

A Review of Electronic Monitoring Oversight by the Mississippi Department of Corrections

A Report to the Mississippi Legislature
Report #687
June 13, 2023



PEER Committee

Jerry Turner, Chair
Charles Younger, Vice-Chair
Sollie Norwood, Secretary

Senators:

Kevin Blackwell
Lydia Chassaniol
Dean Kirby
Chad McMahan
John Polk

Representatives:

Richard Bennett
Cedric Burnett
Becky Currie
Carolyn Crawford
Timmy Ladner
Percy Watson

Executive Director:

James F. (Ted) Booth

About PEER:

The Mississippi Legislature created the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER Committee) by statute in 1973. A joint committee, the PEER Committee is composed of seven members of the House of Representatives appointed by the Speaker of the House and seven members of the Senate appointed by the Lieutenant Governor. Appointments are made for four-year terms, with one Senator and one Representative appointed from each of the U.S. Congressional Districts and three at-large members appointed from each house. Committee officers are elected by the membership, with officers alternating annually between the two houses. All Committee actions by statute require a majority vote of four Representatives and four Senators voting in the affirmative.

Mississippi's constitution gives the Legislature broad power to conduct examinations and investigations. PEER is authorized by law to review any public entity, including contractors supported in whole or in part by public funds, and to address any issues that may require legislative action. PEER has statutory access to all state and local records and has subpoena power to compel testimony or the production of documents.

PEER provides a variety of services to the Legislature, including program evaluations, economy and efficiency reviews, financial audits, limited scope evaluations, fiscal notes, and other governmental research and assistance. The Committee identifies inefficiency or ineffectiveness or a failure to accomplish legislative objectives, and makes recommendations for redefinition, redirection, redistribution and/or restructuring of Mississippi government. As directed by and subject to the prior approval of the PEER Committee, the Committee's professional staff executes audit and evaluation projects obtaining information and developing options for consideration by the Committee. The PEER Committee releases reports to the Legislature, Governor, Lieutenant Governor, the agency examined, and the general public.

The Committee assigns top priority to written requests from individual legislators and legislative committees. The Committee also considers PEER proposals and written requests from state officials and others.



Joint Legislative Committee on Performance Evaluation and Expenditure Review

PEER Committee

P.O. Box 1204 | Jackson, Mississippi 39215-1204

Representatives

Jerry Turner
Chair

Richard Bennett

Cedric Burnett

Carolyn Crawford

Becky Currie

Timmy Ladner

Percy Watson

June 13, 2023

Honorable Tate Reeves, Governor

Honorable Delbert Hosemann, Lieutenant Governor

Honorable Philip Gunn, Speaker of the House

Members of the Mississippi State Legislature

On June 13, 2023, the PEER Committee authorized release of the report titled ***A Review of Electronic Monitoring Oversight by the Mississippi Department of Corrections.***

Senators

Charles Younger
Vice Chair

Sollie Norwood
Secretary

Kevin Blackwell

Lydia Chassaniol

Dean Kirby

Chad McMahan

John Polk

Representative Jerry Turner, Chair

Executive Director

James F. (Ted) Booth

This report does not recommend increased funding or additional staff.

This page left intentionally blank.

Table of Contents

Letter of Transmittal	i
List of Exhibits	v
Report Highlights	vii
Introduction	1
Authority, Scope, and Purpose	1
Method	1
Electronic Monitoring Programs Utilized in Mississippi	2
Definition of Electronic Monitoring	2
Oversight of Electronic Monitoring in Mississippi	2
MDOC’s Electronic Monitoring Participants	4
Eligibility of and Use of the MDOC Intensive Supervision Program	6
September 2022 Incident Involving an ISP Participant	6
Goal of ISP	6
Use of ISP in Mississippi	7
ISP Eligibility and Participation Requirements	8
Number of ISP Admissions and Exits	12
ISP Process and Oversight	13
MDOC’s Role in the ISP Process	13
Sentinel’s Role in the ISP Process	16
An Examination of MDOC Responses to Select Electronic Monitoring Alerts	18
PEER Method for Reviewing MDOC Electronic Monitoring Oversight	18
MDOC’s Oversight Performance by Review of Internal Records	19
MDOC’s Oversight Performance by Review of Sentinel’s DNA Database	20
MDOC’s Response Times and Response Status by Officer and by Offender	22
Other Electronic Monitoring Issues in Mississippi and in Other States	26
Issues in Operating Electronic Monitoring Programs as Identified by MDOC staff	26

Issues in Operating Electronic Monitoring Programs in Other States	27
Recommendations	29
Appendix A: Key Alert Notification Categories	31
PEER’s Response to the Mississippi Department of Corrections’s Response	32
Agency Response	33

List of Exhibits

Exhibit 1: Radio Frequency and GPS Monitoring Average Monthly Participants from CY 2017 to CY 2022	5
Exhibit 2: ISP Participation Conditions	11
Exhibit 3: Admissions to ISP from CY 2017 to CY 2021	12
Exhibit 4: Overview of the ISP Process	14
Exhibit 5: Community Corrections Graduated Sanctions and Incentives Procedure	16
Exhibit 6: MDOC Officer Response Rates to a Sample of Sentinel Key Alerts from October through December 2022	20
Exhibit 7: MDOC Officer Response Rates to All Sentinel Key Alerts by Cohort from October through December 2022	21
Exhibit 8: MDOC’s Officer Closure Alert Rate	24
Exhibit 9: Offender’s Alert Closure Rate	24

This page left intentionally blank.

CONCLUSION: PEER reviewed MDOC's oversight of electronic monitoring by measuring its level of responsiveness to notifications provided by Sentinel for key alert categories grouped into three cohorts: no GPS signal, unapproved entry/leave, and electronic monitoring device tampering. Based on a sample of documentation in the MDOC Caseload Explorer database, an overall positive response rate (i.e., successfully acknowledging the notification) could only be documented in 25% of the key alert notification instances. Based on PEER's review of all key alert notifications (41,467) by cohort, an overall positive response rate could only be documented in 15% of instances. MDOC officers may be responding to a higher number of key alert notifications but either are not documenting these responses at all or are not consistently documenting responses within the two databases.



BACKGROUND

Background

The PEER Committee, under its authority found in MISS. CODE ANN. Section 5-3-51 (1972) et seq., conducted a review of the Mississippi Department of Corrections (MDOC) to evaluate its responsiveness to the state's electronic monitoring programs (i.e., programs that allow for MDOC to monitor offenders that are not incarcerated within a correctional facility).

This review was prompted by a legislator's request regarding an incident in 2022 where an offender participating in the Intensive Supervision Program (ISP)—also known as house arrest—was involved in the death of a cashier at a convenience store while wearing an electronic monitoring device.

This report addresses the MDOC Community Corrections Division's management and monitoring of offenders required to wear an electronic monitoring device as a condition of their release.

Electronic monitoring is a method of offender observation by which information regarding an offender is transmitted electronically from one source to another while that offender is under state custody but lives and works in approved locations as an alternative to incarceration.



KEY FINDINGS

- **MDOC's Community Corrections Division, the division with sole responsibility for the operation and management of electronic monitoring, has maintained an average caseload of 36,009 offenders over the last 6 years.**
Not all offenders under the supervision of the MDOC Community Corrections Division are under electronic monitoring. Of these total offenders, an average of 1,618 (4.5%) are required to wear an electronic monitoring device.
- **ISP is used as an alternative to incarceration in a MDOC facility with the goals of reducing recidivism, reducing prison costs by reducing the prison population, and improving offender outcomes.**
Since the passage of House Bill 585 in 2014, the assignment of ISP to an offender has been the exclusive power of the courts within the state. Prior to July 1, 2014, this authority was shared with MDOC.
- **According to MDOC records, an average of 956 offenders are admitted into ISP each year.**
An average of 856 offenders exited the ISP program either through successful completion and return to society or through unsuccessful completion by violation of the required participant conditions and return to an MDOC facility. On average, 83.6% of ISP participants successfully completed ISP over the five-year period.
- **PEER reviewed key alert notification data based on 11 Sentinel key alert categories grouped into three cohorts: no GPS signal, unapproved entry/leave, and electronic monitoring device tampering.**
The No GPS signal cohort resulted in the highest successful response rate at 56% when looking at all Sentinel key alert notifications across all electronic monitoring programs. The Device Tampering cohort had a similar successful response rate of 53%. In contrast, the Unapproved Entry/Leave cohort resulted in a 0% successful response rate.
- **The average time for a key alert notification to be responded to and documented as closed was 55.96 minutes.**
The established key alert notification response standard for the MDOC supervising officer is to acknowledge the Sentinel key alert notification within 20 minutes. The actual response time is almost three times longer than the expected response time.

Electronic Monitoring Issues in Other States

PEER examined national concerns and concerns in operating electronic monitoring in Mississippi's contiguous states. Throughout all research examined, the issue of inconsistent examination of GPS monitor alerts appears as a national issue.

According to a 2017 article from the Brookings Institute on the effectiveness and issues of GPS monitoring offenders, multiple states, including Tennessee, Colorado, and New York, have noted issues resulting from officers missing or ignoring alerts.

MDOC staff stated that low successful response rates to key alert notifications could be, at least partially, attributed to low or inadequate staffing levels, the need for increased training of new hires and veteran MDOC officers, and a lack of equipment necessary to carry out the duties of the MDOC officer position.

According to staff at the Louisiana Department of Corrections Residential Services, inadequate staffing is also the main impediment to its electronic monitoring program. In order to decrease officer caseloads, the state is no longer a 24-hour, 7 days a week supervision system. Any alarms that occur outside of an officer's typical work schedule are not examined until the next work day.

According to staff at the Arkansas Department of Corrections Residential Services, it has attempted to address its program's lack of staffing and lack of proper training of probation and parole officers by implementing retraining programs and cross-training employees based on performance.

ISP Incident

On September 11, 2022, an offender who was placed on ISP by a circuit court judge was involved in the death of a cashier at a convenience store while wearing an electronic monitoring device.

The offender had prior felony convictions for burglary and larceny of a dwelling in 2018 and was placed on five years of post-release supervision. When the offender violated his post-release supervision, a circuit court judge sentenced him to serve two years in ISP (i.e., house arrest) rather than being incarcerated.

MDOC's Role in ISP

A court shall give notice to MDOC within 15 days of the court's decision to place the offender in ISP. MDOC will place an electronic monitoring transmitter on an offender and install a home monitoring unit within 24 hours of receiving a sentencing order or parole certificate. As long as the offender remains compliant, he or she will continue to be monitored by MDOC staff and progress through the ISP duration for the length of the placement sentence. Should an offender violate the terms of his or her electronic monitoring program, MDOC has the authority to take corrective actions against that offender. MDOC Community Corrections Division's graduated sanctions and incentives procedures govern what actions will be taken by MDOC based on the level of the offense. ISP participants that are determined by MDOC to violate program conditions to a degree requiring removal from the program will be returned to incarceration.

SUMMARY OF RECOMMENDATIONS

MDOC:

1. should review the current 57 key alert categories established in the Sentinel database that MDOC elects to be notified regarding when one occurs. This could potentially reduce the large number of total alert notifications sent by Sentinel to MDOC officers, and it could allow MDOC to prioritize certain key alerts or key alert types.
2. should coordinate with Sentinel to conduct a full census of MDOC officers and officer response rates to key alerts generated for a selected time period.
3. should examine MDOC officer caseloads and implement a strategy to align current caseloads with national standards.
4. should increase and implement routine training for new and veteran MDOC officers on electronic monitoring administrative protocols.
5. should not automatically renew its contract with Sentinel unless it receives additional technical assistance regarding administrative and oversight reporting capabilities.

The Legislature:

1. could consider one or more of the following options:
 - a. amend current MISS. CODE ANN. sections regarding electronic monitoring to further limit which offense types are eligible for electronic monitoring programs;
 - b. amend current MISS. CODE ANN. sections regarding electronic monitoring to cap the total eligible number of offenders that may participate in an electronic monitoring program based on national caseload standards; and/or,
 - c. require that the PEER Committee conduct a follow-up review on the performance of MDOC oversight of electronic monitoring programs and produce a report to the Mississippi Legislature, including the Chairmen of the Corrections Committees in the Senate and the House, by December 31, 2024.

