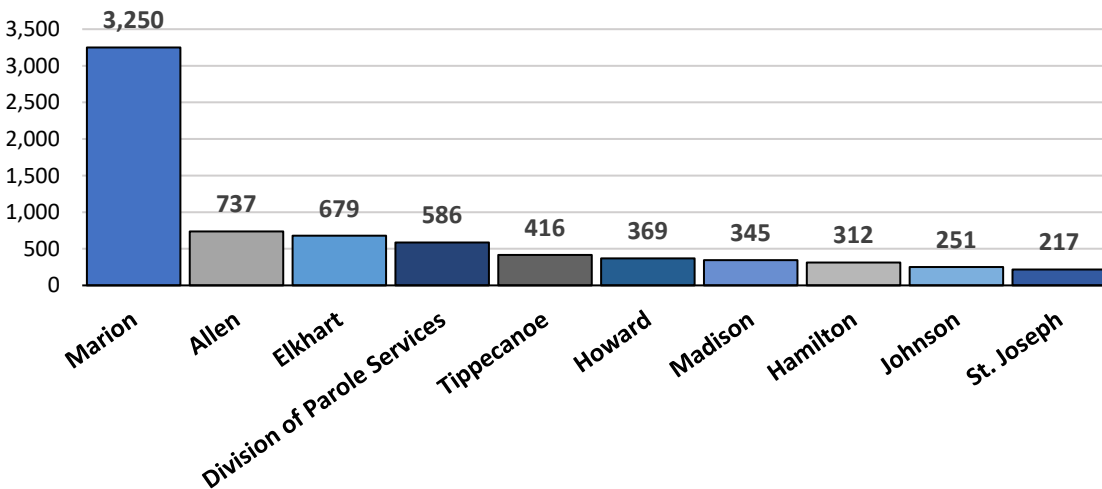
In reviewing the four quarter average adult pre-trial and post-disposition populations, the most common level of offense is Level 6 Felony followed by Level 5 Felony for both populations. The misdemeanor offense level is the third most common level for the pretrial populations and fourth most common for the post-disposition population.

The following charts display the top ten counties using electronic monitoring based on the four quarter average pre-trial and post-disposition supervisions.

**Top Ten Average Adult Pre-Trial Supervisions Each Quarter**



**Top Ten Average Adult Post Disposition Supervisions Each Quarter**

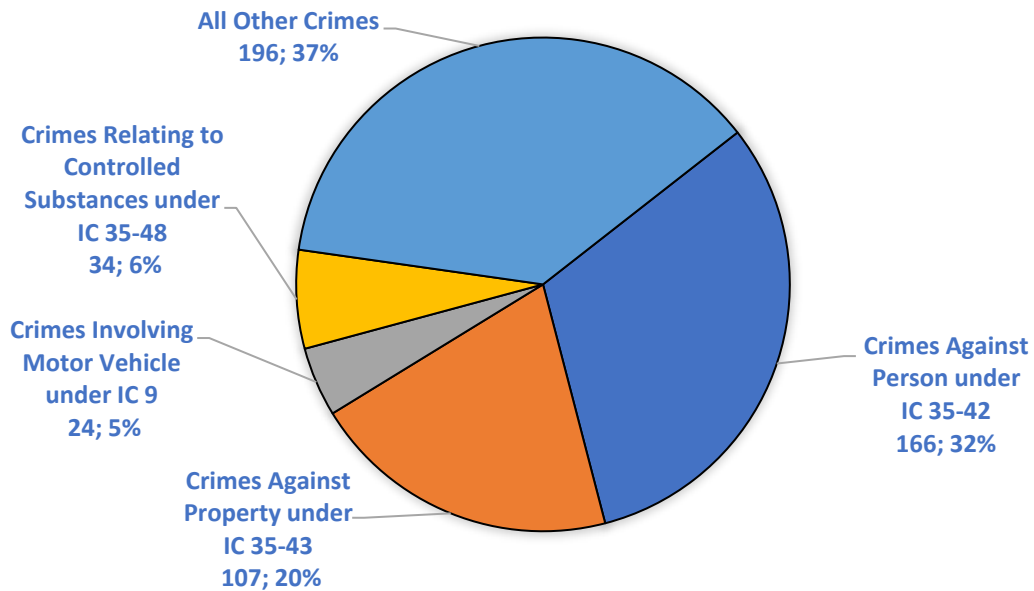


In reviewing the four quarter average adult pre-trial and post-trial top ten counties, you will notice that only five counties are listed on both charts. These include Marion, Tippecanoe, Howard, St. Joseph, and Johnson counties. Even with the same counties on both charts, these counties vary with the degree of use of electronic monitoring among the pre-trial and post-disposition populations.

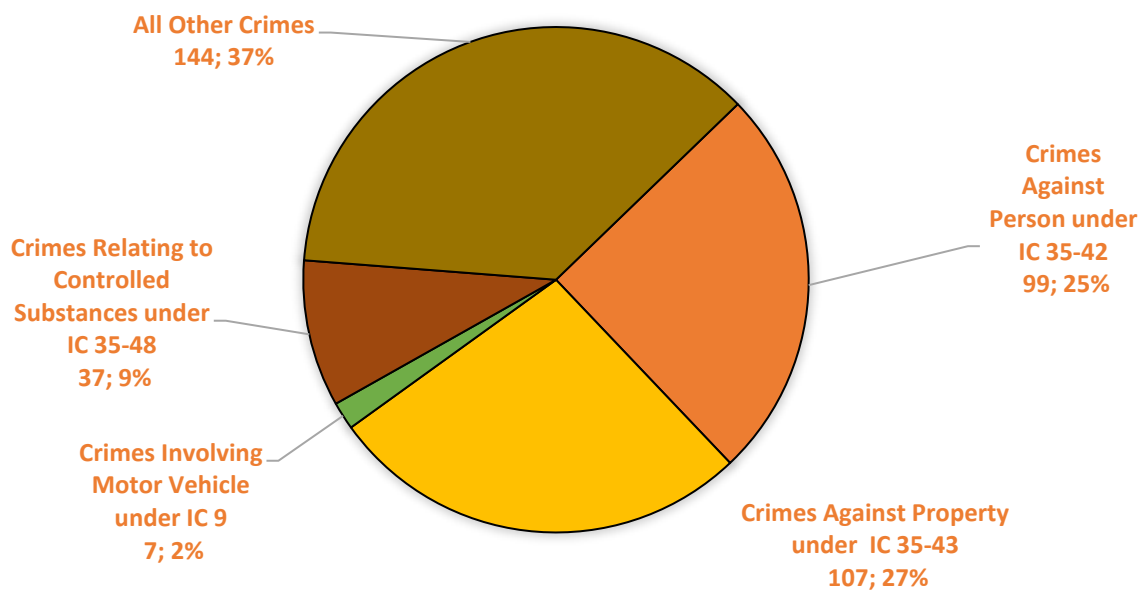
## Juvenile Supervisions:

The charts below display the four quarter average juvenile pre-disposition and post-disposition supervisions by category of offense.

