

# Issue of removing gps tracking devices off sex offenders



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Case Study: Missouri to Remove Hundreds of GPS Monitoring Devices Recently Put on Sex Offenders

## **Step 1: Background**

In St. Louis Missouri, there are hundreds of sex offenders who were forced to wear ankle monitors in order to track their locations. According to the passage, the Missouri Department of Corrections Board of Probation and Parole installed roughly “ 360 GPS ankle monitors on sex offenders” (Allen & Sawhney, 2019). The usage of the GPS locating monitors became part of the new security requirements; even though the extensive location monitoring had not been a condition in the sentencing guidelines. Board officials explained to the offenders the new requirement was part of a newly revised Missouri criminal code that would go into effect on January 1<sup>st</sup> (Allen & Sawhney, 2019). If the offender had pleaded guilty, or had been found guilty on, or after August 28<sup>th</sup>, 2006, they would be the primary subjects for the added security measures. The prior uses for these GPS monitors were for more high-risk offenders of a limited class.

The recently developed security requirements pertained to offenders who had previously completed their mandated supervision. This new requirement was the basis of a lawsuit that was filed against the Department of Corrections. The offender referred to as D. G. in one of the court hearings in which County Circuit Court Judge, Daniel Green, agreed to sign an order that would temporarily put a halt to the state enforcing the GPS locating requirements on sexual offenders whose cases had already passed through the court system prior to the date of January 1 (Allen & Sawhney, 2019). This

preliminary injunction essentially games all of the legal parties' time to discuss and examine the new restrictions.

According to the passage, the department had “ 30 days to remove the GPS monitoring devices” specifically on certain subjects who, at the time, were not being supervised for life and those whose crimes occurred “ on or between the date of August 28, 2006 and January 1, 2017” (Allen & Sawhney, 2019). The Department of Corrections were presented by the Atty. Gen.'s office in the case study. Rep. Spoke to the public write clarification that the new requirements were designed and produced by individuals in Missouri legislature. He specified the devices were not created by the Department of Corrections probation and parole nor the Atty. Gen.'s office (Allen & Sawhney, 2019). Representative also stated that all of the parties had agreed to the enforcement changes of the monitoring devices.

Another sex offender who was a participant in the monitoring device requirement, sued the state and argued that the mother turned wall did not exist when he pleaded guilty. The complainant had completed five years of mandatory probation in 2016. The date of this case study is May 22 of 2017, the subject in the case study found out about the new lifetime monitoring in March 2017. D. G. had completed his mandatory probation a year prior to the new requirements (Allen & Sawhney, 2019). Thus, explains why the complainant is suing the state. One subject received the GPS device and when he began to wear the device, he became anxious the device may cause his employers to fire him (Allen & Sawhney, 2019).

The new GPS monitoring device were to be utilized as an alert to notify the state officials if the offender travels near a school, Park, or other areas of exclusion (Allen & Sawhney, 2019). If the offender violates their restricted guidelines, they can face felony charges. The offender can also face felonious charges if they cut the back-strap of the device.

## **Step 2: Frame the Key Issues**

- Could be GPS monitoring devices create issues with recidivism due to the stigmatization of the offenders?
- Since the GPS monitoring devices are bulky, could this creates an issue for offenders when searching for employment or for those who are currently employed could they face losing their jobs? If so, could the parole officer or probation officer assisted the offender in searching for jobs for keeping their jobs?
- One of the primary issues is the flimsy strap on the device, if the offender work to cut the back-strap would there be an alarm? And who would be notified? How can the court prove that's the strap broke because the offender cut it, could the strap break by accident?
- If an offender was already convicted for their crime, would the new requirements essentially be a form of double jeopardy?
- In order to protect the community, could other civilians be notified of the whereabouts of a sex offender? On the contrary to this question, would this be a violation of the offender's privacy and security?

### **Step 3: Analysis**

One of the primary issues discussed in the case study is the offender feel they may lose their jobs or have harder time obtaining a job because of their ankle monitor. The monitors are harder to cover and hide thus giving away the offender's status. The offenders are already what is stirring as a registered sex offender every year, now they have to wear a bulky ankle monitor essentially giving away to the public that they have pleaded guilty to a sex crime. On the contrary, this could be very beneficial to the public. Another key issue is the fact that the ankle monitor has a thin back-strap that can be easily cut by the offender. Now, the ankle monitor has to be comfortable enough for the offender to wear for a prolonged period of time, but it also has to be strong enough to the point where it is not easily destroyed. If the back-strap were to be destroyed, there needs to be an alarm that would go off from the device, and local lawn force meant as well as the probation officer or parole officer would need to be notified immediately. If the strap were to be broken, the GPS monitoring must still work in case the offender decides to flee. The legal issues within the case are primarily regarding the double jeopardy some of the offenders are facing. The offenders that have already pleaded guilty or are sends guilty to their crimes are now being subjected to wearing these monitors. However, the offenders have already pleaded guilty and accepted their punishments.

## **Step 4: Lessons Learned, Recommendations, and Practical Applications**

In this case study, there are not many weaknesses or threats. The idea of having sex offenders wearing GPS monitoring ankle monitors seems very beneficial to the safety of the community. Rather than having law-enforcement doing checkups on sex offenders while on patrol, it can be more beneficial for law enforcement officials and corrections officials to track down the offender and make sure they are where they are supposed to be. Not only is it beneficial to track the location of the offender, the GPS monitor itself can create a psychological effect on the offender making them feel as though they need to be in the correct locations. The idea of having their location monitored all of the time, can create a heightened fear of going back to prison for violating their parole or probation agreement. The use of the GPS devices can be very practical and beneficial to the community. If an offender gets too close to a school for example the community could be notified.

The creation of an app that allows parents or even teenagers to be notified if a sexual offender is close to their location could be very beneficial make the community members feel safe and educated. The community often feels safer when they are able to understand what is going on and essentially be included. Allowing them to be notified of a sex offender within their area cannot only reduce recidivism, but create a safer community. On the contrary, the release of the offenders GPS locations can lead to a breach of privacy and security. Of course, there is a possibility that offenders can cut

their GPS monitoring devices and fully. Offenders can also find other ways to remove the device without cutting the back-strap an alarming local law enforcement officials. It is just a simple device with a flimsy back-strap that is able to be broken. One idea, could be giving the offender the opportunity to have a microchip installed in some part of the body thus making it harder for them to remove the monitoring device. If the offender elects to have the microchip installed, their parole or probation could be shortened because they elected the microchip. This microchip installation would eliminate the bulky ankle monitor that shows through clothing intense is not able to be removed or damaged.

## Reference

- Allen, J. M., & Sawhney, R. (2019). *Administraion and Management in Criminal Justice* (Third Edition ed.). Thousand Oaks, CA: Sage .