A Review of Electronic Monitoring Oversight by the Mississippi Department of Corrections

Introduction

Authority, Scope, and Purpose

The PEER Committee, under its authority found in MISS. CODE ANN. Section 5-3-51 (1972) et seq., conducted a review of the Mississippi Department of Corrections (MDOC) to evaluate its responsiveness to the state’s electronic monitoring programs (i.e., programs that allow for MDOC to monitor offenders that are not incarcerated within a correctional facility). This review was prompted by a legislator’s request regarding an incident in 2022 where an offender participating in the Intensive Supervision Program (ISP)—also known as house arrest—was involved in the death of a cashier at a convenience store while wearing an electronic monitoring device (discussed in more detail on page 6).

This report addresses the MDOC Community Corrections Division’s management and monitoring of offenders required to wear an electronic monitoring device as a condition of their release. PEER sought to identify electronic monitoring program eligibility, conditions for continued program participation, and to assess MDOC’s compliance with oversight requirements for these program participants based on its policy and procedure manual.

Based on the incident involving an ISP participant, this report also provides an overview of the Intensive Supervision Program in order to determine the number and types of key alert notifications provided by MDOC’s electronic monitoring vendor, Sentinel Offender Services, LLC, and to assess the responsiveness of MDOC officers to key alert notifications.

Method

To conduct this analysis, PEER:

- reviewed applicable state laws;
- reviewed MDOC’s policy and procedure manual;
- reviewed the current contractual agreement for electronic monitoring services between MDOC and Sentinel Offender Services, LLC (Sentinel);
- reviewed a list of Sentinel key alerts by type and number of notifications sent to MDOC involving electronic monitoring participants for October, November, and December 2022;
- sampled MDOC officer notes for key alert notifications documented in MDOC’s caseload management software (i.e., Caseload Explorer);
- reviewed electronic monitoring records maintained within Sentinel’s database;
- identified information regarding other states’ experience with electronic monitoring programs; and,
- interviewed staff from MDOC, the State Parole Board, and Sentinel regarding electronic monitoring program eligibility, administration and oversight responsibilities, and enforcement practices.

Electronic Monitoring Programs Utilized in Mississippi

This chapter discusses:

- the definition of electronic monitoring;
- the oversight of electronic monitoring in Mississippi; and,
- MDOC's electronic monitoring participants.

Definition of Electronic Monitoring

Electronic monitoring is a method of offender observation in which the offender wears an electronic device used to track offender movements and alert MDOC if an offender is violating a location requirement of his or her release from incarceration.

Electronic monitoring is a method of offender observation by which information regarding an offender is transmitted electronically from one source to another while that offender is under state custody but lives and works in approved locations as an alternative to incarceration. This is accomplished by having the offender wear an electronic device capable of transmitting data (usually radio frequency or GPS link¹) to MDOC personnel. These electronic devices will track offender movements and alert MDOC personnel if an offender is violating a location requirement of his or her release or probation.

It is the goal of the electronic monitoring program to promote opportunities for positive behavioral changes in the offenders enrolled in the program, with an emphasis on decreasing criminal behavior and recidivism (i.e., a person's relapse into criminal behavior).

Oversight of Electronic Monitoring in Mississippi

The Community Corrections Division within MDOC has sole responsibility for the operation and management of electronic monitoring. MDOC has developed policies and procedures to govern the administration and performance of the electronic monitoring programs utilized in the state. MDOC has contracted with Sentinel Offender Services, LLC, to provide the physical electronic monitoring devices as well as data and information services needed to monitor offender activity.

Supervision and operation of programs requiring participants to utilize electronic monitoring devices fall under the exclusive control of MDOC. MDOC has developed policies and procedures

¹ Offender location tracked utilizing geolocation data provided by the Global Positioning System (GPS) or mixture of radio frequency and GPS.

to govern the administration and performance of electronic monitoring programs utilized in the state.

MISS. CODE ANN. Sections 47-5-1001 (1972) et seq., and Sections 47-7-1 (1972) et seq., govern the use of electronic monitoring programs. MDOC is to procure, maintain, supervise, operate, and report data relating to the use of electronic monitoring devices for offender populations.

Community Corrections Division

MDOC's Community Corrections Division has sole responsibility for the operation and management of electronic monitoring. This includes the supervision of offenders placed in restitution centers and community work centers; offenders sentenced to, or granted, probation or parole; and offenders participating across 15 different electronic monitoring programs.²

MISS. CODE ANN. Section 47-5-10 (1972) designates MDOC as the state agency tasked with the care and custody of adult offenders committed to MDOC by the courts. As a condition to participate in certain programs, the courts may require an offender to wear an electronic monitoring device.

Some of the programs in which electronic monitoring may be used include:

- **Parole:** An offender is released prior to the expiration of his or her sentence. Once released, the offender must continually meet the conditions required by the releasing authority. The Mississippi Parole Board may require an electronic monitoring device as a condition of parole.
- **Pre-trial bond monitoring:** The courts may require electronic monitoring of an offender as a bond condition prior to awaiting his or her trial.
- **Post-Release Supervision (PRS):** Once released from an MDOC facility, an offender is placed under MDOC community supervision. Courts may require electronic monitoring as a condition of PRS.
- **Probation:** An offender is released to a probation officer's supervision in lieu of incarceration or upon release from incarceration. The court may order electronic monitoring as a condition of probation.
- **Intensive Supervision Program (ISP):** If an offender meets MDOC eligibility criteria, he or she may be placed under the supervision of an electronic monitoring device as an alternative to incarceration in an MDOC facility. The offender's sentence is served in the offender's home or approved location. Electronic monitoring is required.

Sentinel Offender Services, LLC

To administer electronic monitoring programs, MDOC has contracted with Sentinel Offender Services, LLC, (Sentinel) since 1998 to provide the physical electronic devices as well as data and information services needed to monitor offender activity.

Sentinel is an offender supervision equipment and monitoring services company based in Anaheim, California, established in 1993.

² Includes: conditional release, earned release supervision (ERS), failed to register as a sex offender (FTR) monitoring, intensive supervision program-court, intensive supervision program-prison, medical release, parole, parole-compact, parole-suspension, probation, probation-compact, probation non-adjudicated, probation post-release, technical violation center (TVC) parole, and TVC probation.

Overview of the Sentinel Contract with MDOC

The Mississippi Department of Information Technology Services (ITS) served as the contracting agent to procure electronic monitoring services on behalf of MDOC. ITS issued a request for proposals (RFP) through the National Association of State Procurement Officials (NASPO) ValuePoint Cooperative Agreement³ Contract Number 00212 RFP for Electronic Monitoring of Offenders. ITS contracted with Sentinel to provide electronic monitoring equipment and services from July 1, 2018, through June 30, 2019, for a cost not to exceed \$1,982,844.50.

As part of the contractual agreement with MDOC, Sentinel “shall provide a turnkey electronic monitoring system to include electronic monitoring equipment, training, and electronic monitoring services.” The scope of services in this contract included:

- electronic monitoring devices and equipment (300 radio frequency devices and 1,800 GPS devices);
- replacement equipment for damaged, lost, or stolen equipment;
- staffed monitoring of offenders 24-hours a day, 7 days a week in order to promptly detect offender violations;
- a central monitoring center with a toll-free telephone service available and accessible 24-hours a day, 7 days a week, staffed by qualified personnel to troubleshoot monitoring problems and to respond promptly to inquiries from MDOC;
- alert notifications and administrative reports based on the capabilities of Sentinel’s database and based on key alert notifications requested by MDOC; and,
- training of MDOC staff on Sentinel’s database and system capabilities.

As part of the contractual agreement, 60 days prior to its expiration the contract may be renewed or terminated between ITS and Sentinel. To date, the contract has been renewed via amendment four times. The current contract amendment (Amendment 4-A) is for a term effective July 1, 2022, through May 31, 2023, for a total cost not to exceed \$1,759,730.

MDOC’s Electronic Monitoring Participants

MDOC’s Community Corrections Division has maintained an average caseload of 36,009 offenders over the last 6 years. Not all offenders under the supervision of the MDOC Community Corrections Division are under electronic monitoring. Of these total offenders, an average of 1,618 (4.5%) are required to wear an electronic monitoring device.

³ NASPO ValuePoint is the cooperative contracting arm composed of the chief procurement officials of all fifty states, Washington D.C., and the U.S. territories, to promote public procurement throughout the country. NASPO ValuePoint facilitates administration of the NASPO cooperative group contracting consortium of state chief procurement officials for the benefit of state departments, institutions, agencies, and political subdivisions.

MDOC’s Community Corrections Division has maintained an average caseload of 36,009 offenders over the last 6 years. Not all of the offenders under the supervision of MDOC’s Community Corrections are required to wear an electronic monitoring device. Based on yearly participant counts by device type from CY 2017 through CY 2022, there are an average of 1,618 offenders participating in an electronic monitoring program each year. Exhibit 1 on page 5 lists the yearly average number of offenders participating in an electronic monitoring program by device type from CY 2017 through CY 2022.

Exhibit 1: Radio Frequency and GPS Monitoring Average Monthly Participants from CY 2017 to CY 2022

Year	Device Type		Total
	Radio Frequency	GPS	
2017	255	1,561	1,816
2018	148	1,485	1,633
2019	216	1,536	1,752
2020	163	1,233	1,396
2021	58	1,372	1,430
2022	4*	1,674	1,678
6-Year Average	141	1,477	1,618

*Radio Frequency units phased out after January 2022.

SOURCE: PEER analysis of MDOC Monthly Population Reports.

Eligibility of and Use of the MDOC Intensive Supervision Program

This chapter discusses:

- the September 2022 incident involving an ISP participant;
- the goals of ISP;
- the use of ISP in Mississippi;
- ISP eligibility and participation requirements; and,
- the number of ISP admissions and exits.

September 2022 Incident Involving an ISP Participant

PEER focused its review of electronic monitoring oversight on ISP due to a September 11, 2022, incident where an offender who was placed on ISP by a circuit court judge was involved in the death of a cashier at a convenience store while wearing an electronic monitoring device.

On September 11, 2022, an offender participating in ISP robbed a convenience store, resulting in the death of the cashier. The offender had prior felony convictions for burglary and larceny of a dwelling in 2018 and was placed on five years of post-release supervision. When the offender violated his post-release supervision, a circuit court judge sentenced him to serve two years in ISP (i.e., house arrest) rather than being incarcerated.

The offender was wearing an electronic monitoring device on his ankle, but the device was suspected of either not being activated or not being charged at the time of the incident. Upon inquiries made by local media outlets, a spokesperson with MDOC noted that the offender attended weekly visits with his probation officer until April 2022 when the local MDOC office had a change of personnel. Based on this particular incident, PEER focused its review on MDOC's ISP, including its goals, the history of its use, eligibility for an offender to participate in the program, and how many offenders have participated in the program.

Goals of ISP

ISP is used as an alternative to incarceration in a MDOC facility with the goals of reducing recidivism, reducing prison costs by reducing the prison population, and improving offender outcomes.

Commonly known as house arrest, ISP is employed as an alternative to incarceration for offenders who meet specific MDOC criteria. House arrest is a sentence in which an offender is ordered by

the courts to remain confined in his or her residence. These offenders are usually allowed to leave a designated area or residence only for medical and employment reasons. According to the Mississippi Corrections and Criminal Justice Task Force,⁴ ISP is important for reducing recidivism, reducing prison costs by reducing the incarcerated population, and improving offender outcomes.

The United States Department of Justice states that some of the advantages of house arrest are its cost-effectiveness, responsiveness to community and offender needs, ease of implementation, and timeliness. However, it also notes that some of its disadvantages are its reduction of punishment severity, its focus on surveillance rather than rehabilitation, and its potential to compromise public safety.

Use of ISP in Mississippi

Since the passage of House Bill 585 in 2014, the assignment of ISP to an offender has been the exclusive power of the courts within the state. Prior to July 1, 2014, this authority was shared with MDOC.

In December 2013, the Mississippi Corrections and Criminal Justice Task Force produced a report with the goals of developing policy recommendations that improve and protect public safety, ensure clarity in sentencing laws and policies, and control corrections costs by addressing the growing prison population. Findings in this report noted that criminal justice practitioners (e.g., judges, district attorneys) were often unsure as to what percentage of a sentence an offender would actually serve in prison. The report also noted that this uncertainty could lead to longer prison sentences in order to attempt to ensure that an offender served a minimum amount of time before being released. This became a recommendation referred to as “true minimums.”⁵

Further, the report noted that the percent of a sentence served in prison by an offender can vary widely even within the same offense type based on how much time an offender earns and whether he or she is paroled or released on house arrest by MDOC. In order to address the use of house arrest (e.g., ISP) by MDOC, one of the Corrections and Criminal Justice Task Force recommendations was:

To support “true minimums” and promote greater clarity in sentencing, remove MDOC’s ability to release offenders to house arrest. The policy would not affect a judge’s ability to incorporate the use of house arrest as a sentencing option.