### AVERAGE JUVENILE PRE-DISPOSITION SUPERVISIONS



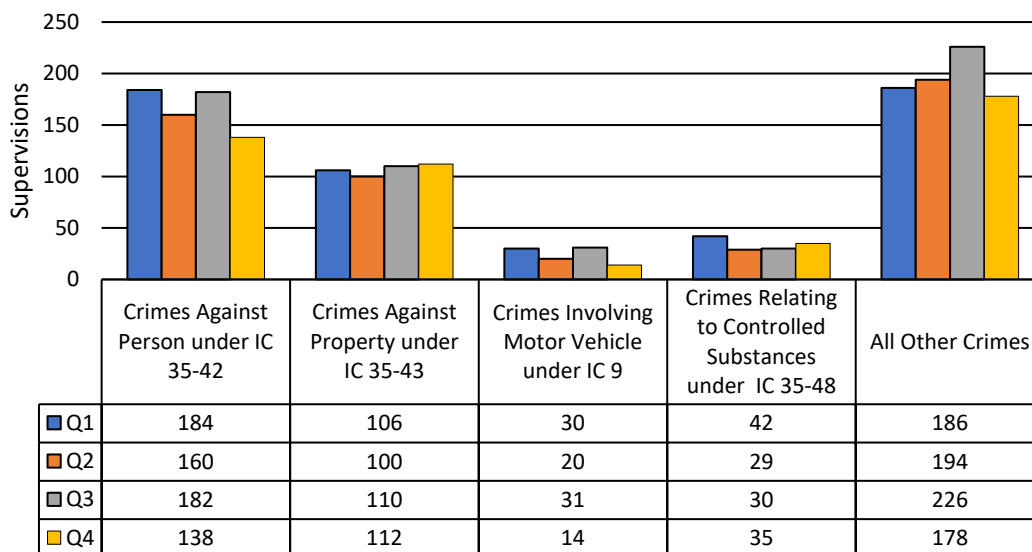
### AVERAGE JUVENILE POST-DISPOSITION SUPERVISIONS



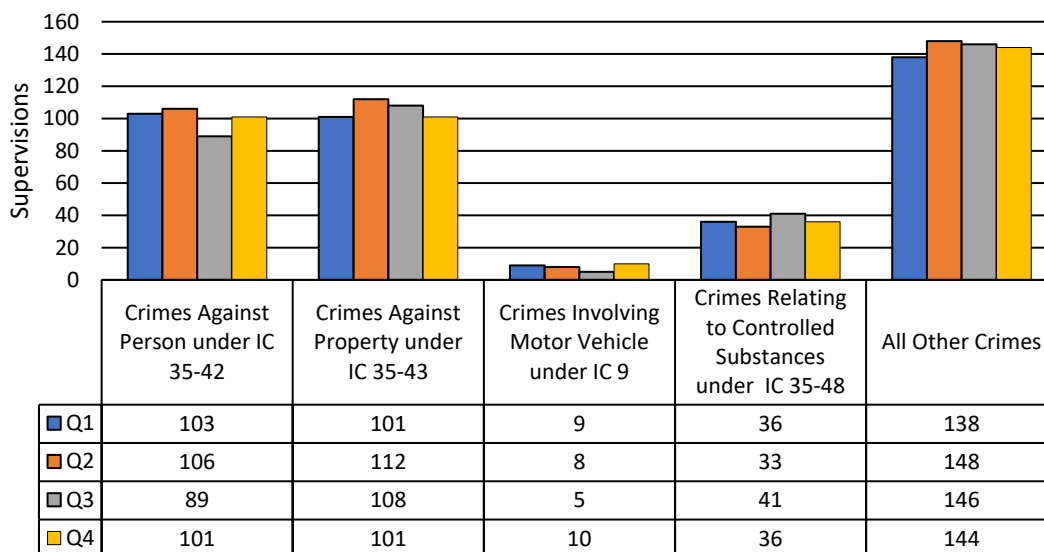
In reviewing the four quarter average juvenile populations for pre-disposition and post-disposition supervision, the frequency of offense types within each population differs. For pre-disposition the most common offense category is All Other Crimes followed by Crimes Against a Person under IC 35-42. For post-disposition supervisions, the most common offense category is All Other Crimes followed by Crimes Against Property under IC 35-43.

The charts below display the quarterly data by offense categories for the juvenile pre-disposition and post-disposition populations separately.

### Juvenile Pre-Disposition Supervisions



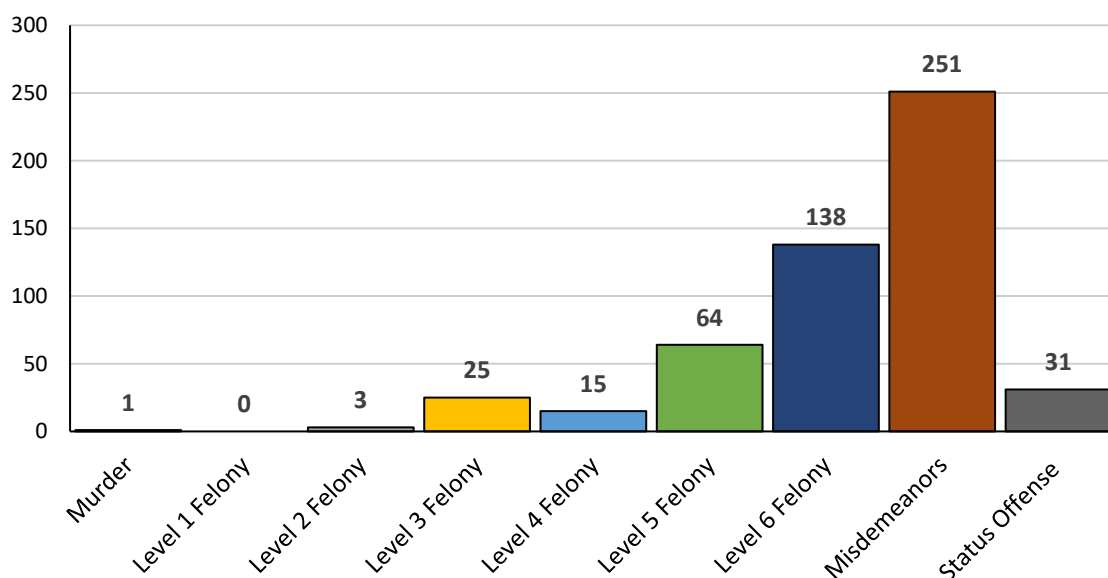
### Juvenile Post-Disposition Supervisions



