



NNEDV

GPS Monitoring of Offenders



How the Technology Works

Global Positioning Systems (GPS) are increasingly being used to monitor an offender's location and notify someone if the offender enters an exclusion zone. Satellites track the location of the offender's GPS device (often secured on an ankle).

- There are two types of GPS tracking: **active and passive**. Active tracking is most often used with violent offenders since it provides real-time location of the offender 24 hours a day. With passive tracking, an offender wears a device 24 hours a day but the monitoring official might only receive an offender's location information once a day when the offender uploads it from home. Passive monitoring is not recommended for use with stalkers and violent offenders.
- Active monitoring is only effective if an administrator continually monitors the location of offenders, 24/7. In some places, monitoring is done by corrections or local police officers who know the offender and the victim while other communities outsource this function to a vendor that works elsewhere.
- An electronic monitoring program can set up "exclusion zones" around the victim's home, work, etc., and an enrolled offender may not enter those geographic areas. If the offender enters those zones, an alert can be immediately sent to the monitor.
- Some systems notify the victim with a pager if the offender enters any exclusion zone. Other systems track the *victim's* real-time location by using GPS on the victim's pager device. If the victim is not in the exclusion zone and the offender comes near the victim, the system will typically alert both the monitoring official and the victim. The offender can also be contacted and police can be dispatched.

How Are Agencies and Partnerships Using It?

Some agencies use GPS monitoring of offenders before trial as a condition of release from jail. Others use it after an offender violates a restraining order. After a plea or conviction, an offender may be required or voluntarily agree to be electronically monitored as an alternative to staying in jail or prison. Typically offenders pay the monitoring program fee.

Benefits and Risks

It is critical to understand that GPS monitoring of offenders is only effective as part of a larger coordinated system. If not enough trained officers can respond quickly when an offender approaches a victim and if courts lack resources to hold offenders accountable, the monitoring devices will not be effective. It is vital that a community-based advocate explains to the victim how the offender tracking system works and its benefits and risks.

If a community offers real-time tracking of *victims*, it is important to note that while this additional service may offer the victim extra protection, the victim, who has not committed a crime, is tracked 24-hours a day. This raises serious safety and privacy risks. It also creates a risk that the offender or offender's attorney may try to obtain the victim's location records in an effort to intimidate or harass the victim. For safety, a monitoring agency's policies should restrict access of a victim location to the fewest staff possible. Any victim who is considering carrying a GPS device must be fully informed of all risks and benefits, provide consent before being tracked, and must be able to withdraw that consent at any time.

Things To Consider

- How will offender monitoring be staffed? Will it be staffed by local corrections/law enforcement or outsourced?
- Will the monitoring agency be partnering with a non-profit advocacy program to safety plan with victims of the offenders who enroll? Is this partnership reflected in the project proposal, MOUs, and budget?
- Will the victim's location be tracked as well? If so, how will the agency provide complete notice and obtain informed consent from the victim? Are there clear policies that limit access to the victim's location and ensure that a victim's location records are not retained so the records cannot be requested by the offender or offender's attorney?
- Is the GPS monitoring system part of a larger system response or is it being considered as an isolated "solution?"