The policy recommendations produced by the Mississippi Corrections and Criminal Justice Task Force report were also integral in the passage of H.B. 585⁶ during the 2014 Regular Session, which

⁴ During the 2013 Regular Legislative Session, the Legislature passed House Bill 1231 to establish a bipartisan, inter-branch Corrections and Criminal Justice Task Force charged with developing policies that improve public safety, ensure clarity in sentencing, and control corrections costs. Beginning in June 2013, this task force analyzed the state’s sentencing, corrections, and community supervision data in order to produce a report in December 2013.

⁵ A true minimum entails that nonviolent offenders serve at least 25% and violent offenders serve at least 50% of their court-ordered sentences.

⁶ House Bill 585 was passed during the 2014 Regular Session and signed into law by Governor Bryant on March 31, 2014. This bill created the Sentencing and Criminal Justice Oversight Task Force to oversee implementation of the provisions within H.B. 585, such as use of graduated sanctions, revisions to certain penalties, and program eligibility

resulted in changes to multiple criminal sentencing and corrections laws. Since the passage of H.B. 585 in 2014, the assignment of ISP to an offender has been the exclusive power of the courts within the state effective July 1, 2014. Previously, this authority was shared with MDOC. Criteria for eligibility to be used by the courts are set forth in MISS. CODE ANN. Section 47-5-1003 (1972).

ISP Eligibility and Participation Requirements

An offender is eligible to participate in ISP if he or she is considered low-risk and is not convicted of a violent or sex crime. Conditions of ISP participation vary based on the offender's length of sentence, employment status, medical status, and any other compelling reasons consistent with the public interest as approved by the court or MDOC.

MISS. CODE ANN. Sections 47-5-1001 through 47-5-1015 (1972) establish the rules and guidelines for operating ISP, including program eligibility and participation requirements.

Eligibility

To be eligible for ISP, offenders must be considered low-risk and convicted of a non-violent offense. Offenders are ineligible if:

- they were previously convicted of or are currently charged with or incarcerated for a violent crime or a sex crime; or,
- they were convicted of a felony where a death sentence or life imprisonment is the maximum penalty that may be imposed.

Prior to participating in ISP, MDOC staff will investigate an offender to determine his or her eligibility for the program. The investigation includes an assessment of:

- the offender's ability to attend education or treatment programs;
- the offender's ability to pass a drug test;
- personal history (i.e., family, employment history, education, physical or mental handicaps, substance abuse history);
- residence investigation;
- current offense data;
- the offender's prior criminal record; and,
- victim restitution information.

requirements. This newly created task force is also responsible for evaluating and monitoring the performance measures related to the policy recommendations from the Mississippi Corrections and Criminal Justice Task Force's 2013 report.

Prior to an offender entering ISP, the head of household of the proposed residence must agree to the conditions of ISP and sign an ISP Residence Agreement Plan. The ISP Residence Agreement Plan requires that:

- a telephone line with no features must be kept in working condition, and that all monitoring equipment and accessories utilized for supervision be kept in working order;
- the offender's residence must be kept free of alcoholic beverages, illegal drugs, firearms, weapons, and unrelated felons;
- the offender's residence can be searched by MDOC at any time without prior notice or search warrant; and,
- household members will not assist the participant in attempts to circumvent supervision by the electronic monitoring equipment or by MDOC staff.

Within twenty-four hours of receiving a court order, electronic monitoring equipment will be placed on the offender, and the offender will be enrolled in the electronic monitoring database.

Participation Requirements

While participating in the program, offenders will remain within the interior premises or within the property boundaries of his or her residence at all times during the hours designated by the probation/parole agent. Approved absences from the home may include, but are not limited to:

- working or employment approved by the court or MDOC⁷ and traveling to or from approved employment
- unemployed and seeking employment approved for the participant by the court or MDOC;
- undergoing medical, psychiatric, mental health treatment, counseling, or other treatment programs approved for the participant by the court or MDOC;
- attending an educational institution or a program approved for the participant by the court or MDOC;
- participating in community work release or a community service program approved for the participant by the court or MDOC; and,
- any other compelling reasons consistent with the public interest as approved by the court or MDOC.

See Exhibit 2 on page 11 for a list of all ISP participation requirements.

During the first week in the program, MDOC staff will develop a plan of supervision with the offender to ensure that the offender works toward the conditions of his or her sentence. If employed, MDOC staff will contact the employer within the first week to ensure that the employer is aware of the offender's responsibilities regarding work schedules and reporting requirements.

⁷ While H.B. 585 removed the power of MDOC to assign offenders to ISP in 2014, MDOC still retains custodial authority over offenders in ISP and is responsible for the management of the program. This includes travel, housing, and employment authority.

ISP offenders will be supervised by MDOC staff throughout the duration of the program, which includes four documented contacts per month. Documented contacts could occur at any of the offender's approved locations, such as his or her home, place of employment, or location of treatment or other programming. One home and one collateral visit⁸ are required each month. MDOC staff will monitor the offender's progress in treatment, developmental programs, and employment and document progress in the chronological record of Caseload Explorer.

Caseload Explorer is the database utilized by MDOC to record offender violations and incidents for offenders in an electronic monitoring program, and for MDOC staff to document any interactions, notes, or actions taken on the part of MDOC in regard to a specific offender.

The length of the program is determined by the offender's length of sentence. Offenders who are non-compliant may be sanctioned, referred to treatment programs, or be revoked from the program and placed back in an MDOC facility.

⁸ A collateral visit is defined as a visit with any person in contact with an offender that is not classified as having a personal relationship. Some examples of collateral contacts include a landlord, employer, neighbor, minister, law enforcement personnel, or teacher.

Exhibit 2: ISP Participation Conditions

Once Enrolled in ISP, offenders must abide by the following conditions:

Costs:

- Offender is responsible for all costs of living; and,
- Offender will pay a supervision fee of \$88.00 per month to MDOC.

Equipment:

- Offender will wear electronic monitoring device provided by MDOC (offender will pay for any electronic monitoring equipment that is lost, damaged, or stolen);
- Offenders placed on Radio Frequency equipment with landline connection will maintain a working telephone line with no features (e.g., call waiting, caller ID, caller ID block);
- Offenders placed on Radio Frequency Cellular equipment will maintain their equipment at the approved residence; and,
- Offenders placed on GPS will maintain his or her equipment and fully charge the units.

Residence:

- Offender will live only in a residence approved by MDOC and will relocate only with prior MDOC approval; and,
- Offender will remain at residence at all times designated by MDOC.

Employment, Education, and Treatment:

- Offender has a right to time for work, one weekly church service, and medical treatment;
- Offender will maintain gainful employment or attend school or other approved activities;
- Offender shall perform not less than 10 hours of community service per month; and,
- Offender will provide documentation for doctor visits, telephone bills, church attendance, or any other program requirement.

Prohibited Items and Action:

- Offender will not consume alcohol or use illegal drugs and will submit to drug testing as directed by MDOC;
- Offender will not visit places whose primary business includes the service of alcohol;
- Offender will not possess or have under his control a firearm or any other deadly weapon;
- Offender will remain in the areas of supervision approved by MDOC (offender will not leave the state);
- Offender will not visit any MDOC facility without MDOC approval;
- Offender will not associate with any convicted felon or person of bad reputation; and,
- Offender will marry only after MDOC approval.

Cooperation with MDOC:

- Offender will report to MDOC staff as directed and will accept visits from MDOC staff at any time or location;
- Offender will request schedule changes 24 hours in advance or as directed by MDOC;
- Offender will not violate any city, county, state, or federal laws, and will immediately notify MDOC if arrested, including a traffic offense or receipt of a citation;
- Offender will not enter into any agreements to act as an informant or special agent for any law enforcement agency that will cause a violation of any of these conditions;
- Offender waives extradition to the state of Mississippi from any state, territory, or District of the United States, and any territory or country outside the United States;
- In the event of a natural disaster or extraordinary event, the offender will immediately contact MDOC for instructions; and,
- Special conditions may be imposed by the court or program supervisor, including but not limited to: treatment programs; literacy, parenting, or life skill classes; mental health or health department follow-up.

SOURCE: MDOC Policy and Procedure Manual.

Number of ISP Admissions and Exits

Sentinel records list all active electronic monitoring participants across all programs, but not by individual program. According to MDOC records, an average of 956 offenders are admitted into ISP each year. An average of 856 offenders exited the ISP program either through successful completion and return to society or through unsuccessful completion by violation of the required participant conditions and return to an MDOC facility. On average, 83.6% of ISP participants successfully completed ISP over the five-year period.

Since CY 2017, ISP has averaged 956 new participants entering the program each year. Each year, on average 856 ISP participants exit the program either successfully and return to society or unsuccessfully and are returned to an MDOC facility. Exhibit 3 on page 12 lists the number of ISP admissions and number of ISP participants who have exited the program either through successful or unsuccessful completion from CYs 2017 through 2021.

Exhibit 3: Admissions to ISP from CY 2017 to CY 2021

Calendar Year	ISP Admissions	Total ISP Exits	Successful Completion	Unsuccessful Completion
2017	1,005	958	802	156
2018	1,020	963	818	145
2019	1,046	877	729	148
2020	796	752	647	105
2021	914	730	583	147
5-Year Average¹	956	856	716	140

¹At the time of the information request by PEER, admission and exit data was only available for full calendar years up to CY 2021.

SOURCE: *MDOC Admissions to Intensive Supervision Program (ISP/House Arrest) by Court*, November 29, 2022; *MDOC Exits from Intensive Supervision Program (ISP/House Arrest) by Outcome*, November 29, 2022.

On average for the five-year period, 716 ISP participants (83.6%) successfully completed the requirements of the program, while 140 did not (16.4%). CY 2021 had a successful ISP completion rate of 79.9%, a difference of 3.7% in comparison to the five-year average. Therefore, roughly one in five ISP participants did not adhere to the required participant conditions and were unsuccessfully exited from ISP in CY 2021.

ISP Process and Oversight

This chapter discusses:

- MDOC's role in the ISP process; and,
- Sentinel's role in the ISP process.

MDOC's Role in the ISP Process

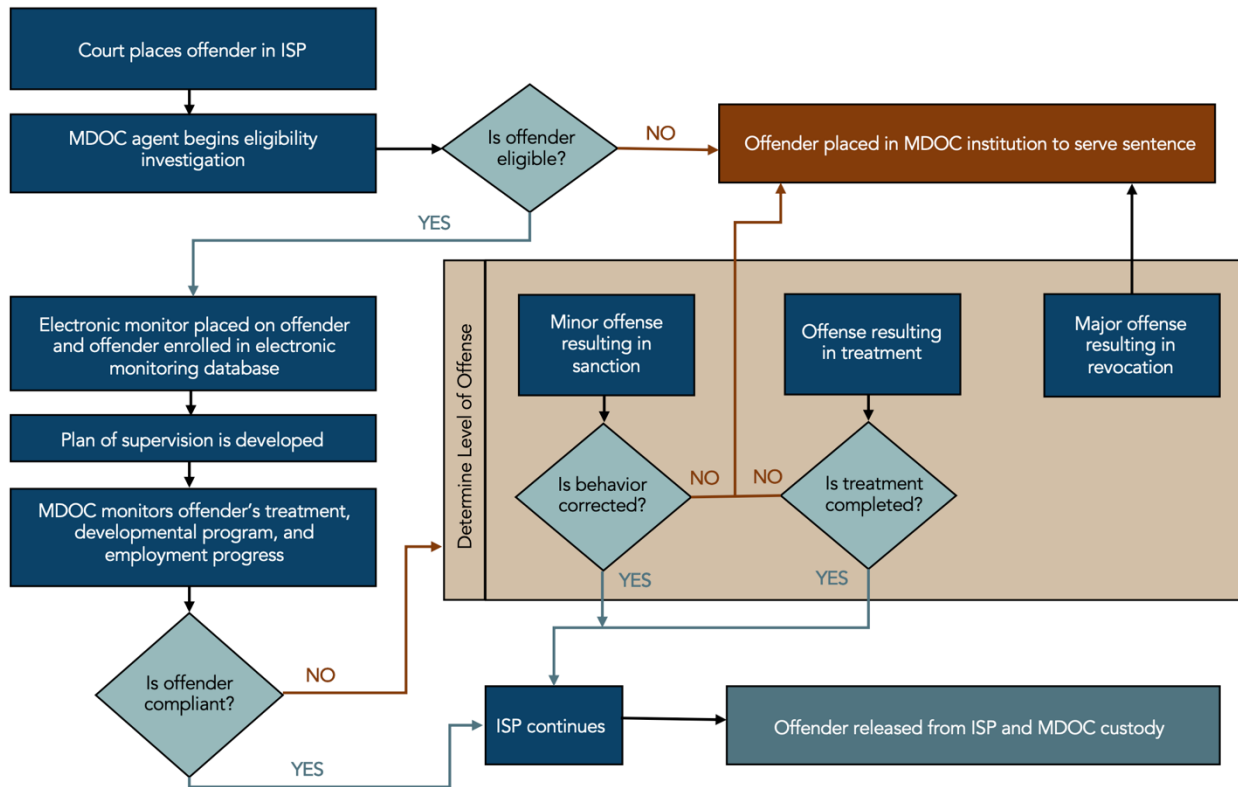
A court shall give notice to MDOC within 15 days of the court's decision to place the offender in ISP. MDOC will place an electronic monitoring transmitter on an offender and install a home monitoring unit within 24 hours of receiving a sentencing order or parole certificate. As long as the offender remains compliant, he or she will continue to be monitored by MDOC staff and progress through the ISP duration for the length of the placement sentence. Should an offender violate the terms of his or her electronic monitoring program, MDOC has the authority to take corrective actions against that offender. MDOC Community Corrections Division's graduated sanctions and incentives procedures govern what actions will be taken by MDOC based on the level of the offense. ISP participants that are determined by MDOC to violate program conditions to a degree requiring removal from the program will be returned to incarceration.