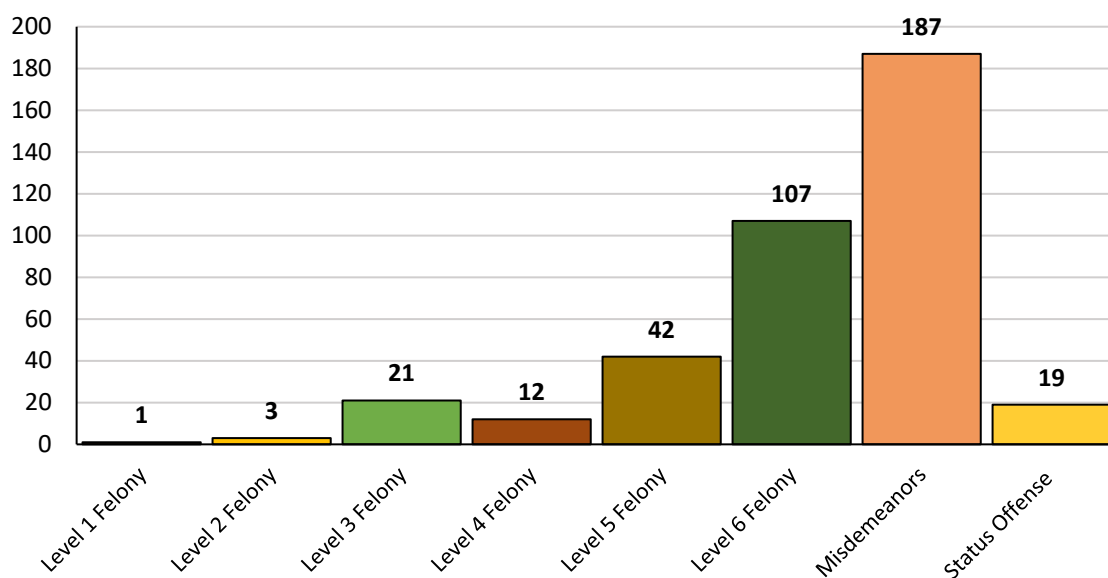
In reviewing the pre-disposition and post-disposition quarterly populations, pre-disposition Crimes Against a Person under IC 35-42 and All Other Crimes had the most fluctuation while for the post-disposition population, the most fluctuation was in the Crimes Against a Person under IC 35-42 category.

The charts below show the four quarter average juvenile pre-disposition and post-disposition populations by level of offense.

**Average Juvenile Pre-Disposition Supervisions by Offense Level**

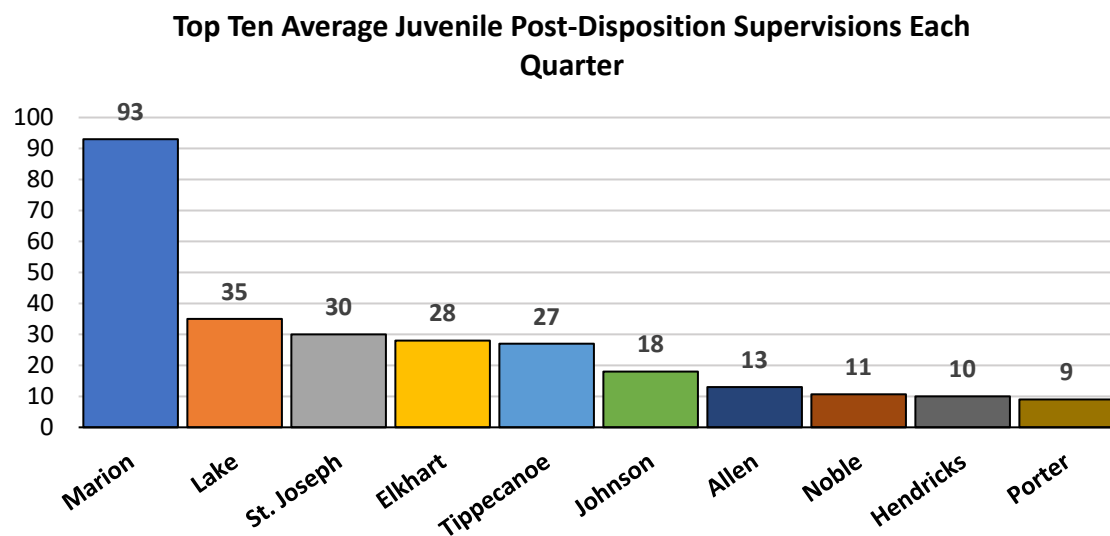
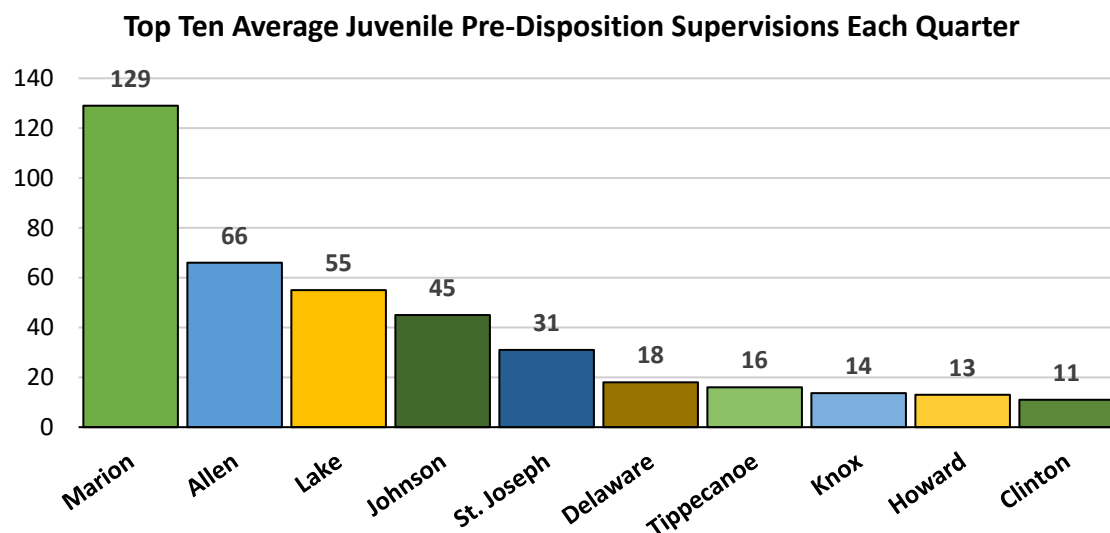


**Average Juvenile Post-Disposition Supervisions by Offense Level**



In reviewing the four quarter average juvenile pre-disposition and post-disposition populations, the most common level of offense is Misdemeanors followed by Level 6 Felony for both populations.

The following charts display the top ten counties using electronic monitoring for juveniles based on the four quarter average of the pre-disposition and post-disposition supervisions.



In reviewing the four quarter average juvenile pre-disposition and post-trial top ten counties, you will notice that six counties are listed on both charts. These include Marion, Allen, Lake, Johnson, St. Joseph, and Tippecanoe counties. Even with the same counties on both charts, these counties vary with the degree of use of electronic monitoring among the pre-disposition versus post-disposition populations.

