DESIGNING AN ELECTRONIC MONITORING PROGRAM

A guide to program design, implementation, and management

The experience of

lackamas County, Oregon

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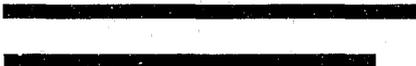
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CLACKAMAS COUNTY

Clackamas County, Oregon is a suburban community in the Portland metropolitan area - the largest such area in the state. Clackamas County is the fourth most populous county in Oregon at 265,000 and is a recognized leader in the area of electronic monitoring of offenders, offender risk classification, and residential services. Clackamas County Community Corrections began on a small scale in 1971, but rapidly grew with the passage of a statewide Community Corrections Act in 1977. The agency is presently responsible for a full range of corrections' services including adult probation and parole supervision, presentence investigations, community service, volunteer programs, a residential center, and an electronic monitoring program. In addition, the agency contracts for a variety of client services in the community. These include mental health services, medical services, and crisis subsistence needs. Approximately 1900 offenders are supervised by Clackamas County Community Corrections.

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ABSTRACT

Many publications describe current trends in the field of electronic offender monitoring. However, few guidelines exist for agencies interested in implementing programs of their own. This manual provides an overview of the issues involved in designing, implementing, and managing a program. The manual takes the reader through the process in a step-by-step manner. It is meant to serve as a practical tool at both administrative and operational levels.

Much of this guide is based on the experiences of Clackamas County Community Corrections. Important issues are illustrated with case-study examples from the history of Clackamas County's program.

INTRODUCTION

WHAT IS AN ELECTRONIC MONITORING PROGRAM

Electronic monitoring programs use electronic surveillance equipment to supervise offenders placed on house arrest. In general, the offender wears an electronic device which detects violations of his or her house arrest restrictions.

Several types of monitoring equipment are currently available, but they fall into two major categories:

1. *Continuously signalling,* or *active systems* which monitor the offender on a continual basis via radio frequency.

2. *Programmed contact,* or *passive systems* which monitor the offender on an intermittent basis via random telephone calls.

Combination systems and other variations are also in use. For more information about monitoring equipment, see Section 4.

WHY IMPLEMENT ELECTRONIC MONITORING?

Because each agency faces its own unique challenges, electronic monitoring programs are implemented for a variety of reasons. One community might use electronic monitoring to ease jail overcrowding. Another jurisdiction might have ample bedspace but overburdened probation officers. Many programs are created as a quick response to bedspace and financial problems. However, further applications are likely to develop once a program is in place.

The benefits of an electronic monitoring program will depend on the applications it is put to. Some of the potential benefits include the following:

Reduction of Jail/Prison Overcrowding. Electronic monitoring programs can reduce jail and prison crowding by diverting offenders that would have otherwise been incarcerated. Offenders already serving time may be transferred to electronic surveillance, providing a faster turn-over of beds.

Cost-effectiveness. Electronic monitoring may be less expensive than incarceration and requires less staff than traditional intensive supervision programs (ISP's). Therefore, certain offenders can be punished at a lower cost. Many programs increase their cost-effectiveness by charging user fees.

Flexible Sentencing Alternative. Electronic Monitoring is considered more punitive than probation and less severe than incarceration. As an intermediate measure, electronic monitoring programs provide another option on the continuum of sanctions -- allowing punishment appropriate to the offender and the offense. Electronic monitoring can be used to enhance programs such as work release, ISP, medical release, shock incarceration, etc.

Provides an Immediate Sanction. Electronic monitoring sentences can be implemented without delay. The offender is put under immediate surveillance instead of waiting for bedspace. If the client fails the program, he or she can be removed from house arrest just as quickly.

Punitive Impact. House arrest is very restrictive and allows close supervision of the offender. If used in a package of sanctions, the punitive impact may be increased.

Social Benefits. House arrest allows the offender to maintain employment and home life, avoiding financial, family, and psychological disruptions. The offender avoids the criminogenic effects of prison. And he or she is forced to practice responsible living skills, such as following a regular schedule and refraining from substance abuse.

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<u>More Intensive Supervision</u>.   House arrest with electronic monitoring provides a higher level of supervision than ISP's or house arrest programs without electronic monitoring. This higher level of service may be desired by the community, the courts, corrections or law enforcement agencies.

