

State of Indiana

Justice Reinvestment Advisory Council



Electronic Monitoring Report Quarter 4 - 2023

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Introduction

Beginning January 1, 2023, supervising agencies began collecting specific data regarding electronic monitoring supervisions to submit to their Local JRACs as required by Ind. Code § 35-38-2.7-2(3). 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 narrative explanations along with the aggregate 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 Division of Parole Services and each Local JRAC's data individually, please visit: [JRAC: Reports \(in.gov\)](#).

Agencies reporting this information may have experienced challenges in redefining their data to be consistent with the reporting instructions and identified other challenges based on their local data collection processes. This required more intensive technical assistance between agencies and staff with both the Indiana Office of Court Services and the Indiana Office of Court Technology.

General Information on Electronic Monitoring/EBP

Community supervision agencies use electronic monitoring devices 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, sex offenders, etc.) or individualized conditions required by a court.

Properly trained and qualified staff are critical 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 correction agencies, but also the associated workload 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 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 guidebook¹ that provides an overview of key information and outlines the critical, complex

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

conversations necessary to develop policies and procedures that address the public safety considerations important within each unique community.

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 86 Local JRAC reports, electronic monitoring supervision is collectively provided by:

- 19 probation departments
- 84 community corrections agencies
- 9 jurisdictions using contract agencies
- 1 Sheriff-run work release facility
- 2 Pretrial services agencies

Of the 86 Local JRACs, 77 reported providing electronic monitoring services for both adult and juvenile tracked individuals only.

Four Local JRACs did not submit their reports in time to include them within this report.

Part 1: Total Number of Tracked Individuals Under Supervision

Part 1a: This item provides the total number of tracked individuals on electronic monitoring supervision **during this quarter by legal status**. This information includes tracked individuals who are on electronic monitoring supervision as a part of a court ordered condition or because of an imposed sanction. Individuals are counted only one time in this section and their legal status category is determined at the end of the quarter if they are still under an electronic supervision condition or at the end of the electronic monitoring supervision condition. This also includes individuals who are on electronic monitoring supervision as a requirement of another level of supervision (e.g., work release, residential placement, etc.).

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

Post-Disposition/Multiple electronic monitoring Supervisions category is for 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

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 quarter
this 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.

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

Adult Supervision:

Pretrial Only: 2,434

Post-Disposition/Multiple Supervisions: 12,745

Juvenile Supervision:

Pre-Disposition Only: 477

Post-Disposition/Multiple Supervisions: 392

Part 1b: This item provides the total number of tracked individuals on electronic monitoring supervision during this quarter by highest level of offense. Individuals are counted **only one time in this section**. The total population served includes those tracked individuals originating from a court order as well as those individuals on electronic monitoring supervision as the result of a sanction. This also includes individuals who are on electronic monitoring supervision as a requirement of another level of supervision (e.g., work release, residential placement, etc.). If an individual transferred to Indiana from another state, the individual's out of state offense is matched to the closest Indiana offense for purpose of this report.

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

Post-Disposition/Multiple electronic monitoring supervision category is for 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

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.

Electronic monitoring supervision transfers that occur mid-quarter will be counted by both the sending and the receiving supervision 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 for an individual case, tracked individuals can be on electronic monitoring after serving other incarcerated time (e.g., time in jail before bond posted, serving a term of years before placement on community supervision, release to parole, etc.)².

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

Adult Pre-trial:

	Murder	A Felony	B Felony	C Felony	D Felony	Level 1 Felony	Level 2 Felony	Level 3 Felony	Level 4 Felony	Level 5 Felony	Level 6 Felony	A Misdemeanor	B Misdemeanor	C Misdemeanor
Crimes Against a Person Under IC 35-42	11	13	0	4	0	80	14	185	57	267	331	82	3	8
Crimes Against Property Under IC 35-43	0	0	0	1	0	3	8	3	39	54	125	28	2	17
Crimes Relating to Controlled Substances Under IC 35-48	0	1	0	0	1	0	172	62	54	39	147	5	1	4
Crimes Involving a Motor Vehicle IC-9	0	0	1	0	1	0	0	2	12	23	80	17	1	23
All Other Crimes	0	0	0	1	1	5	1	9	50	183	142	54	0	7

²IC 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.

Adult Post-Disposition:

	Murder	A Felony	B Felony	C Felony	D Felony	Level 1 Felony	Level 2 Felony	Level 3 Felony	Level 4 Felony	Level 5 Felony	Level 6 Felony	A Misdemeanor	B Misdemeanor	C Misdemeanor
Crimes Against a Person Under IC 35-42	21	196	200	61	4	31	30	488	227	933	585	111	7	0
Crimes Against Property Under IC 35-43	0	4	24	8	12	1	29	15	299	344	639	102	5	3
Crimes Relating to Controlled Substances Under IC 35-48	0	82	45	3	5	0	527	502	605	700	1238	65	38	2
Crimes Involving a Motor Vehicle IC-9	0	0	1	0	4	0	0	5	50	281	1205	488	11	76
All Other Crimes	0	8	13	17	12	2	5	40	493	899	776	153	14	1

Juvenile Pre-Adjudication:

	Murder	A Felony	B Felony	C Felony	D Felony	Level 1 Felony	Level 2 Felony	Level 3 Felony	Level 4 Felony	Level 5 Felony	Level 6 Felony	A Misdemeanor	B Misdemeanor	C Misdemeanor	Status Offense
Crimes Against a Person Under IC 35-42	1	0	0	0	0	0	0	21	3	15	42	43	13	0	0
Crimes Against Property Under IC 35-43	0	0	0	0	0	0	1	0	11	29	36	31	4	0	0
Crimes Relating to Controlled Substances Under IC 35-48	0	0	0	0	0	0	3	0	1	1	7	8	15	0	0
Crimes Involving a Motor Vehicle IC-9	0	0	0	0	0	0	0	0	0	0	3	3	6	2	0
All Other Crimes	0	0	0	0	0	0	0	0	0	29	33	83	7	2	24