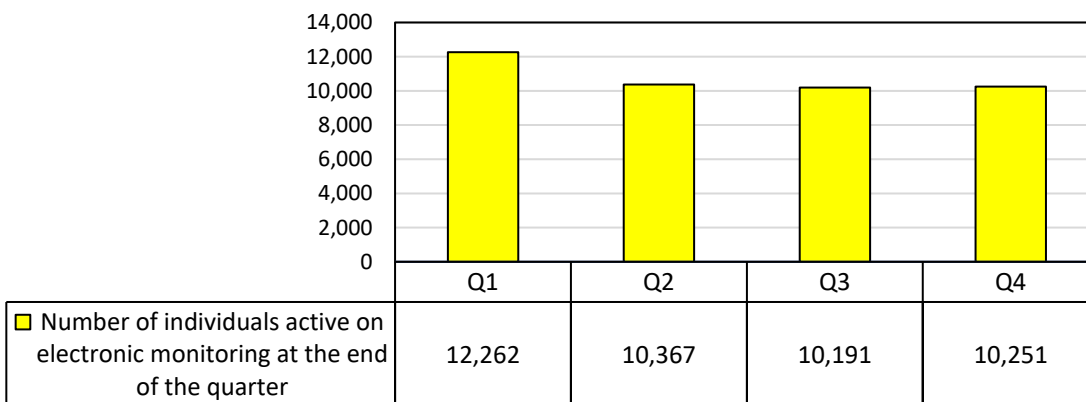
## Total Number of Tracked Individuals Under Supervision Assigned to Each Employee or Contractor

This section includes the total number of tracked individuals active at the end of each quarter (a population snapshot) and the total number of employees/contractors responsible for tracking these individuals.

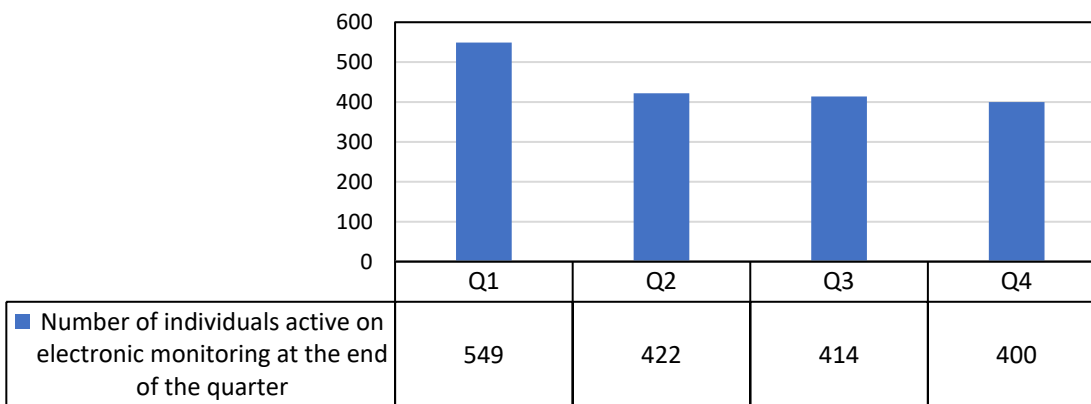
## Total Number of Supervisions

This data includes active electronic monitoring supervisions and any transfer-in cases that are active on the last day of the quarter. The charts below show the total number of individuals on active electronic monitoring at the end of each quarter.<sup>3</sup>

### Adult Supervision and Tracking



### Juvenile Supervision and Tracking



## Supervision Staff

The report lists the various roles of staff and contractors that are responsible for or assist supervision agencies with electronic monitoring supervision duties, such as case management duties, conducting field visits, monitoring locations, responding to alerts, updating case notes, filing violations, appearing in court, entering/updating schedules, installing/removing equipment, and troubleshooting equipment issues. Definitions for these roles are found in the appendix of this report.

Often, several staff are needed to accomplish these duties, so it is important to delineate all staff that are responsible for tracking individuals. These roles will also look different depending on the county – some field officers may have more involvement in monitoring than others, some counties may have a call center or a monitoring center, but some may not. Those that use call or monitoring centers do so in

<sup>3</sup> As a result of the variations outlined above regarding staff resources, responsibilities, and data collection instructions, this data **cannot** be used to determine workload or caseload size ratios.

various capacities. In addition, a monitoring center may serve other counties, other states, or even other countries.

Due to staffing resources, some agencies assign supervision staff for adult supervisions or juvenile supervisions separately while other agencies have supervision staff assigned to cover both adult and juvenile supervisions simultaneously. This will result in staff that serve both populations simultaneously being counted in each category below. For regional programs, the total number of staff available for this supervision strategy is reflected within each Local JRAC report served by the regional program.

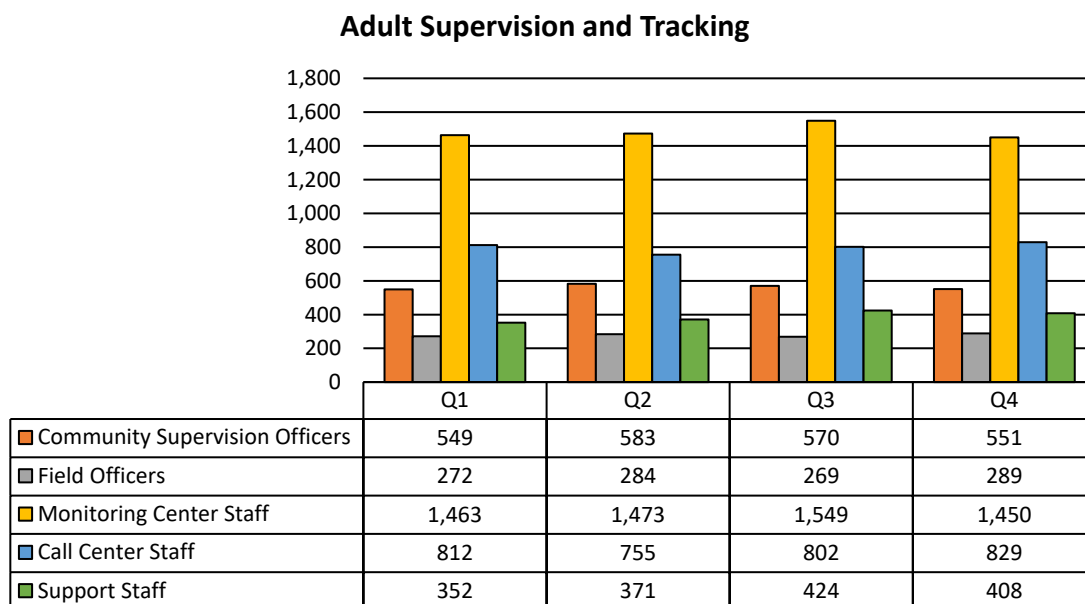
Further, in some counties, support staff may have more involvement in tracking than others depending on the needs of the agency. Nothing in this report reflects the actual time spent by any staff or contract personnel on the supervision of tracked individuals and this report does not include a full accounting of the supervision agencies' entire staff resources. This information should be considered when interpreting the total number of tracked individuals and total staff/contract personnel supervising electronic monitoring, and any potential comparisons that could be made to other counties.

As a result of the variations outlined above regarding staff resources, responsibilities, and data collection instructions, the data in this section **cannot** be used to determine workload or caseload size ratios.

