



FEB 10 2011

Senate of Pennsylvania

DATE: February 7, 2011
TO: All Senators
FROM: Senator John R. Gordner **JRG**
SUBJECT: **Proposed Legislation on PFA Electronic Monitoring**

In the near future, I will be introducing legislation which provides for an electronic monitoring program for protection from abuse (PFA) cases. This bill was previously introduced as Senate Bill 246 in the 2009-10 Session.

A few years ago, a murder-suicide occurred about two blocks away from my home. A woman had a PFA against her estranged husband. One evening, the estranged husband barged into her house, killed her and then committed suicide.

I believe that if an electronic monitoring system would have been in place, the woman would have received advance notice that the man was in close proximity and would have been able to lock the doors, call the police or flee to a neighbor's house. Those actions could have saved her life.

This legislation would permit a court that is issuing a protection order, in the first instance, to order a defendant to participate in an electronic monitoring program. If a defendant who is not participating in a monitoring program violates a protection order, the court shall order the defendant to participate if he or she is not otherwise incarcerated for the violation.

The monitoring program would involve the defendant wearing a monitoring device and the plaintiff carrying one. In order to alleviate any privacy infringement issues on behalf of the plaintiff, the court would not be able to order electronic monitoring without the plaintiff's consent.

The administrator of this program will be the county office of probation and parole and all costs will be incurred by the defendant.

Please call my office at 787-8928 if you are interested in cosponsoring this legislation.