Juvenile Post-Adjudication:

	Murder	A Felony	B Felony	C Felony	D Felony	Level 1 Felony	Level 2 Felony	Level 3 Felony	Level 4 Felony	Level 5 Felony	Level 6 Felony	A Misdemeanor	B Misdemeanor	C Misdemeanor	Status Offense
Crimes Against a Person Under IC 35-42	0	0	1	0	0	1	0	13	4	11	32	26	13	0	0
Crimes Against Property Under IC 35-43	0	0	0	0	1	0	1	1	4	19	41	24	10	0	0
Crimes Relating to Controlled Substances Under IC 35-48	0	0	0	0	0	0	0	0	1	0	5	10	20	0	0
Crimes Involving a Motor Vehicle IC-9	0	0	0	0	0	0	0	0	0	0	2	6	2	0	0
All Other Crimes	0	0	0	1	0	0	0	0	0	21	31	69	7	4	11

Part 2: Total Number of Tracked Individuals Under Supervision Assigned to Each Employee or Contractor

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

This includes active electronic monitoring supervisions and any transfer-in cases that are active on the last day of the quarter.

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 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 below **cannot** be used to determine workload or caseload size ratios.

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

Adult Supervision:

Total number of individuals active on electronic monitoring at the end of the quarter:	10,251
Total number of community supervision officers responsible for tracking these individuals:	551
Total number of field officers assisting with tracking these individuals:	289
Total number of monitoring center staff assisting with tracking these individuals:	1,450
Total number of call center staff assisting with tracking these individuals:	829
Total number of support staff assisting with tracking these individuals:	408

Juvenile Supervision:

Total number of individuals active on electronic monitoring at the end of the quarter:	400
Total number of community supervision officers responsible for tracking these individuals:	201
Total number of field officers assisting with tracking these individuals:	182
Total number of monitoring center staff assisting with tracking these individuals:	1,171
Total number of call center staff assisting with tracking these individuals:	587
Total number of support staff assisting with tracking these individuals:	181

Part 3: Total Costs and Fees Levied and Collected

This item provides the total electronic monitoring costs and fees assessed to and collected from tracked individuals during the quarter. The total amount of collected fees includes payments for fees that may have been assessed prior to this 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.

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.

Some supervising agencies utilize the services of a collection agency for delinquent fees.

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.

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

Number of Local JRACs reporting that the contractor collects electronic monitoring fees: 5

Number of Local JRACs reporting that agencies are not collecting fees: Adult = 0; Juvenile = 22; and the Division of Parole Services

Adult Supervision:

Total EM costs and fees levied	\$8,927,859.17
Total EM costs and fees collected	\$7,249,176.92

Juvenile Supervision:

Total EM costs and fees levied	\$164,003.15
Total EM costs and fees collected	\$97,861.45

Part 4: Total Number of Tracked Individuals Under Supervision Terminated from Supervision and the Reason for Termination

This item provides the total number of termination activities of tracked individuals by category that occurred during the 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 quarter the following data was reported by Local JRACs and Division of Parole Services:

Adult Supervision:

Termination Reason	Total Terminations
Completed	3,612
Death	24
Terminated Due to New Charge	198
Terminated Due to Technical Violation	603
Other Terminations	1,061

Juvenile Supervision:

Termination Reason	Total Terminations
Completed	478
Death	1
Terminated Due to New Charge	29
Terminated Due to Technical Violation	44
Other Terminations	64

Part 5: Total Number of False Location Alerts and/or Device Malfunctions from Tracked Individuals

This item provides the number of false location alerts and device malfunctions that occurred during the quarter. For purposes of this item, a false location alert (also referred to as drift) means the device reports the individual is in a specific location, but the individual is not actually at the reported location. 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 meant to collect every data point or item that does not trigger alerts to the agency staff. This is not meant 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. A false location alert (also referred to as drift) means the GPS device reports the individual is in a specific location, but the 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.

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 the quarter. These individuals served a total of 6,739 days of electronic monitoring supervision during the quarter. The jurisdiction collects one GPS data point on each individual every 60 seconds while the individual is away from their place of residence. Thus, assuming an individual spends at least 12 hours per day away from their residence, there are at least 720 data points per individual collected for each 24-hour period. In this example, approximately 4.8 million data points were collected during the 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 the quarter. These individuals served a total of 2,772 days on electronic monitoring supervision during the quarter. The jurisdiction collects one GPS data point on each individual every 60 seconds when the device is in motion, one GPS data point on each individual every 60 minutes when the device is at rest, and one GPS data point on each 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 offenders in the 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 list in this new report’s definition. Continued education and communication with Local JRACs will be provided to improve this portion of future reports.

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

Adult Supervision:

False location alerts:

The range of responses for this item is 0 to 10,553, with 1 jurisdiction reporting false location alerts in excess of 8,000 and 38 jurisdictions reporting 0 false location alerts. The average number of false location alerts is 251 for all jurisdictions, but by removing the highest reporting jurisdiction, this average drops to 131.

Juvenile Supervision:

False location alerts:

The range of responses for this item is 0 to 11,204, with 1 jurisdiction reporting false location alerts in excess of 8,000 and 59 jurisdictions reporting 0 false location alerts. The average number of false location alerts is 150, but by removing the highest reporting jurisdiction, this average drops to 7.

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 quarter the following data was reported by Local JRACs and Division of Parole Services:

Adult Supervision:

Device malfunctions: 811

Juvenile Supervision:

Device malfunctions: 71

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.).