Since staff assignments are not limited to a single quarter, the data for this item is presented by quarters rather than in aggregate totals to avoid any artificial inflation of the data. During this calendar year the following data was reported by Local JRACs and Division of Parole Services:

#### Adult Supervision Staff:

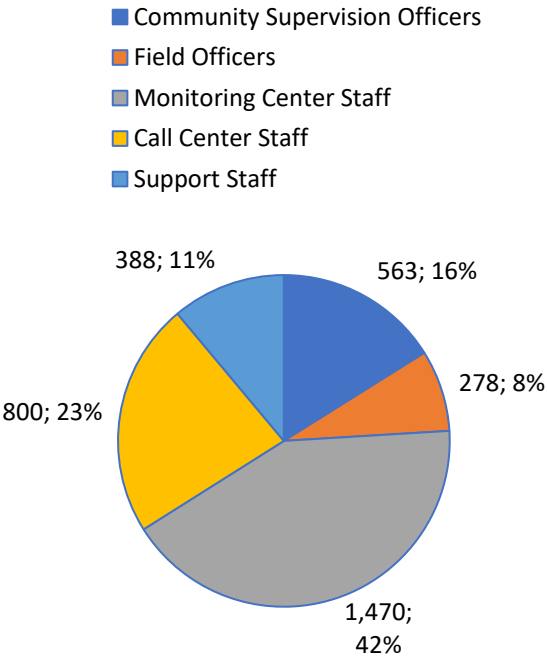
This chart shows that the numbers reported in a majority of categories are relatively stable, with the most fluctuation in monitoring center staff, call center staff, and support staff.





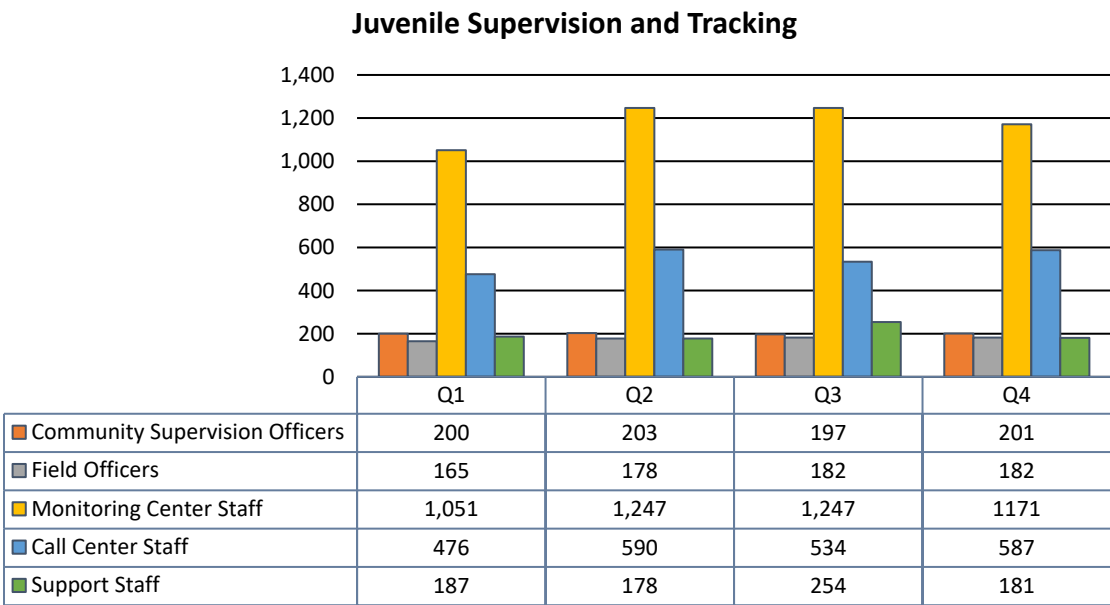
The chart below shows the four quarter average number of staff supervising the adult electronic monitoring populations.

**Quarterly Average Number of Staff Tracking Adult Supervisions**



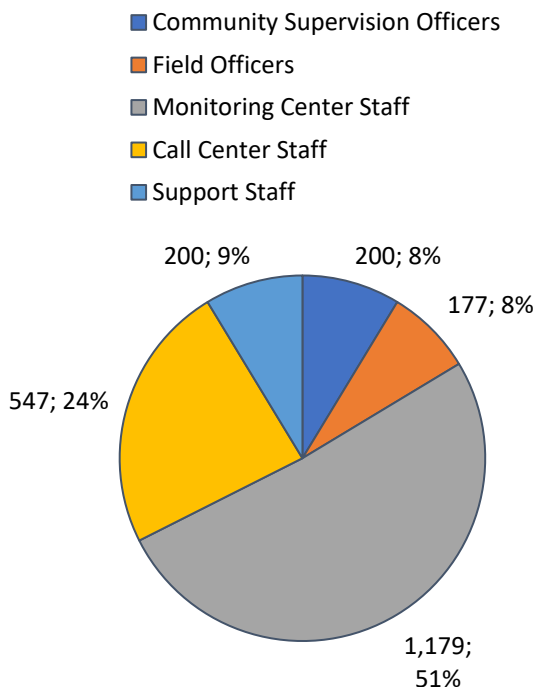
**Juvenile Supervision Staff:**

This chart shows that the numbers reported in a majority of categories are relatively stable, with the most fluctuation in monitoring center staff, call center staff, and support staff.



The chart below shows the four quarter average number of staff supervising the juvenile electronic monitoring populations.

#### Quarterly Average Number of Staff Tracking Juvenile Supervisions



### Total Costs and Fees Levied and Collected

This section provides the total electronic monitoring costs and fees assessed to and collected from tracked individuals during each quarter. The total amount of collected fees includes payments made for fees that may have been assessed prior to a particular quarterly report.

Fees are commonly assessed to tracked individuals to offset the cost of electronic monitoring supervision.

Fees are typically set by the supervising agency and approved by the body overseeing the supervising agency. When setting fee amounts, supervising agencies evaluate the actual cost for vendor services, staffing costs, overhead expenses, cost of providing indigent services, and overall collection rates.

Fees include, but are not limited to, daily monitoring fees, transfer fees, equipment damage/replacement fees, and installation fees. Fee amounts are often set based on the program or type of equipment being utilized. Some supervising agencies use sliding scales when setting fees.

In some cases, fees are collected by a contract agency who provides services for tracked individuals in a jurisdiction. Fees assessed and amounts are generally set by the contract agency but may be specified in an agreement with the local jurisdiction.

Fees are often collected by the supervising agency though some agencies allow the County Clerk in a jurisdiction to collect the electronic monitoring fees. Fees are deposited into a user fee account, which may

be used to support the operations of a supervising agency. Some supervising agencies utilize the services of a collection agency for delinquent fees.

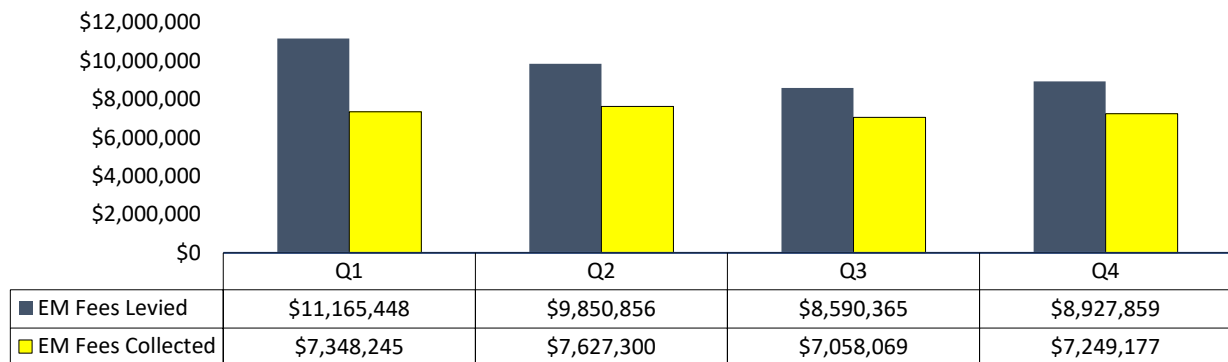
A supervising agency should assess each tracked individual's ability to pay fees and only assess or collect fees the tracked individual has the ability to pay.