Since the passage of House Bill 585 in 2014, the assignment of ISP to an offender has been the exclusive power of the courts within the state. Once a circuit or county court places an offender in ISP, the offender then becomes under the custodial care of MDOC. According to MISS. CODE ANN. Section 47-5-1003 (1972), a court shall give notice to MDOC within 15 days of the court's decision to place the offender in ISP. This notice shall be delivered to the MDOC central office and its Community Corrections Division and to the MDOC regional office (i.e., North Mississippi, Central Mississippi, and South Mississippi) which will be providing supervision to the offender.

H.B. 585 removed the power of MDOC to assign offenders to ISP effective July 1, 2014. However, MDOC still retains custodial authority over offenders in ISP and is responsible for the management of the program.

See Exhibit 4 on page 14 for an overview of the ISP process when an offender is placed in the program by the court.

Exhibit 4: Overview of the ISP Process



SOURCE: PEER analysis.

MDOC Action

MDOC will place an electronic monitoring transmitter on an offender and install a home monitoring unit within 24 hours of receiving a sentencing order or parole certificate. The offender will then be enrolled by MDOC as a participant with its electronic monitoring vendor, Sentinel. The MDOC agent assigned to the participant will communicate weekly at the location of the offender to ensure compliance with program requirements and document communication for the offender's electronic record.

Once assigned to ISP, MDOC will classify and supervise participants by:

- developing an objective assessment process that identifies offender programming needs, risk of reoffending, and level of supervision;
- placing offenders in the appropriate level of supervision category within 45 days. Offenders will be reassessed, as needed;
- developing an individualized supervision plan for each offender, reviewed and approved by a supervisor; and,

- jointly developing and completing the individualized supervision plan with the offender within 60 days.

As long as the offender remains compliant, he or she will continue to be monitored by MDOC staff and progress through the ISP duration for the length of the placement sentence. However, if an offender is thought to be or determined to be non-compliant

Abscond Supervision: when an offender's location is unknown for five or more hours after notification from the electronic monitor vendor that an out-of-residence or allowable location beyond curfew event occurs.

with ISP conditions for continued participation, then MDOC agents will begin to determine the offender's status and location using the electronic monitoring device. Examples of non-compliance could include the offender leaving his or her designated area after curfew, utilizing of drugs or alcohol if such use is prohibited by the individualized supervision plan, or trying to abscond supervision.

Should an offender violate the terms of his or her ISP individualized supervision plan, MDOC has the authority to take corrective actions against that offender. This includes:

- issuing warrants for the arrest and detention of offenders upon adequate evidence of serious and/or repetitive violations of the conditions of supervision, commission of a new offense, or the risk posed to public safety by the offender's continued presence in the community;
- searching offenders, disposing of seized items, and preservation of evidence by MDOC chain of custody policy; and,
- locating, recovering, and checking electronic monitoring equipment for offenders attempting to leave ISP without permission (i.e., absconders). When permitted by law, absconders who have committed no new crimes and who do not pose an undue public safety risk, may be continued under supervision in the community.

When a violations occurs, alternatives to revocation and incarceration are considered and used to the extent that public safety allows. As outlined in MDOC's policies and procedures, Rule 37-20-02, offender violations will be reviewed through an MDOC-approved process of graduated sanctions. Exhibit 5 on page 16 lists the MDOC Community Corrections Division's graduated sanctions and incentives procedures.

ISP participants that violate program conditions to a degree requiring removal from the program will be returned to incarceration. By the next business day:

- a warrant for the arrest of the intensive supervision participant will be issued and will be taken into custody by MDOC;
- a Rule Violation Report (RVR) will be completed and served to the ISP participant, and a copy will be sent to the MDOC Community Corrections Director; and,
- the ISP participant will be transported to an MDOC institution.

Exhibit 5: Community Corrections Graduated Sanctions and Incentives Procedure

- **Investigation of Violation** – when a probation/parole agent becomes aware of an alleged violation, the agent will immediately investigate;
- **Acknowledgment of Violation and Corresponding Sanction** – after the probation/parole agent has selected a sanction, the agent will complete the Graduated Sanction Violation Report and deliver it to the offender for signature. The offenders’ acknowledgment of the terms is confirmed by his/her signature on the form;
- **Forfeiture of Earned Discharge Credits** – probation/parole agents may recommend a forfeiture of earned discharge credits as a Level 1, 2, or 3 sanction;
- **Local Detention Status** – A sanction of local detention may be imposed for no more than 2 calendar days for a total not to exceed 4 calendar days per month. The agent’s supervisor must approve the use of the local detention sanction before it can be imposed;
- **Documentation and notice of Release Authority** – The probation/parole agent must notify the appropriate release authority within 7 business days of imposition of any sanction (s) or as frequently as requested by the release authority. Notification is accomplished by providing a hard copy or an electronic copy of the completed Graduated Sanction Violation Report;
- **Failure to Comply with Sanctions/Revocation Recommendation** – An offender’s failure to comply with a sanction(s) will be considered a violation of the conditions of supervision. If the probation/parole agent determines that the offender has failed to comply with a graduated sanction(s) and further imposition of graduated sanctions would be futile, the agent will seek approval from the supervision to initiate revocation proceedings; and,
- **Incentives for Compliance** – A probation/parole agent may use awards and incentives for compliance with conditions of supervision. An agent may employ rewards and incentives including but not limited to: verbal recognition, reduced reporting, and earned discharged credits.

SOURCE: MDOC Policy and Procedure Manual.

Sentinel’s Role in the ISP Process

Sentinel has provided MDOC with the physical electronic monitoring devices as well as data and information services needed to monitor offender activity since 1998. Once an ISP participant is enrolled into Sentinel’s database, Sentinel will monitor the offender and notify MDOC and its staff when a critical alert (e.g., leave of designated area, tampering with the electronic monitoring device) occurs.

Sentinel is the vendor that MDOC contracts with to provide the physical electronic monitoring equipment that offenders placed under an electronic monitoring program, including ISP, are required to wear. In addition, Sentinel maintains a database of electronic monitoring participant

information, provides monitoring services for the location of these participants, notifies MDOC when a critical alert occurs, and provides MDOC with reports as requested.

Sentinel's DNA Database and Reporting

Sentinel operates a web-based software system called DNA database, which serves as a platform for MDOC staff to input ISP participant information into the system. All data uploaded into the Sentinel database is generated by MDOC. Information uploaded into Sentinel's system is used to develop an offender's profile and includes the offender's personal information, acceptable addresses and locations, persons to contact in case of emergency, and any other relevant information based on the terms of the plan of supervision between MDOC and the offender. Additionally, Sentinel operates mobile application software that allows MDOC to edit offender lists, offender profiles, view reports/history, and monitor aspects of the offender's electronic device.

Sentinel maintains a library of 41 web-based reports for electronic monitoring participants in its DNA database. Examples of these reports include: *All Active Clients* [electronic monitoring participants] *by Officer – Region #* [i.e., Region 1, 2 or 3], *Key Alerts*, and *Curfew Field Contact*. Sentinel notes that many of the reports it provides were custom developed based on the specific needs of MDOC in its electronic monitoring contract, and the data in these reports are maintained in real-time.

Sentinel's Monitoring and Key Alert Notifications

Sentinel operates primary and secondary monitoring centers, staffed to provide 24-hour, 7 days a week monitoring of offenders registered in its system. Monitoring activities include: tracking unauthorized absences, late arrivals, equipment malfunctions, equipment tampering, and responding to MDOC inquiries.

Key alerts notify officers when offenders have done something that MDOC determined it should be notified about (e.g., tampering with a device).

One report that Sentinel provides MDOC is based on a list of "key alerts." These key alerts are instances that occur during an offender's participation in electronic monitoring that MDOC

has determined it should be notified about by Sentinel. MDOC has established a list of 57 key alert categories about which Sentinel shall notify MDOC officers (e.g., device tampering, lack of a GPS signal for varying durations of an assigned electronic monitoring unit, no return to the offender's designated approved location). See Appendix A on page 31 for a complete list of the 57 alert types listed within Sentinel's *Key Alerts* report. Sentinel staff notifies MDOC officers of offender deviations from accepted activity using the MDOC-selected option of notification (text, email, telephone call, mobile app).

For critical alerts regarding electronic monitoring units, MDOC staff members are required to acknowledge receipt of the Sentinel alert (i.e., the MDOC officer should respond to Sentinel staff via text, email, or phone confirming receipt and that he or she is aware of the alert). If the offender's supervising MDOC officer fails to acknowledge the initial Sentinel notification within 20 minutes, Sentinel staff will call the MDOC officer at the designated phone number. Each MDOC officer will have a backup list of 6 persons, who will be notified in succession of 20-minute intervals should Sentinel staff not be able to successfully contact the primary supervising officer.

An Examination of MDOC Responses to Select Electronic Monitoring Alerts

This chapter discusses:

- PEER method for reviewing MDOC electronic monitoring oversight;
- MDOC's oversight performance by review of internal records;
- MDOC's oversight performance by review of Sentinel's DNA database; and,
- MDOC response times and response status by officer and by offender.

PEER Method for Reviewing MDOC Electronic Monitoring Oversight

PEER defines the performance of MDOC oversight of electronic monitoring as its level of responsiveness to key alert notifications issued by Sentinel staff of offender violations while wearing electronic monitoring devices. PEER reviewed key alert notification data based on 11 Sentinel key alert categories grouped into three cohorts: no GPS signal, unapproved entry/leave, and electronic monitoring device tampering. PEER selected its random sample of MDOC data and Sentinel data for the months of October, November, and December 2022.

PEER defines the performance of MDOC oversight of electronic monitoring as its level of responsiveness to key alert notifications issued by Sentinel staff of offender violations while wearing electronic monitoring devices. While Sentinel notifies MDOC regarding 57 key alert categories, PEER narrowed its review of alert data for 11 specific key alert categories for the months of October, November, and December 2022.

These 11 key alert categories were chosen in order to sample MDOC responses to notifications of offender violations that PEER determined as escalated levels of violation types based on electronic monitoring conditions for participation and the potential threat posed by those violations to the community.

No GPS electronic monitoring device communication or no offender returns for 24 hours and beyond identify electronic monitoring participants that pose a risk of absconding from the program. Unapproved entering of a restricted location and leaving an approved location measures the base competency of any electronic monitoring program and identifies electronic monitoring

PEER's Three Key Alert Cohorts:

No GPS: key alert categories where an offender could not be located for 24 hours or greater;

Unapproved Entry/Leave: key alert categories where an offender was detected as either entering a restricted area or leaving an approved area; and,

Device Tampering: key alert categories when an offender attempts to tamper with the physical electronic monitoring device.

participants that may violate conditions for participation in the program. Electronic monitoring device tampering was selected because these alerts represent electronic monitoring participants that have taken active steps to prevent his or her monitoring and tracking by MDOC officers.

