

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

IN RE: ORDER AUTHORIZING AND APPROVING
RAMSEY COUNTY GPS PROJECT

In 2012, the Second Judicial District's Family Violence Coordinating Council Advisory Group developed initial standards for the use of electronic monitoring and global positioning system (GPS) devices as a condition of release for defendants charged with certain crimes of violence. The Second Judicial District GPS pilot project began on October 28, 2012, pursuant to the authority of Minn. Stat. § 609.135, subd. 5a, Minn. Stat. § 629.72 subdivision 2a, and the 2012 Order signed by Kathleen Gearin, Second Judicial District Chief Judge. Subsequently, two Court Orders re-authorizing and approving the GPS pilot project were issued by Chief Judge Teresa R. Warner. Currently, the GPS project is an additional tool for conditional release of certain medium risk defendants who meet the criteria and whose victims are fearful for their safety.

During the past four years, the Family Violence Coordinating Council Advisory Group collected statistical data for continuing evaluation of the GPS project. The results of the evaluation show that defendants who are on GPS monitoring have significantly better outcomes, in both making court appearances and recidivism, than similarly situated defendants who are released on bail or conditional release. Since its inception, the GPS program has an overall success rate of seventy-five percent (75%). In two distinct measures of success, the GPS defendants significantly outperformed defendants released strictly on bail:

- the failure to appear in court rate of GPS defendants was 75% lower than that of defendants who were released strictly on bail; and
- the domestic violence recidivism rate for GPS defendants was only four-percent (4%) as compared to twenty-three (23%) of those defendants released strictly on bail.

The statutes authorizing the pilot GPS project, Minn. Stat. § 609.135, subd. 5a and Minn. Stat. § 629.72 subd. 2a, sunsetted on August 1, 2017. Consequently, the former versions of those statutes revived. Under the now-current statute, “the court, as a condition of release, may not order a person arrested for a crime described in section 609.135, subdivision 5a, paragraph (b), to use an electronic monitoring device to protect a victim’s safety” “[u]ntil the commissioner of corrections has adopted standards governing electronic monitoring devices used to protect victims of domestic abuse.” Minn. Stat. § 629.72, subd. 2a (Supp. 2017).

Anticipating the August 1, 2017 effective date of the former statutes, the Commissioner of Corrections issued standards for using GPS monitoring in domestic violence cases pursuant to section 629.72, subdivision 2a, on July 21, 2017. Thus, judges, in their discretion, may order GPS monitoring as a condition of release for defendants charged with certain crimes of violence under the authority of Minn. Stat. §§ 609.135, subd. 5a and 629.72 subd. 2a.

Pursuant to Minnesota Statutes, and based upon information provided by the Family Violence Coordinating Council Advisory Group I, this Court finds that ongoing authorization and approval of the GPS project from August 1, 2017 forward is warranted and beneficial to Ramsey County’s efforts to hold offenders accountable while ensuring the safety of victims of domestic violence.

NOW, THEREFORE, the Court being fully advised:

IT IS HEREBY ORDERED:

1. The Ramsey County Family Violence Coordinating Council is authorized to continue with the GPS project to monitor certain defendants within Ramsey County pursuant to Minn. Stat. §§ 609.135, subd. 5a and 629.72 subd. 2a.

2. The Ramsey Family County Violence Coordinating Council Advisory Group shall update the Second Judicial District Court Chief Judge annually on the status of the project.

Dated: November 16, 2017

BY THE COURT:

John H. Guthmann
Chief Judge, Second Judicial District