Due to the manner in which fees are assessed and collected, this data **cannot** be used to calculate a collection rate. Also, this data does not include any expenses paid from agency budgets, so this data **cannot** be used to calculate the full costs associated with electronic monitoring supervision.

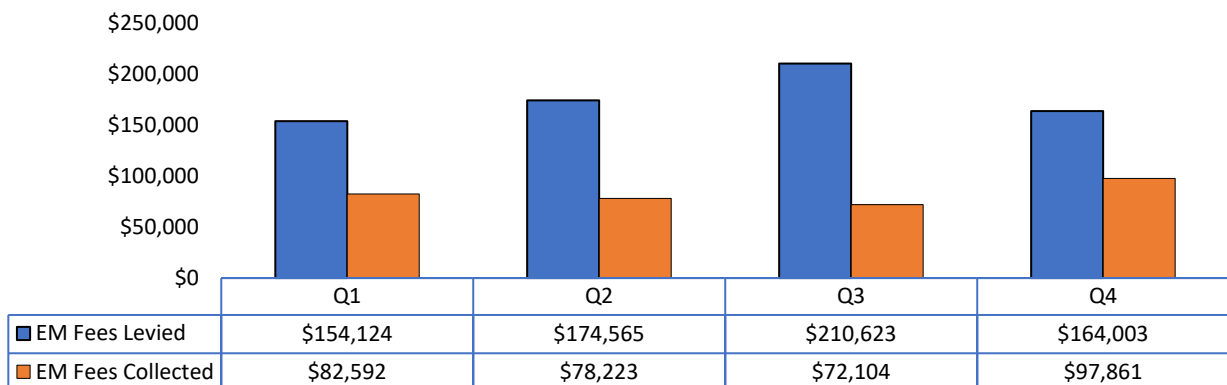
Some Local JRACs report their contractor collects the electronic monitoring fees and some report they are not collecting fees on some populations (e.g. parolees, juveniles). The quarterly reports on the [JRAC Reports website](#) provide specific information.

During this calendar year the following quarterly data was reported by Local JRACs and Division of Parole Services:

#### Adult Supervision Fees Levied and Collected



#### Juvenile Supervision Fees Levied and Collected



## Total Number of Tracked Individuals Under Supervision Terminated from Supervision and the Reason for Termination

This section provides the total number of termination activities of tracked individuals by category that occurred during each quarter. Terminations are those activities that close out or end the electronic monitoring supervision condition for the tracked individual. These categories include:

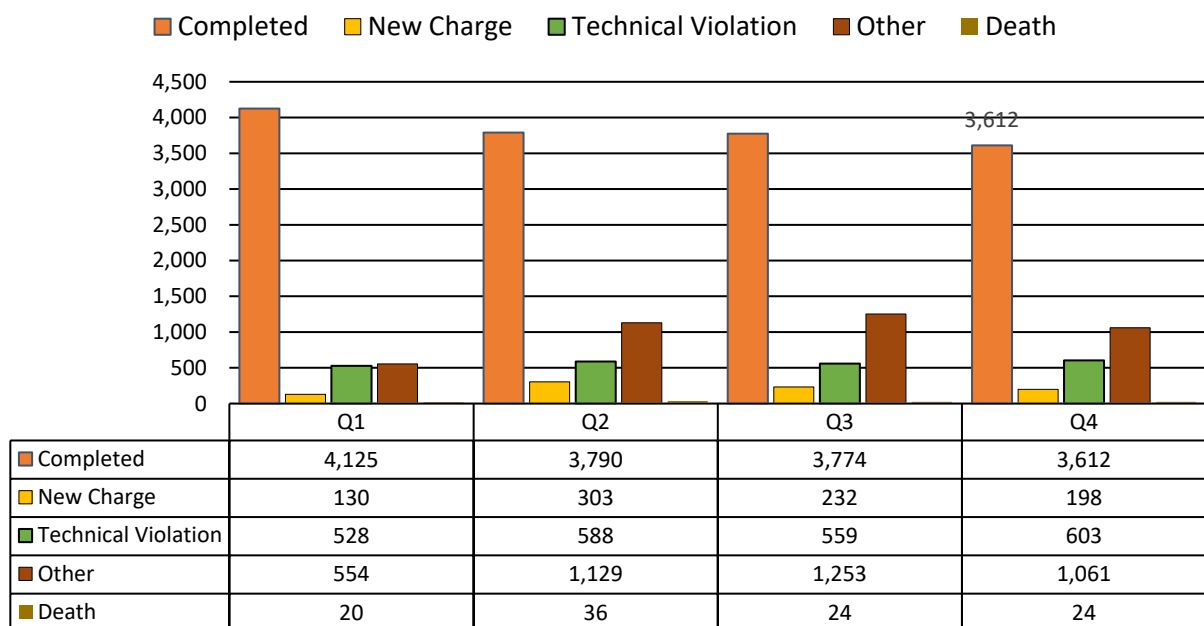
- Completed – commonly referred to as successful completion
- Death
- Terminated Due to New Charge – does not require any specific disposition of the charge against the individual, only that the individual was charged with a new offense resulting in a termination
- Terminated Due to Technical Violation – indicates a termination for violation of the terms of the individual’s community supervision, where new charges are not filed against the individual
- Other Unsuccessful Terminations – unsuccessful termination events that are not described by any of the above categories

This item **does not** count individuals, so if an individual has multiple electronic monitoring supervisions terminating in the same quarter, each termination activity will be reported. Temporary pauses in electronic monitoring supervisions are not counted. Examples of temporary pauses include a jail stay for an imposed sanction, hospital stay, etc.