MDOC's Oversight Performance by Review of Internal Records

PEER randomly selected 150 offenders participating in electronic monitoring programs based on key alert notifications issued by Sentinel to MDOC for offender violations from October, November, and December 2022. Upon review of MDOC officer documentation in the MDOC Caseload Explorer database to the key alert notifications issued by Sentinel, an overall positive response rate (i.e., successfully acknowledging the Sentinel notification) could only be documented in 25% of the key alert notification instances for the three cohorts. The Device Tampering cohort resulted in the highest MDOC officer successful response rate at 50%.

PEER randomly selected 150 offenders participating in electronic monitoring programs based on known key alert notifications issued by Sentinel to MDOC for offender violations for each of its three cohorts from October, November, and December 2022.

Most of the key alert notifications sampled within MDOC's Caseload Explorer included instances of offender violations in the No GPS/No Return cohort, totaling 76 (51%). The next highest category was Unapproved Entry/Leave, totaling 50 (33%). The lowest category was Device Tampering, totaling 24 (16%).

Of the key alerts sampled by PEER, 51% of violations were in the No GPS/No Return category, 33% were in the Device Tampering category, and 16% were in the Unapproved Entry /Leave category.

MDOC Officers' Response Rate to GPS Alerts in Caseload Explorer

PEER applied a Clopper-Pearson projection⁹ to this random sample of offenders in order to test the successful response rate of MDOC officers to key alert notifications issued by Sentinel for offender violations. PEER compared the notifications issued by Sentinel to the case notes within the offender's electronic file housed within MDOC's Caseload Explorer database. If an MDOC officer entered a notation in the file that he or she was aware of a key alert notification or noted talking with an offender about a notification issued by Sentinel, that incident was recorded as a positive response (i.e., successfully acknowledging the Sentinel notification). If no notation regarding the Sentinel notification was recorded, or no action was documented against the offender as a result of the notification issued on a certain day in Caseload Explorer, a negative response was recorded (i.e., unsuccessful response to the Sentinel notification). PEER notes that in some instances when reviewing an offender's electronic file for the three alert cohorts there was partial or incomplete documentation where a positive response could not be determined. When these instances were identified, PEER labeled MDOC's responsiveness to key alerts as "unknown."

Exhibit 6 on page 20 lists the responsiveness of MDOC officers to Sentinel alerts using PEER's random sample for the three key alert cohorts (no GPS/no return, device tampering, and unapproved entry/leave).

⁹ When applied to a random sample, the Clopper-Pearson projection is intended to determine the rate of a certain trait (e.g., timeliness, successful response rate) in the population as a whole, assuming a 99% confidence interval.

Exhibit 6: MDOC Officer Response Rates to a Sample of Sentinel Key Alerts from October through December 2022

Key Alert Cohort	MDOC Officer Response Rate		
	Successful	Unsuccessful	Unknown
No GPS/No Return	26.3%	71.1%	2.6%
Device Tampering	50.0%	37.5%	12.5%
Unapproved Entry/Leave	12.0%	76.0%	12.0%
Overall Responsiveness	25.3%	67.4%	7.3%

SOURCE: PEER analysis of MDOC's Caseload Explorer database.

As shown in Exhibit 6, the Device Tampering cohort resulted in the highest MDOC officer successful response rate at 50%. In contrast, the Unapproved Entry/Leave cohort resulted in the lowest MDOC officer successful response rate at only 12%.

Based on PEER's review of offender files in the MDOC Caseload Explorer database, an overall positive response rate, or MDOC officer documentation of acknowledgment and action being taken regarding a specific Sentinel key alert notification, could only be documented in 25% of instances of key alert notifications.

MDOC's Oversight Performance by Review of Sentinel's DNA Database

A total of 41,467 key alerts were issued by Sentinel to MDOC from October 2022 through December 2022. Based on PEER's review of all Sentinel key alert notifications by cohort, an overall positive response rate could only be documented in 15% of the key alert notification instances. This low overall response rate can be attributed to a 0% positive response rate documented for the 30,164 key alert notifications in the Unapproved Entry/Leave cohort. In a comparison of response rates between MDOC internal data and Sentinel data, MDOC officers may be responding to a higher number of key alert notifications but either are not documenting these responses at all or are not consistently documenting responses within the two databases.

Because of low overall positive response rates (25%) to key alert notifications by MDOC officers from the review of MDOC's Caseload Explorer database, PEER sought to determine MDOC officer's

responsiveness over the same time period (i.e., October through December 2022) for all key alerts in Sentinel’s DNA database for the same three cohorts across all electronic monitoring programs.

Sentinel issued 41,467 total key alert notifications to MDOC from October 2022 through December 2022. The vast majority (72.7%) of these alerts were within the Unapproved Entry/Leave cohort. The next two largest instances of key alert notifications were from the No GPS/No Return (24.6%) and Device Tampering (2.7%) cohorts, respectively.

MDOC Officers’ Response Rate to all Sentinel Key Alerts by Cohort

The purpose of using the Sentinel data for all key alert notifications in the three cohorts was to remove potential sampling error and determine if MDOC was utilizing the Sentinel database as its main depository of information related to offenders in electronic monitoring programs instead of its own Caseload Explorer database.

PEER assessed the key alert notifications in the Sentinel data to identify which notifications had an “Close Alarm” designation. The No GPS/No Return category had the highest successful response rate.

PEER developed a special algorithm to assess and identify all key alert notifications in the Sentinel data for the three selected cohorts and to identify those notifications which had an “Close Alarm” designation. The “Close Alarm” designation is included in only those notifications that have been issued by Sentinel, received by MDOC officers, and had a response notification by MDOC officers that some action was taken on the part of MDOC to address the specific key alert notification. Exhibit 7 on page 21 lists the MDOC officer response rates by the three key alert cohorts from October 2022 through December 2022.

Exhibit 7: MDOC Officer Response Rates to All Sentinel Key Alerts by Cohort from October through December 2022

Key Alert Cohort	MDOC Officer Response Rate	
	Successful	Unsuccessful
No GPS/No Return	56%	44%
Device Tampering	53%	47%
Unapproved Entry/Leave	0%	100%
Overall Responsiveness	15%	85%

SOURCE: PEER analysis of MDOC’s Caseload Explorer database.

As shown in Exhibit 7, the No GPS/No Return cohort resulted in the highest successful response rate (i.e., the notification had an “Close Alarm” designation) at 56% when looking at all Sentinel key alert notifications across all electronic monitoring programs. The Device Tampering cohort had a similar successful response rate of 53%. In contrast, the Unapproved Entry/Leave cohort resulted in a 0% successful response rate.

Based on PEER’s review of all Sentinel key alerts by cohort, an overall positive response rate could only be documented in 15% of the key alert notification instances. This low overall response rate can be attributed to a 0% positive response rate documented for the 30,164 key alert notifications in the Unapproved Entry/Leave cohort.

Based on the results of this review of Sentinel’s key alert notifications, MDOC is even less likely to have accurate records in the Sentinel database than in its own Caseload Explorer database. PEER notes that while none of the key alert notifications in the Unapproved Entry/Leave cohort had an “Close Alarm” designation, PEER’s sample of offender files from the MDOC Caseload Explorer database did have some instances of positive responses to key alert notifications (i.e., MDOC officer notes documented in response to Unapproved Entry/Leave notifications issued by Sentinel). Therefore, MDOC officers may be responding to a higher number of key alert notifications but either are not completing administrative actions to document these responses at all, or MDOC officers are documenting responses in MDOC Caseload Explorer but not in Sentinel’s DNA database.

MDOC’s Response Times and Response Status by Officer and by Offender

PEER sought to determine the level of successful performance across all electronic monitoring programs by officer and the average amount of time to acknowledge the Sentinel alert in comparison to the expected response time of 20 minutes. Over the three-month period, it took an average of 55.96 minutes for MDOC officers to acknowledge a key alert notification. This is almost three times longer than the expected response time in MDOC and Sentinel policy and procedures. PEER determined that no correlation existed between the low overall successful response rates for key alerts attributed to individual MDOC officers. However, PEER determined that an inference can be made that certain offenders or group of offenders could be responsible for the low successful closure rates, but specific causes could not be determined based on supplied data by Sentinel.

Using the Sentinel data for the three cohorts from October 2022 through December 2022, there was an average number of approximately 658 key alert notifications issued per officer with an average successful response rate of 15%. Of those key alert notifications successfully closed (i.e., responded to by MDOC officers), it took an average of 55.96 minutes from the alert notification being issued by Sentinel until MDOC officers responded with a confirmation that the incident had been attended to and documented as closed in the Sentinel DNA database.

The standard time established by MDOC in which an officer should respond to an alert notification is 20 minutes. The actual average response time for an alert to be responded to and documented as closed was 55.96 minutes.

The established key alert notification response standard for the MDOC supervising officer is to acknowledge the Sentinel key alert notification within 20 minutes. The actual average time for a key alert notification to be responded to and documented as closed was 55.96 minutes upon review of Sentinel’s data. This is almost three times longer than the expected response time.

Sentinel's alert protocol is to notify subsequent MDOC officers in 20-minute intervals upon no response from the initial notification alert. Therefore, Sentinel likely notified, or attempted to notify, two or three other MDOC officers in addition to the supervising officer.

In an effort to explain the low response rate by MDOC officers to closing alert notifications issued by Sentinel, PEER conducted additional analysis on the entire Sentinel data provided for the key alert notifications in the three cohorts. PEER sought to determine if the overall low successful response rate was a condition of a specific subset of MDOC officers not completing the required actions to close the alert notification in the Sentinel database, or to determine if a select group of offenders in the electronic monitoring programs were contributing to the large number of key alert notifications. The following sections briefly describe the additional analysis of officers and offenders.

Controlling for MDOC Officer Over-Representation

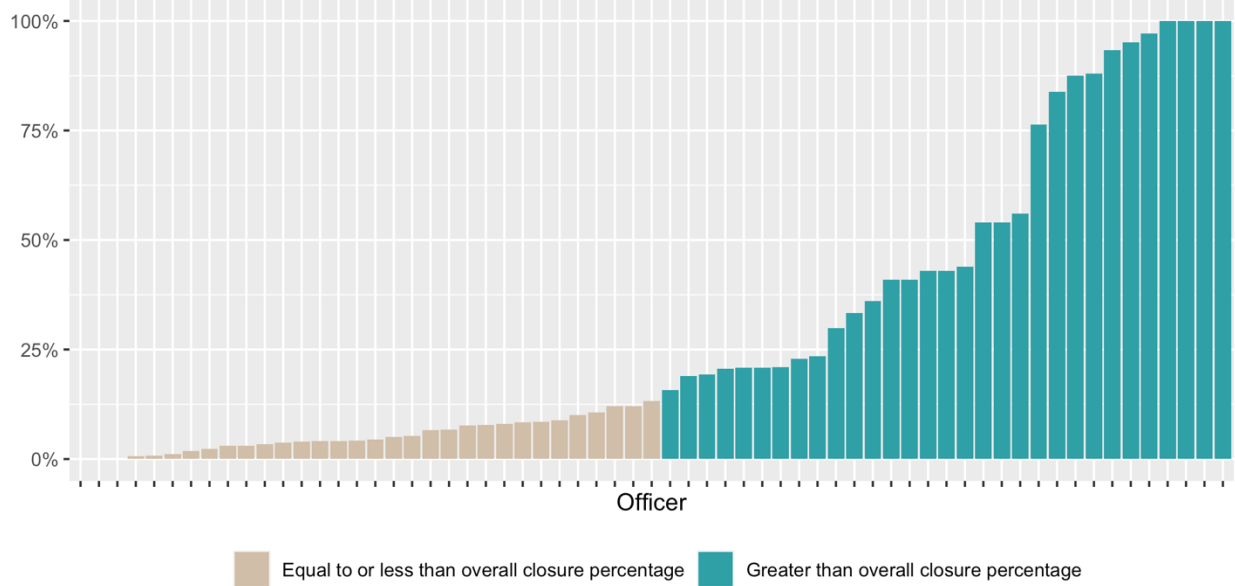
PEER identified 63 MDOC officers involved in the 41,467 total key alert notifications for the three cohorts from October 2022 through December 2022. PEER examined the closure rates for each of the officers to determine if the low overall successful key alert response rate was a condition of or correlation to a specific subset of a few individual officers. The number of alerts by officer ranged from a low of one key alert notification to a high of 6,255 key alert notifications over the three-month period. Exhibit 8 on page 24 lists the key alert notification closure rate by officer.

