

THE CODE OF CRIMINAL PROCEDURE (EXCERPT)
Act 175 of 1927

771.3f Electronic monitoring device; removal, destruction, or circumvention prohibited; interference with signal, impulse, or data prohibited; exceptions; violation as felony; penalties; "electronic monitoring device" defined.

Sec. 3f.

(1) A person shall not knowingly and without authority remove, destroy, or circumvent the operation of an electronic monitoring device or knowingly interfere with a signal, impulse, or data that is being transmitted by or stored within an electronic monitoring device worn or otherwise used by an individual as a condition for any of the following:

- (a) Work release or house arrest.
- (b) Bond or other pretrial release.
- (c) Probation.
- (d) Parole.
- (e) Postrelease supervision or postconviction bond.
- (f) Release under section 3e.

(2) A person shall not knowingly and without authority request or solicit any other person to remove, destroy, or circumvent the operation of an electronic monitoring device or knowingly interfere with a signal, impulse, or data that is being transmitted by or stored within an electronic monitoring device worn or otherwise used by an individual as described in subsection (1).

(3) Subsections (1) and (2) do not apply to either of the following:

(a) The owner of the electronic monitoring device or his or her agent while performing proper maintenance and repairs on that device.

(b) A person who removes the electronic monitoring device at the direction of a physician due to an immediate medical necessity.

(4) A person who violates this section is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than \$4,000.00, or both.

(5) As used in this section, "electronic monitoring device" includes any electronic device or instrument that is used to track the location of a person or detect the presence of alcohol.

History: Add. 2012, Act 612, Eff. Mar. 1, 2013