During this calendar year the following quarterly data was reported by Local JRACs and Division of Parole Services:

### Adult Supervisions:

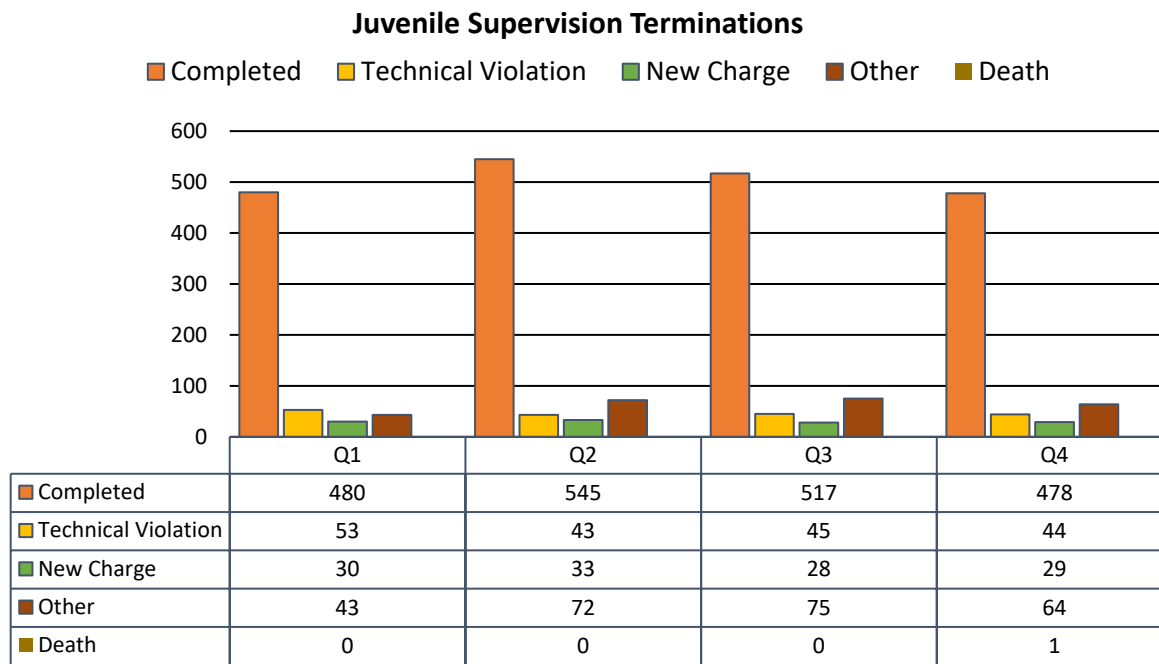
Adult Supervision Terminations



The Other category includes descriptions of what types of terminations are included. Some examples include case dismissed or stayed, served warrant on prior case, reincarcerated, modification, transferred to another supervision component, absconded/escaped, and program violations. JRAC has noted the variation in the

data reported in the “Other” category and will continue to review this category in the future to assess if other categories should be listed and will assist with more training to improve the quality of data reporting in this section.

### Juvenile Supervisions:



The Other category includes descriptions of what types of terminations are included. Some examples include taken into custody, placed in treatment program or residential facility, program violations, escaped, and sentenced to DYS or detention center. JRAC has noted the variation in the data reported in the “Other” category and will continue to review this category in the future to assess if other categories should be listed or if more quality assurance is needed with data reporting.

## Total Number of False Location Alerts and/or Device Malfunctions from Tracked Individuals

This section provides the number of false location alerts and device malfunctions that occurred during each quarter.

### False Location Alerts

For purposes of this section, a false location alert (also referred to as “drift”) means the device reports the tracked individual is in a specific location, but the tracked individual is not actually at the reported location. Drift could occur from several feet to several hundred feet and occurs through no fault of the tracked individual. All false location alerts reported in this section are beyond the control of the tracked individual. The supervising agency confirmed whether the received alerts met these criteria. This item is **not** intended to

collect every data point or item that does not trigger alerts to the agency staff. This is not intended to pull all the alerts generated by the vendor that are not reviewed by the supervision agency.

The court or parole board and supervising agency set the parameters that each tracked individual must follow. This includes rules governing behavior as well as restrictions on the tracked individual's whereabouts.

Depending upon the court or parole board's order, the supervising agency requires a tracked individual to request when they may leave their residence to attend approved activities in the community, such as employment, education, and treatment appointments. The supervising agency will approve or deny these requests.

For those tracked individuals using a GPS (global positioning system) device that monitors whereabouts continuously while at their residence or in the community, potential exists for the device to report a false location due to various factors, including the fact that GPS devices do not provide exact locations 100% of the time. Typically, a supervising agency will contract with a third party to provide GPS devices to monitor a tracked individuals' whereabouts. The third party also provides web-based software to allow the supervising agency the ability to identify specific locations on a map where the tracked individual is permitted to be (or not be) at specific days and times.

Supervising agencies can also determine functions related to tracking and reporting from a GPS device. For example, a supervising agency can determine the frequency with which the device records a location of a tracked individual. This is often determined by length of time, e.g., every 60 seconds or every five or ten or fifteen minutes. The supervising agency can also determine how often the GPS device connects to a cellular provider to report the recorded locations to the provider's web-based software.

To illustrate this point, here are two examples:

A moderately sized county had 118 individuals on electronic monitoring at some point during a quarter. These individuals served a total of 6,739 days of electronic monitoring supervision during a quarter. The jurisdiction collects one GPS data point on each tracked individual every 60 seconds while the tracked individual is away from their place of residence. Thus, assuming a tracked individual spends at least 12 hours per day away from their residence, there are at least 720 data points per tracked individual collected for each 24-hour period. In this example, approximately 4.8 million data points were collected during a quarter. So, to put this into perspective, from these data points, only 165 were confirmed to be a false location alert.

A small sized county had 33 individuals on electronic monitoring during a quarter. These tracked individuals served a total of 2,772 days on electronic monitoring supervision during a quarter. The jurisdiction collects one GPS data point on each tracked individual every 60 seconds when the device is in motion, one GPS data point on each tracked individual every 60 minutes when the device is at rest, and one GPS data point on each tracked individual every 15 seconds when the device is in a zone violation status. There was a total of 817,448 data points collected for this jurisdiction on these 33 individuals in a quarter. From these data points, the jurisdiction received 1,159 total alerts that were generated based off their specific protocols with their electronic monitoring vendor. Of those 1,159 alerts, 139 of those were confirmed to be "drift" or false location alerts.

When identifying locations on a map where a tracked individual is required to be (or not be), the supervising agency can take into account the size of a tracked individual's residence or property and draw the boundaries

accordingly. These boundaries could be drawn very small due to the residence being in an apartment or large due to the residence being in a rural area with no other residences nearby.

Finally, supervising agencies can also determine whether a particular action reported by a GPS device constitutes an alert that should be known by the supervising agency. For example, a supervising agency could determine that an alert should only be generated if a GPS device records a position outside of a permitted location if the GPS device remains outside of the permitted location for longer than a certain number of minutes.

Thus, false location alerts can vary greatly from jurisdiction to jurisdiction along with differences in tracked individuals based on environmental conditions.

For example, one jurisdiction may draw very small boundaries for their tracked individuals. This may increase the number of false locations reported by a GPS device due to drift. Another jurisdiction may draw very large boundaries which may decrease the number of false locations reported by a GPS device. Additionally, a jurisdiction may decide not to be alerted of false locations if the GPS device remains outside of a boundary less than 30 minutes, which may decrease the likelihood of receiving a false location alert. Also, some tracked individuals may be on GPS monitoring without defined inclusion or exclusion zones, which means this specific supervision level will not trigger any false location alerts.

Caution should be taken when evaluating the number of false location alerts reported by a given jurisdiction. Additional information from each jurisdiction may be required to interpret the numbers being reported. After reviewing reports received, additional outreach was conducted via email to Local JRACs who reported either 0 false location alerts or false location alerts in excess of 8,000 to confirm the report definition and allow for any necessary updates. Based on this work and ongoing discussions, JRAC has low confidence in the information provided, at an aggregate level, on false location alerts. There are several agencies still adjusting their data collection to meet the criteria listed in this new report. Continued education and communication with Local JRACs will be provided to improve this portion of future reports.