As shown in Exhibit 8, 32 (51%) of the 63 MDOC officers had key alert notification closure rates that were equal to or lower than the overall three-month closure rate of 15%. In addition, three MDOC officers had closure rates of 0%. Conversely 31 (49%) of the 63 MDOC officers had closure rates that were above the overall closure rate of 15%. Four of these MDOC officers achieved a 100% closure rate. Over half of the MDOC officer population falls at or below the sample average, which indicates that the problem of not closing out alert notifications in the Sentinel database is an agency-wide issue and not limited to a select group of MDOC officers.

Controlling for MDOC Offender Over-Representation

PEER identified 1,191 offenders in an electronic monitoring program that were involved in the 41,467 total key alert notifications for the three cohorts from October 2022 through December 2022. PEER examined the closure rates for each of the offenders to determine if the low overall successful key alert notification response rate was a condition of or correlation to a specific subset of a few offenders generating a large volume of key alert notifications that resulted in an overburdening of MDOC officer caseloads. Exhibit 9 on page 24 lists the key alert notification closure rate by offender.

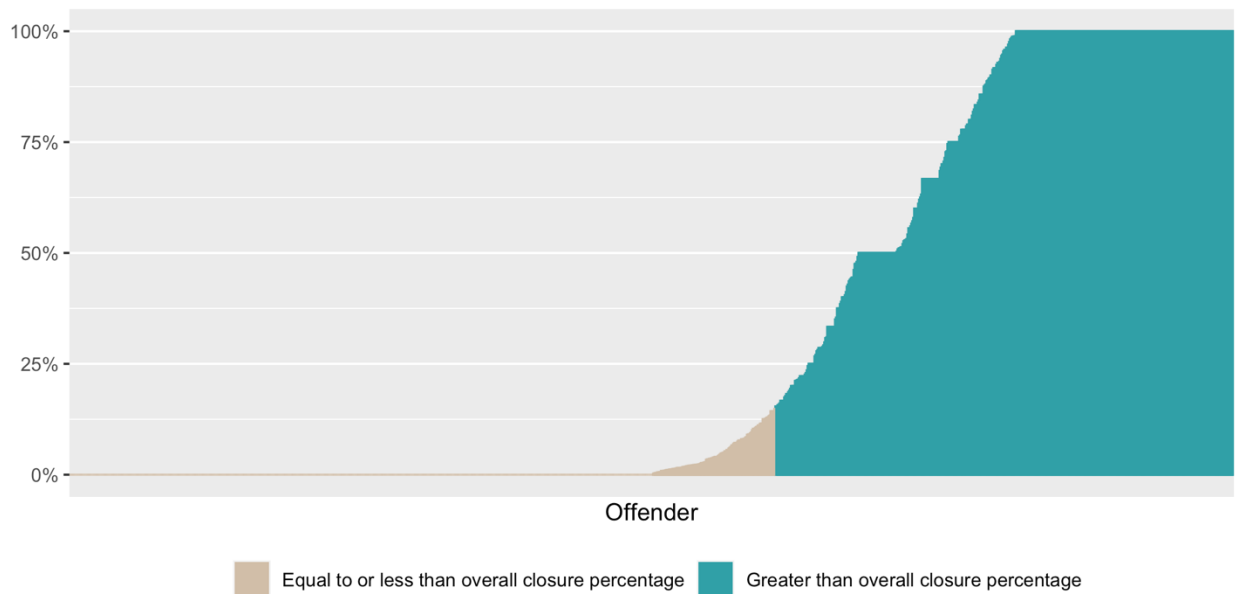
Exhibit 8: MDOC's Officer Closure Alert Rate



*Each vertical bar represents the closure percentage rate for one officer.
 **Three officers at the far left of the graph had 0% closure rates.

SOURCE: PEER analysis of Sentinel data.

Exhibit 9: Offender's Alert Closure Rate



*597 of the 1,191 offenders had 0% closure rates (far left of the graph).

SOURCE: PEER analysis of Sentinel data.

As shown in Exhibit 9, 722 (61%) of the 1,191 offenders reviewed in the Sentinel data were related to key alert notification closure rates at or below the average rate of 15% for the total population sample. PEER notes that 597 of these offenders had closure rates of 0%. The remaining 469 offenders (39%) had recorded key alert notification closure rates above the average, with 223 offenders achieving a 100% closure rate on notifications issued by Sentinel.

PEER notes that an inference can be drawn that certain offenders or a certain class of offenders are contributing to the low closure rates observed in the Sentinel data. This is because of two primary attributes of the analysis:

- the number of offenders in an electronic monitoring program recording key alert notification closure rates at or below the sample average closure rate was 22% higher than the number of offenders above sample average closure rates; and,
- the number of offenders with a 0% closure rate is more than double the number of offenders with a 100% closure rate.

However, a specific conclusion as to why this inference could be possible cannot be determined at this time because of the limited data provided in the Sentinel information. Further analysis of additional information from MDOC and Sentinel would be needed to determine a causal inference for low successful response rates. Factors such as underlying offense, offender location, and/or electronic monitoring program type could influence the closure rates for these offenders but was not included in original information request for the Sentinel data.

Other Electronic Monitoring Issues in Mississippi and in Other States

This chapter discusses:

- issues in operating electronic monitoring programs as identified by MDOC staff; and,
- issues in operating electronic monitoring programs in other states.

Issues in Operating Electronic Monitoring Programs as Identified by MDOC Staff

MDOC staff stated that low successful response rates to key alert notifications could be, at least partially, attributed to low or inadequate staffing levels, the need for increased training of new hires and veteran MDOC officers, and a lack of equipment necessary to carry out the duties of the MDOC officer position.

PEER met with MDOC in order to determine if it was aware of the low overall successful response rates for key alert notifications issued by Sentinel and to determine any MDOC-identified potential reasons contributing to the low rate. MDOC staff expressed concerns over other issues with its operation of electronic monitoring, primarily regarding various staffing, training, and resource issues.

Staffing Levels

MDOC staff stated that when the new MDOC executive administration began there was a transition period “marked by the exodus of several senior parole and probation officers.” According to MDOC staff, this exodus exacerbated a pre-existing staffing problem within the Community Corrections Division.

As of November 2022, Community Corrections employed 371 correctional officers, with unfilled 78 positions. This results in a 21.02% vacancy rate.

Since the transition period, the MDOC Community Corrections Division has been recruiting new MDOC officers, but MDOC staff stated that officers are dismissed at the same rate at which new officers are being hired. According to MDOC leadership within the Community Corrections Division, the current number of unfilled positions has resulted in some MDOC officers having a six-county operational area to monitor.

Training of MDOC Officers

MDOC policy requires that MDOC officers create a weekly schedule for each ISP participant outlining a participant’s approved home, work, educational, medical treatment, alcohol and drug treatment, religious, and legal weekly schedule. Whenever an item on an ISP participant’s weekly schedule changes, MDOC officers should update the offender’s schedule. According to MDOC

staff, if the MDOC officer is not trained to update changes in an ISP participant's weekly schedule then false alert notifications will be generated by Sentinel and issued to MDOC.

According to MDOC staff, officers who monitor offenders on electronic monitoring devices receive little training. MDOC staff noted that Sentinel provides training once a year regarding use of its system, but MDOC-led training is "sporadic and does not focus on data entry or record keeping."

MDOC officers must respond to alerts when issued by Sentinel, regardless of the hour or number of alerts issued by Sentinel. MDOC leadership within the Community Corrections Division stated that their perception of newly hired MDOC officers is that they prefer being in the field and fail to keep up with the administrative aspects of the position (i.e., entering data into Caseload Explorer and the Sentinel database).

In addition, current MDOC policy states that team leaders and supervisors should monitor MDOC officer activity and case documentation on a daily basis. However, MDOC staff stated that veteran and supervisory staff may also need additional training based on the low successful response rates for key alert notifications.

Lack of Equipment for MDOC Officers

Compounding issues regarding staffing and training, MDOC leadership within the Community Corrections Division stated that MDOC officers are not supplied with all of the equipment needed to perform their job. For example, MDOC staff within the Community Corrections Division stated that "three or four officers do not have phones, despite several attempts by supervisors to procure such devices." According to MDOC staff, without being issued an MDOC phone or laptop computer, MDOC officers in the field would have no way to communicate with MDOC or Sentinel and would not be able to receive or respond to key alert notifications issued by Sentinel.

Issues in Operating Electronic Monitoring Programs in Other States

Mississippi's issues with electronic monitoring are consistent with national and surrounding states' experiences. Several southeastern states have made changes to address caseload, staffing, and training concerns.

In order to identify concerns over the tracking and reporting of electronic monitoring, PEER examined national concerns and concerns in operating electronic monitoring in Mississippi's contiguous states. Throughout all research examined, the issue of inconsistent examination of GPS monitor alerts appears as a national issue, with Tennessee reporting almost identical issues to Mississippi in a 2012 report.¹⁰

Other States' Issues in Operating Electronic Monitoring

According to a 2017 article from the Brookings Institute on the effectiveness and issues of GPS monitoring offenders, multiple states, including Tennessee, Colorado, and New York, have noted issues where "officers missed or ignored repeated alerts of device failure and then several parolees committed violent crimes." The Brookings Institute notes one instance where a parolee

¹⁰ State of Tennessee Comptroller of the Treasury, Department of Audit Division of State Audit; *Performance Audit: Board of Probation and Parole, September 2012.*

broke curfew 53 times before killing multiple people, with no reporting on the instances in the GPS system.

In 2022, Louisiana's home detention process was highlighted for its issues when reporting failures resulted in a stalking-homicide issue. To date, the Louisiana Legislative Audit has not performed any oversight review of the system, but an article from the *New Orleans Advocate* notes that the issue centered around reporting failures from contracting offices overseeing the system.

The 2012 report from the Tennessee Office of the Comptroller notes that, similar to PEER's findings of MDOC's response rates, 80% of GPS alarms went unreviewed. The report noted that "eighty-two percent of alarms we reviewed from the GPS monitoring system, VeriTracks, were not cleared or confirmed by probation and parole officers," and that this issue appeared across both Tennessee's notification tracking system and the process parole officers are meant to utilize to note the explanation for the alarm.

Corrective Actions of Other States

In Louisiana, in order to decrease officer caseloads, the state is no longer a 24-hour, 7 days a week supervision system. Any alarms that occur outside of an officer's typical work schedule are not examined until the next work day. According to staff at the Louisiana Department of Corrections Residential Services, inadequate staffing is the main impediment to the electronic monitoring program.

According to staff at the Arkansas Department of Corrections Residential Services, it has attempted to address its program's lack of staffing and lack of proper training of probation and parole officers by implementing retraining programs and cross-training employees based on performance.

Recommendations

In order to improve the operation and management of electronic monitoring programs by MDOC in Mississippi, PEER suggests:

MDOC

1. should review the current 57 key alert categories established in the Sentinel database that MDOC elects to be notified regarding when one occurs. This could potentially reduce the large number of total alert notifications sent by Sentinel to MDOC officers, and it could allow MDOC to prioritize certain key alerts or key alert types;
2. should coordinate with Sentinel to conduct a full census of MDOC officers and officer response rates to key alerts generated for a selected time period in order to:
 - a. establish a baseline acceptable performance standard for an officer response rate to key alerts;
 - b. identify conditions with a causal inference for low response rates by officer or by offender (e.g., underlying offense, offender location, and/or electronic monitoring program type); and,
 - c. terminate under-performing officers or supervisors based on established performance standards, if needed;
3. should examine MDOC officer caseloads and implement a strategy to align current caseloads with national standards. For example, the American Probation and Parole Association established a recommended caseload standard of 20 offenders per supervisor for participants of intensive supervision programs;
4. should increase and implement routine training for new and veteran MDOC officers on electronic monitoring administrative protocols; and,
5. should not automatically renew its contract with Sentinel unless it receives additional technical assistance regarding administrative and oversight reporting capabilities. For example, MDOC and Sentinel could jointly work to produce reports that would allow MDOC to enhance its oversight of electronic monitoring programs (e.g., alert notifications by officer, alert notifications by offender or class of offender). As one of the leading electronic monitoring vendors based on NASPO's cooperative agreement for electronic monitoring of offenders, Sentinel should utilize its experiences in other states to assist MDOC strengthen its oversight and implementation of its electronic monitoring programs. This would not only allow MDOC to routinely monitor response rates by its staff, but also compare the performance of how MDOC operates its electronic monitoring programs in comparison to other states.

