

**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.