The quarterly reports from Local JRACs include a summary of the local policies for setting alerts and the criteria constituting a false location alert for both adult and juvenile supervision populations. With this information, JRAC is committed to reviewing these more closely to provide technical assistance and education to Local JRACs to improve these policies.

During this calendar year the following quarterly data was reported by Local JRACs and Division of Parole Services regarding false location alerts:

#### Adult Supervisions:

Quarter	Reported Range	Jurisdictions reporting over 8,000 false location alerts	Jurisdictions reporting 0 false location alerts	Average for all jurisdictions	Average excluding jurisdiction reporting over 8,000
Q1	0-266,879	7	31	7,766	161
Q2	0-268,896	6	36	5,215	167
Q3	0-15,422	1	35	293	125
Q4	0-10,553	1	38	251	131

#### Juvenile Supervisions:

Quarter	Reported Range	Jurisdictions reporting over 8,000 false location alerts	Jurisdictions reporting 0 false location alerts	Average for all jurisdictions	Average excluding jurisdiction reporting over 8,000
Q1	0-8,795	1	57	192	81
Q2	0-8,981	1	60	152	41
Q3	0-9,270	1	58	139	23
Q4	0-11,204	1	59	150	7

#### Device Malfunctions:

Device malfunctions include a damaged device, a device battery that won't charge, or a situation where the device does not operate properly resulting in the agency being required to fix, troubleshoot, repair, or replace the device.

During this calendar year the following quarterly data was reported by Local JRACs and Division of Parole Services regarding device malfunctions:

#### Adult Supervisions:

Quarter	Total Device Malfunction	Total of Part 1 supervised population	Percentage of malfunctions for supervised population
Q1	750	15,129	4.96%
Q2	800	14,804	5.40%
Q3	828	15,777	5.25%
Q4	811	15,179	5.34%

#### Juvenile Supervisions:

Quarter	Total Device Malfunction	Total of Part 1 supervised population	Percentage of malfunctions for supervised population
Q1	55	935	5.88%
Q2	32	910	3.52%
Q3	62	968	6.40%
Q4	71	869	8.17%



## Conclusions and Next Steps:

JRAC believes this report provides policy makers with the general information necessary to engage in dialogue with their Local JRAC to enhance their understanding of electronic monitoring supervision and address concerns with the use of this supervision strategy locally to continuously improve public safety.

JRAC has identified the following areas for continued work related to electronic monitoring supervision:

- JRAC, subject to available resources, will consider further research and evaluation to aid in providing more guidance on the populations best served by electronic monitoring considering the risk level of those on electronic monitoring, their criminal histories, etc. This would include a deeper assessment of the specific offenses within the offense categories and offense levels.
- JRAC will continue to support Local JRACs in their review of local policies and practices as it relates to electronic monitoring through technical assistance and education with the goal to further enhance public safety. For example, JRAC can now review policies regarding false location alerts and follow up procedures more closely to provide technical assistance and education.
- JRAC will continue to review the data submissions to identify opportunities to improve information captured in this report and work with Local JRACs and the Division of Parole Services on any changes. For example, this would include information on the risk level of those on electronic monitoring supervision and reviewing the Other Termination category to improve reporting responses.
- JRAC will share this report with the [Youth Justice Oversight Commission](#) (YJOC) so they can incorporate this information into their work on improving youth justice policies and practices in our state.

## Appendix

### Definitions

**Adult supervision** – Supervision due to a court case originating in the adult justice system.

**Call center** – Call centers are used by the supervising agency to monitor or supervise tracked individuals similar to a field officer or a community supervision officer and report violations to the supervising agency.

**Completed electronic monitoring supervision** – The person’s EM supervision condition has been fulfilled.

**Community supervision officer** – A community corrections officer/case manager, probation officer, pretrial services officer, or parole agent employed or contracted by the supervising agency, who monitors or supervises tracked individuals. A community supervision officer’s duty may include approving or denying schedules or requests from tracked individuals, reinforcing positive behaviors, managing case activities and conditions, and responding to violations.

**Constant supervision** – Means monitoring a violent offender in accordance with the requirements described in IC 35-38-2.7.

**Contract agency** – Means an agency or a company that contracts with a community corrections program or a probation department to monitor an offender or alleged offender using a monitoring device. See IC 35-38-2.5-2.5.

**Electronic Monitoring** means a “tracked individual” (IC 35-38-2.7-1(4)) who is required to wear a “monitoring device”. A “monitoring device” is an electronic device that can record or transmit information twenty-four hours each day regarding an offender’s precise location (IC 35-38-2.5-3).

**Field officer** – An individual employed or contracted by the supervising agency whose duties are limited to visiting and contacting tracked individuals in the community. Field officers report on the activities of tracked individuals and may respond to issues of non-compliance and reinforce positive behaviors.

**Justice Reinvestment Advisory Council (JRAC)** – The state level multi-disciplinary body established by IC 33-38-9.5-2.

**Juvenile supervision** – Supervision due to a court case originating in the juvenile justice system.

**Local Justice Reinvestment Advisory Council (Local JRAC)** – A county level multi-disciplinary body established by IC 33-38-9.5-4.

**Monitoring center** – Monitoring centers contract with the supervising agency to provide staff resources that record and process information on tracked individuals’ whereabouts, compare the whereabouts to pre-established schedules and approved locations, and notify the supervising agency of deviations or other alerts. This does not include standard automated reporting or notices between the vendor and supervising agency.

**Monitoring device** – An instrument that can record or transmit an individual’s location information twenty-four (24) hours each day as set forth in IC 35-38-2.5-3.

**Pretrial supervision** - Release to the community with conditions imposed to assure a defendant’s appearance at any stage of the legal proceeding, or upon a showing of clear and convincing evidence that the defendant poses a risk of physical danger to another person or the community. See IC 35-33-8-3.2.

**Post-disposition supervision** - Supervision in the community by either probation or community corrections agency as a part of a sentence imposed by the court or as a condition of a withheld judgment. This term also includes supervision in the community as a condition of parole.

**Revoked due to new charges** – Terminated from supervision after incurring new criminal charge during the period of community supervision.

**Revoked due to technical violation** – Terminated from supervision for failure to follow the rules and conditions of community supervision that does not rise to the level of committing a new criminal offense.

**Supervising agency** – (A) a court, in the case of an individual who is required to wear a monitoring device as a condition of probation or pretrial release; (B) a community corrections program, in the case of an individual who is required to wear a monitoring device as a condition of community corrections; or (C) the parole board, in the case of an individual who is required to wear a monitoring device as a condition of parole.

**Support staff** – Employees who perform administrative duties for the supervision agency, including receiving and recording calls from tracked individuals and entering schedule and location information.

**Tracked individual** – Means an individual required to wear a monitoring device. See IC 35-38-2.7-1(4). This is an individual required to wear a device to monitor the individual's whereabouts for 24 hours a day. This does not include individuals wearing devices solely for the purpose of monitoring substance use. This also includes individuals who are on electronic monitoring supervision as a part of another level of supervision (e.g., work release, residential placement, etc.).