Legislature

6. could consider one or more of the following options:
 - a. amend current MISS. CODE ANN. sections regarding electronic monitoring to further limit which offense types are eligible for electronic monitoring programs. This would reduce the current population by limiting the offenses in which judges may place offenders on electronic supervision;
 - b. amend current MISS. CODE ANN. sections regarding electronic monitoring to cap the total eligible number of offenders that may participate in an electronic monitoring program based on national caseload standards. This option would also require MDOC to maintain a real-time count on electronic monitoring participants and notify the courts, at least monthly, regarding the number of program openings; and/or,
 - c. require that the PEER Committee conduct a follow-up review on the performance of MDOC oversight of electronic monitoring programs and produce a report to the Mississippi Legislature, including the Chairmen of the Corrections Committees in the Senate and the House, by December 31, 2024. Should the Legislature not be satisfied with the overall performance of MDOC regarding electronic monitoring, then it would allow MISS. CODE ANN. Sections 47-5-1001 through 47-5-1015 (1972) et seq., to stand repealed effective after June 30, 2025. This would cease the electronic monitoring programs (e.g., ISP) operated by and managed by MDOC.

Appendix A: Key Alert Notification Categories

Key Alert Notification	
GPS Backplate Tamper	SYS No GPS No Cell 24 Hours
GPS Low Battery	SYS No GPS No Cell 24 Hours Plus
GPS Unapproved Enter	SYS No GPS No Cell 3 Hours
GPS Unapproved Leave	SYS No GPS No Cell 4 Hours
GPS XMTR Tamper GPS	SYS No GPS No Cell 8 Hours
GPS XMTR Tamper Reset GPS	SYS No GPS 1 Hour
RF AC Power Disconnect	SYS No GPS 12 Hours
RF HMU Low Battery	SYS No GPS 2 Hours
RF Telephone Disconnect	SYS No GPS 24 Hours
RF Unapproved Enter	SYS No GPS 24 Hours Plus
RF Unapproved Leave	SYS No GPS 3 Hours
RF XMTR Tamper	SYS No GPS 4 Hours
RF XMTR Tamper (HMU)	SYS No GPS 8 Hours
RF XMTR Tamper Reset (HMU)	SYS No Return 12 Hours
SYS Dead Battery	SYS No Return 2 Hours
SYS Dead Battery 1 Hour	SYS No Return 24 Hours
SYS Dead Battery 12 Hours	SYS No Return 24 Hours Plus
SYS Dead Battery 2 Hours	SYS No Return 4 Hours
SYS Dead Battery 24 Hours	SYS UNS LV
SYS Dead Battery 24 Hours Plus	SYS Beau Rivage Casino Exclusion Zone Entered
SYS Dead Battery 4 Hours	SYS Boomtown Casino Exclusion Zone Entered
SYS Dead Battery 8 Hours	SYS Dana Road Elementary Exclusion Zone Enter
SYS Failed To Enter	SYS Flora MS Zone Exclusion Zone Entered
SYS Failed To Leave	SYS Golden Nugget Casino Exclusion Zone Entered
SYS HMU LTT	SYS Hard Rock Casino Exclusion Zone Entered
SYS No Cell Clear	SYS IP Casino Exclusion Zone Entered
SYS No GPS No Cell 1 Hour	SYS Mississippi Exclusion Zone Entered
SYS No GPS No Cell 12 Hours	SYS Work Exclusion Zone Entered
SYS No GPS No Cell 2 Hours	

SOURCE: Sentinel Response to Solicitation No. 44842: *Procurement of Electronic Monitoring Equipment and Services for the Mississippi Department of Corrections (MDOC); Key Alerts Report: Regions I, II, and III combined* (April 23, 2019).

PEER's Response to the Mississippi Department of Corrections's Response

The Mississippi Department of Corrections submitted a response to the PEER Committee's report entitled *A Review of Electronic Monitoring Oversight by the Mississippi Department of Corrections*. While the PEER Committee rarely publishes a written response to that of the entity reviewed, the Committee believes that such a response is warranted in this case.

On page three of its response, MDOC stated the following:

Upon review of data provided by Sentinel from October thru December of 2022, the response rate for alerts/tampers was above 90% with a 47% documentation rate. This displays that alerts were answered, but not documented on each case...See Exhibit B.

PEER's comparison of MDOC's response rates in the electronic monitoring files noted within the Caseload Explorer database and the total number of key alert notifications provided directly from the electronic monitoring vendor, Sentinel Offender Services, LLC, resulted in differing response rates. These overall response rates were 25% and 15%, respectively. This difference alone does support MDOC's assertion that a notification could have been answered by an MDOC officer, but not appropriately documented within Sentinel's database.

However, specific to the device tampering cohort, PEER analysis of the data provided directly by Sentinel to PEER resulted in a successful response rate of 53% from October through December 2022. This is vastly different than the response rate of "above 90%" mentioned by MDOC for that same time period. Based on the overall low response rates from both internal MDOC data and Sentinel data, PEER agrees that response rates could potentially be higher than what was formally documented, but based on the different number of alert notifications and alert notification categories submitted by MDOC in its Exhibit B, PEER questions what the actual numbers are based on the variations among the different data sources provided by MDOC and Sentinel. For example, the number of device tampering notifications provided in MDOC's Exhibit B differs by approximately 30% in comparison to the direct data provided by Sentinel to PEER.

Assuming that the data submitted by MDOC in its agency response to PEER are correct, there is an important problem: Sentinel's database is at odds with what MDOC asserts is reality. A fundamental principle of any data audit is that critical operational data should be unified (i.e., there should not be two separate databases recording conflicting data about the same phenomenon). In this instance, it appears there is potentially a third data source being utilized by MDOC outside of its Caseload Explorer and Sentinel's database. This occurrence also leads PEER to question the reliability of MDOC's operational data, a familiar theme noted within the PEER Committee's report entitled *Management of Offender Data and Records by the Mississippi Department of Corrections* (PEER Report #673, September 13, 2022).

It is difficult for PEER, or any other third party, to verify data presented in such a manner that is in conflict with "on-the-ground reality." This occurrence also potentially results in misleading data. In order to assess whether the assertions in MDOC's paragraph are correct, PEER would need to have access to the underlying data from which the assertions were derived and the operational rules used to derive them. As of this writing, PEER has not been provided with either.

Agency Response



STATE OF MISSISSIPPI
DEPARTMENT OF CORRECTIONS
BURL CAIN
COMMISSIONER

June 7, 2023

James F. (Ted) Booth, Executive Director
Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER)
P. O. Box 1204
Jackson, Mississippi 39215-1204

Re: PEER Review of Electronic Monitoring Oversight by the Mississippi Department of Corrections

Dear Director Booth:

Please accept this correspondence as the response of the Mississippi Department of Corrections (MDOC) to the formal report titled, "A Review of Electronic Monitoring Oversight by the Mississippi Department of Corrections" recently prepared by the staff of the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER). MDOC is responsible for monitoring offenders on electronic devices while under supervision and is committed to ensuring the safety and security of all Mississippi citizens. We appreciate the opportunity to respond to the recommendations offered in the report aimed at improving the oversight of the agency's electronic monitoring system. Our responses to the five recommendations made in the report are presented below:

Response to PEER Recommendation 1:

The MDOC Community Corrections Division agrees with the recommendation and has completed a review of the current 57 key alert categories established in the Sentinel database. MDOC staff determined that 32 of the 57 alerts were not pertinent to the daily activities that must be monitored. MDOC has elected not to be notified of those 32 alerts going forward. There are now only 25 alerts in place which will reduce the total number of daily notifications, allowing MDOC agents to focus on those of the highest importance. MDOC will also discuss prioritization of the remaining 25 alerts with Sentinel as recommended.

Response to PEER Recommendation 2a:

The MDOC Community Corrections Division agrees with the recommendation. MDOC currently has an informal policy in place, which advises electronic monitoring agents to acknowledge an alert within 20 minutes of notification. If the alert is not acknowledged and cleared, the electronic monitoring vendor will escalate the alert to the next level agent on the backup call list. This action will continue with a text message and a phone call in 20

301 NORTH LAMAR STREET • JACKSON, MS 39201 • (601) 359-5600
FAX: (601) 359-5293

minute intervals until the alert notification has been acknowledged. MDOC staff will work in collaboration with the electronic monitoring vendor to complete a full census of agents' response rates to key alerts and develop an official policy outlining acceptable performance standards accordingly. MDOC staff will ensure the performance standard is adhered to and followed.

Response to PEER Recommendation 2b:

The MDOC Community Corrections Division agrees with the recommendation and has conducted an evaluation of agents with low response rates to identify causal conditions. Based on this analysis, the low response rates can primarily be attributed to the following: (1) geographical location of the agent to the offender; (2) agents supervising offenders in multiple counties in the state; (3) transportation or lack thereof; and (4) cellular service.

Based on the identified causal conditions, MDOC will implement the following actions in an effort to improve low response rates: (1) minimize the geographical area; (2) reduce the number of counties an agent will be responsible for supervising; (3) more vehicles will be purchased giving agents access to more transportation; and (4) radio frequency devices will be utilized for offenders in rural areas without cellular coverage.

Response to PEER Recommendation 2c:

The MDOC Community Correction Division agrees with the recommendation. Annual performance reviews are completed by an agents' supervisor to assess whether or not the agent is performing at a satisfactory level. MDOC utilizes the Mississippi State Personnel Board's Performance Review Assessment to evaluate the agent's performance and modify behavior when necessary.

Response to PEER Recommendation 3:

The MDOC Community Corrections Division agrees with the recommendation. MDOC currently uses a risk needs assessment tool as standard practice for determining an agent's caseload size. This risk assessment takes into account the risk level of an offender. However, MDOC will reevaluate the caseload sizes based on national standards, such as the caseload standard recommended by the American Probation and Parole Association, in order to: determine whether adjustments are needed; improve supervision of offenders; and ensure recidivism reduction goals are met.

Response to PEER Recommendation 4:

The MDOC Community Corrections Division agrees with the recommendation. MDOC will require the electronic monitoring vendor to provide additional annual training. In-house routine training will increase for both new and veteran agents. MDOC will also provide a 1-week intensive training for new agents, then a once a month training for six months, followed by a quarterly training for new and veteran agents. See Exhibit A.

Response to PEER Recommendation 5:

The MDOC Community Corrections Division agrees with the recommendation. Prior to renewing Sentinel's contract, MDOC will discuss the issues discovered during this review and ways in which the technical assistance regarding administrative and oversight reporting issues can be resolved. This will include a discussion of Sentinel's experiences with other states' monitoring programs and how that information (including response rates and performance standards) can be used to strengthen MDOC's program. If necessary, MDOC will explore contractual opportunities with other electronic monitoring vendors.

MDOC would also like to submit the following information for the Committee's consideration:

Upon review of data provided by Sentinel from October thru December of 2022, the response rate for alerts/tampers answered was above 90% with a 47% documentation rate. This displays that alerts/tampers were answered, but not documented on each case. Regarding Mark Holloway's case, Sentinel failed to adequately provide necessary monitoring when needed, which caused the inmate to be placed on web only monitoring. Sentinel was unable to activate Mr. Holloway's device for over three hours, which could have caused alerts to be recorded without being cleared. See Exhibit B.

In closing, we agree that there are opportunities to improve oversight of the electronic monitoring program. We will improve our in-house analyses and work diligently with our electronic monitoring vendor to ameliorate the deficiencies discovered during this review.

Thank you again for allowing us to review the report and provide a response. As stated above, we are committed to the safety and security of all Mississippians, and we appreciate your recommendations toward improving oversight of the MDOC electronic monitoring program.

