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Senate Bill 202 – GPS Guidelines
Proponent Testimony
Government Oversight and Reform Committee
June 27, 2018

Chairman Coley, Vice Chair Uecker, Ranking Committee Member Schiavoni and members of the Government Oversight and Reform Committee: Thank you for the opportunity to testify today in support of Senate Bill 202, a bill to establish reasonable guidelines for the Ohio Adult Parole Authority monitoring offenders placed on GPS devices.

I am here today as a veteran of the electronic monitoring industry in support of Senate Bill 202 and hope to bring important insight to this discussion.

While GPS technology provides many advantages to various agencies within the criminal justice community, these devices are essentially meaningless unless specific guidelines and restrictive behavior protocols like curfews and geographical inclusion and exclusion zones are required for offenders, especially those with a history of violence. What happened to Reagan Tokes was not because the criminal justice community lacks the necessary technology to closely monitor offenders. When my company began monitoring offenders in 2006, we monitored an average of 30 offenders a day. Today, we monitor more than 300 offenders a day. A 900 percent increase in the number of offenders on GPS bracelets, and we do that with an increase of only two additional staff people. Today's GPS technology makes that possible. What happened to Reagan Tokes was the result of not fully utilizing the technology that has been available for at least the past 10 years.

GPS technology can do much, much more than simply provide the current location of someone wearing the ankle bracelet. Using easily programmable curfews, inclusion and exclusion zones and daily schedules, the technology can alert us immediately if the defendant is not where they are supposed to be when they are supposed to be there. The technology can alert us immediately if the defendant moves into a neighborhood where his or her presence represents a threat to a person or community. It can notify us immediately if the defendant removes the bracelet or fails to charge the bracelet. But, the effective use of this technology requires more than satellites, cellular signals and computer applications.

While this Senate Bill 202 deals specifically with the use of GPS devices by the Adult Parole Authority, may I tell you that in this context and a wider application of this technology, the effective use of GPS devices requires a partnership --- a relationship of knowledge and communication between judges, probation and parole departments, victim assistance agencies and the criminal justice agencies or private companies that monitor ankle bracelets.

The fundamental misconception about GPS monitors is that once attached to an offender's ankle, somebody knows the defendant's location at every moment and what the defendant is doing. What the public and many lawmakers, I'm told, tragically learned too late for Reagan Tokes was that no one was watching Brian Golsby.

It is not the practice, nor is it practical for parole officers to continuously "watch" with eyes glued to a computer screen 24-hours a day, seven days a week every offender placed on an ankle monitor. Even if that were possible, there is no way to know what the defendant is doing. The effective use of GPS technology can be accomplished when the APA imposes a set of **restrictive behavior protocols** like (1) curfews, (2) inclusion zones, (3) exclusion zones and (4) daily schedules which regulate when an offender can leave home and where he must be at certain times of the day. But parole officers must be empowered and held accountable to act when the GPS technology sends an alert that the expected behavior was not followed.

What can you as lawmakers do to help protect people like Reagan Tokes?

- (1) Mandate the Adult Parole Authority to impose curfews and other appropriate restrictive protocols for offenders with moderate and high Ohio Risk Assessment System scores.
- (2) Make removing an electronic monitoring device without authorization one of the most severe parole violations with the highest level of sanction or re-incarceration.
- (3) The practice of placing an offender on a GPS bracelet without restrictive protocols is commonly referred to as simply "tracking." Limit this practice only to the lowest-risk offenders and preclude this practice in cases where there has been a victim, or the offender has a moderate or high-risk level.

One critical challenge faced by those of us behind the computer screen is attempting to monitor someone who is homeless. Unfortunately, this issue is also the most difficult to address from the standpoint of supervision.

- (4) Mandate the APA to take every reasonable and prudent step to verify that homeless offenders have a halfway house, a re-entry facility or shelter to which a curfew and schedule can be assigned and from which the offender can charge the battery in his device.

Without a curfew, a verifiable work or school schedule and inclusion and exclusion zones, offenders like Brian Golsby can travel at will wherever and whenever they choose. No one is watching! A GPS ankle monitor will not alert authorities unless it detects a pre-programmed violation, non-compliance with a daily schedule or that the offender has traveled into a geographical area from which he or she has been ordered to avoid.

It is my belief that when --- and only when --- the Adult Parole Authority has the legislative authority and the accountability to impose appropriate restrictive behaviors can we enhance our ability to effectively monitor offenders and ensure the public's safety.

Thank you for the privilege of appearing before you. I welcome your questions.