Sincerely,



Burl Cain
Commissioner

cc: EDC Karei McDonald

**Mississippi Department of Corrections
EM/ISP Alerts**

Offender's Name: _____ MDOC# _____

Address: _____ City _____ Phone# _____

Any contact with LEO: Yes ___ No ___

Alerts: GPS backplate tamper ___ GPS low battery ___
GPS strap tamper ___ GPS dead battery ___
Exclusion/Unapproved leave ___ Inclusion/Enter ___

Critical event that required immediate attention _____

Contact with offender: Yes ___ No ___ Arrest: Yes ___ No ___

Handled in Field: ___ Handled by phone: ___

Documented in caseload explorer: Yes ___ No ___

Agent: _____ Date: _____ Time: _____

The process for clearing alerts and documenting in electronic files

- Agent must complete alert fact sheet after each alert
- Agent must document the alert in offender's electronic file immediately
- Fact sheet must be signed and dated by Agent
- Fact sheet must be turned into Team Leads every morning
- Team Lead will verify and enter necessary documentation from fact sheet daily into spreadsheet
- CCAD's will verify information on spreadsheet is correct
- CCAD's will turn in spreadsheet into CCD weekly
- CCD's will verify information weekly on spreadsheets is correct
- CCD's will turn spreadsheets into Deputy Commissioner

REGIONS 1, 2 & 3 COMBINED

GPS EVENTS

Event	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22
GPS - GPS Low Battery	682	739	685	642	621	573	580
GPS - Unapproved Enter	5,771	6,018	6,199	6,118	6,023	5,236	4,868
GPS - Unapproved Leave	4,891	5,256	5,398	5,385	5,336	4,575	4,124
GPS - XMTR Tamper - GPS	153	158	146	160	107	107	154
GPS - XMTR Tamper - Reset - GPS	136	131	129	157	94	91	140
SYS - Dead Battery	77	111	130	234	301	182	92
SYS - Dead Battery 24 Hrs	33	34	57	43	53	46	32
SYS - Dead Battery 24 Hrs Plus	292	254	320	262	239	192	138
SYS - Dead Battery 4 Hrs	52	76	87	194	272	144	59
SYS - Dead Battery 8 Hrs	43	57	74	61	68	58	51
SYS - Exclusion Zone Entered	112	88	111	126	183	227	162
SYS - No GPS - No Cell 24 Hrs	239	262	253	267	236	194	194
SYS - No GPS - No Cell 24 Hrs Plus	1,309	1,584	1,480	1,385	1,589	1,254	1,364
SYS - No GPS - No Cell 4 Hrs	3,341	3,691	3,789	4,013	3,099	2,443	2,497
SYS - No GPS - No Cell 8 Hrs	1,388	1,531	1,540	1,631	1,252	912	939
SYS - No GPS 24 Hrs	183	227	201	201	177	156	180
SYS - No GPS 24 Hrs Plus	171	185	169	178	157	151	156
SYS - No GPS 4 Hrs	5,467	5,905	6,203	5,623	5,216	4,662	4,809
SYS - No GPS 8 Hrs	2,235	2,424	2,575	2,420	2,188	1,869	1,848
Grand Total	26,575	28,731	29,546	29,100	27,211	23,072	22,387
Active GPS Participants	1,704	1,651	1,631	1,631	1,638	1,611	1,599

RF EVENTS

Event	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22
Grand Total							

EXHIBIT A

Active RE Patrol Cell Participants	0	0	0	0	0	0	0	0	0
Active RE Patrol Landline Participants	0	0	0	0	0	0	0	0	0

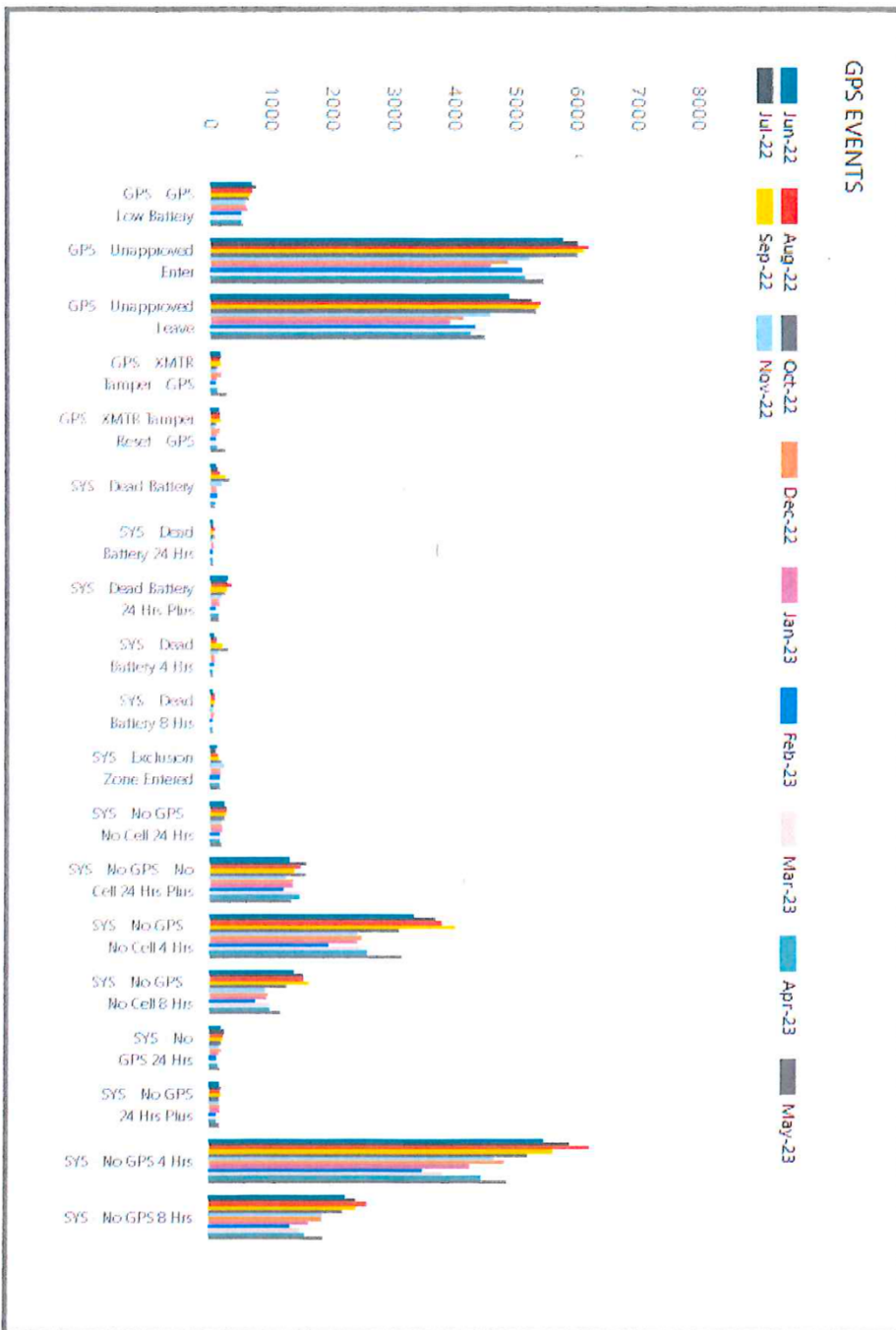
EXHIBIT A

	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Average
	600	493	513	499	523	595
	4,575	5,120	5,564	5,159	5,449	5,508
	3,921	4,334	4,535	4,245	4,469	4,705
	92	84	136	120	253	139
	85	75	122	105	238	125
	89	102	85	78	56	128
	34	36	26	25	15	36
	143	83	70	134	126	187
	61	67	54	45	40	95
	45	43	38	39	30	50
	167	159	144	166	156	150
	185	161	189	167	191	211
	1,352	1,206	1,515	1,480	1,325	1,403
	2,409	1,947	2,483	2,581	3,139	2,952
	910	754	972	989	1,167	1,165
	138	103	144	131	153	166
	157	110	119	117	151	151
	4,250	3,493	3,824	4,440	4,873	4,897
	1,622	1,342	1,510	1,570	1,881	1,957
	20,835	19,712	22,043	22,090	24,235	24,628
	1,598	1,552	1,539	1,540	1,577	1,605

Jan-23	Feb-23	Mar-23	Apr-23	May-23	Average
					0

EXHIBIT A

0	0	0	0	0	0	0
0	0	0	0	0	0	0

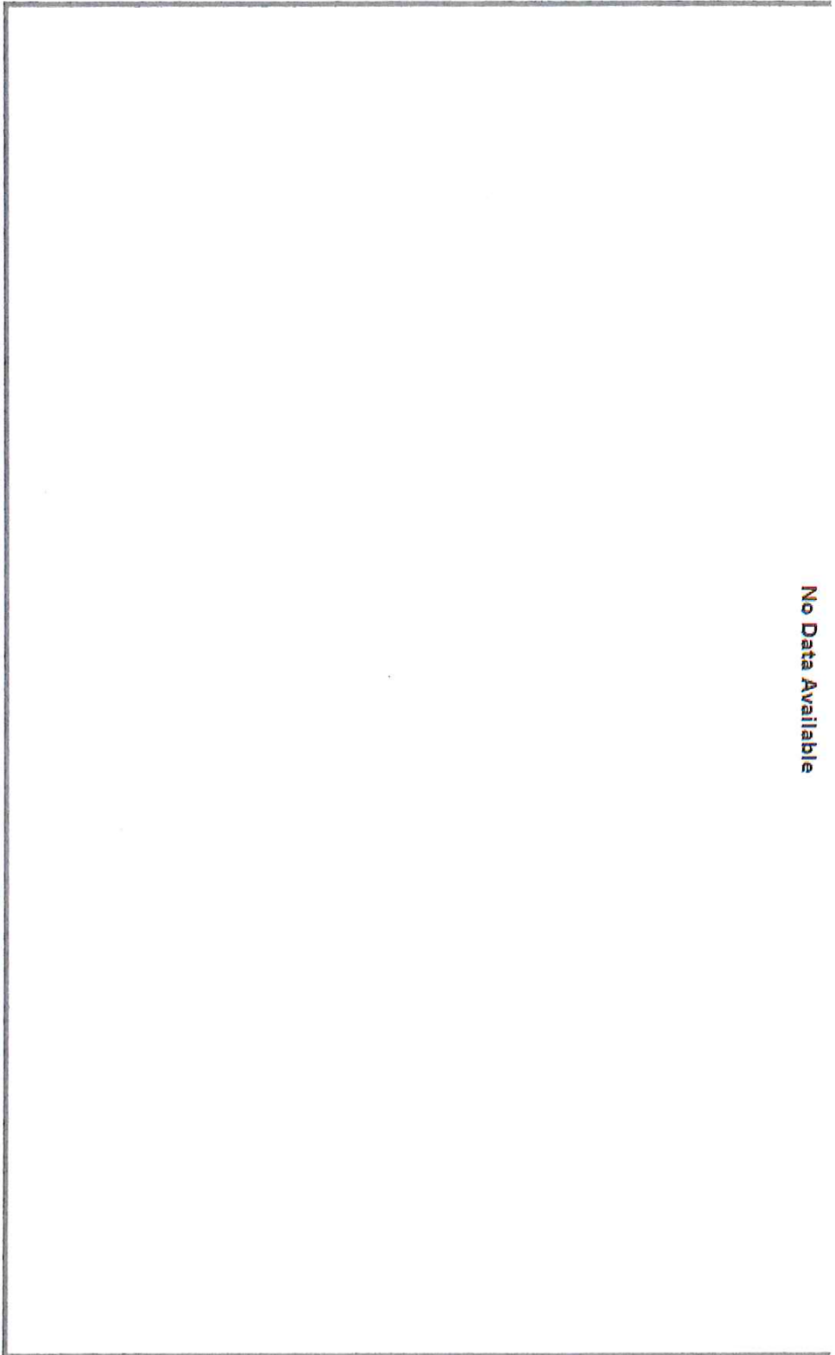


RF EVENTS

1290 N Hancock St | Anaheim, CA 92807 P| 800.589.6003 F| 949.453.1554 W| www.sentineladvantage.com

EXHIBIT A

No Data Available



This page left intentionally blank.

James F. (Ted) Booth, Executive Director

Reapportionment

Ben Collins

Administration

Kirby Arinder

Stephanie Harris

Gale Taylor

Quality Assurance and Reporting

Tracy Bobo

Hannah Jane Costilow

Performance Evaluation

Lonnie Edgar, Deputy Director

Jennifer Sebren, Deputy Director

Drew Allen

Emily Cloys

Kim Cummins

Matthew Dry

Matthew Holmes

Drew Johnson

Billy Loper

Debra Monroe

Taylor Mullins

Meri Clare Ringer

Sarah Williamson

Julie Winkeljohn

Ray Wright