CASE STUDY: WHY CLACKAMAS COUNTY SET UP A MONITORING PROGRAM

In April 1985, Clackamas County Community Corrections (CCCC) implemented an electronic monitoring program. At that time, Clackamas County did not have a problem with overcrowded jails, but Corrections Director Terry Gassaway did not want the national trend towards jail space crises to catch Clackamas County unprepared.

Besides reducing the use of jail beds and work release beds, Gassaway wished to increase the number of corrections alternatives available in Clackamas County. "We can't afford to incarcerate all offenders," says Gassaway. "At the same time, we need a way to keep track of those offenders who aren't being locked up." Gassaway is a strong believer in the usefulness of electronic monitoring. "It offers a whole new horizon in corrections," he says.

An additional goal for the program was to provide a revenue source, through user fees, to support the program.

Section 2

DESIGNING AN ELECTRONIC MONITORING PROGRAM

OVERVIEW

Electronic monitoring programs have been developed by state and local criminal justice agencies across the nation. These include corrections agencies, probation and parole departments, courts, sheriffs, and police departments. The agency can run its own program or contract with a private monitoring service.

As described in Section 1, an electronic monitoring program offers potential benefits, depending on the application. Electronic monitoring programs are used as custody, as probation, for pre-trial services, medical release, intensive supervision and in various combinations of these uses. The first step in developing a new program, is to specify its goals and applications.

Once the applications are determined, administrators can seek support for the new monitoring program. The right technology for their purposes can be determined. Client populations can be identified. And operational policies can be developed. The next five sections examine each of these stages in greater detail.

Administrators should build a degree of flexibility into the program's design. As societal needs change and electronic monitoring technology evolves, new possibilities will arise and new applications will develop. Forward-looking programs will change with the times.

CASE STUDY: CLACKAMAS COUNTY'S PROGRAM DESIGN

Clackamas County's electronic monitoring program was developed by the corrections department. At first, the program was used to divert low-risk offenders from incarceration. Most program participants had spent some time in custody. Over time, the program's applications have broadened. Candidates are coming from more sources. Higher risk candidates are now accepted. And the county plans to expand into an intensive supervision model as well.

From the very beginning, Clackamas County used both passive and active equipment to monitor offenders. The equipment choice reflected the Director's desire to maximize flexibility and reliability in the program. By using two types of equipment, the county can monitor more types of offenders in more types of situations. During the program's early years, most participants were drawn from the residential center. Now, 60% come directly from the court without having served any jail time.

The program is housed at the county's corrections residential center. This provides coverage 24 hours a day, 7 days a week. Initially, one full time probation officer administered the program during the day. Residential center staff provided night-time coverage as well as administrative and clerical support. There were 96 participants the first year.

Currently, about 30 offenders a month begin a term on electronic monitoring. And while the program is still located at the residential center, some staffing changes have been made. The program is now administered by a residential center manager. He has two corrections counselors working full time on the program and one half-time support person.

After initial referral, a corrections counselor meets with the offender to determine eligibility. Once accepted into the

*program, the offender and the counselor devise a house arrest
schedule. The schedule is entered into the central computer and
updated weekly.*

*Successful completion requires adherence to the rules and
regulations of the program as well as compliance with any
conditions of probation which may have been ordered. Other
requirements include payment of user fees, an exit interview and
return of the equipment.*

*An offender typically spends 30 to 40 days on the program.
CCCC has found that shorter terms are not onerous enough,
while terms longer than six months lose their impact on the
offender.*

Section 3

GAINING SUPPORT FOR THE PROGRAM

A new electronic monitoring program requires support within both the criminal justice system and community. Some initial objections may be overcome if the program starts out small - - perhaps by targeting low-risk offenders. An electronic monitoring program will have to be shown to be cost-effective, safe, humane, punitive, and technologically sound.

SYSTEM SUPPORT

Gaining judicial acceptance is often the first and most important step. Once judges are willing to sentence offenders to electronic monitoring program, the program can be set up in any number of ways. Judges can sentence directly to electronic monitoring program. They can sentence to eligibility for electronic monitoring program. The administering agency can make recommendations to the court, and so on.

A successful program must also win support within the administering agency. Electronic monitoring represents a shift away from traditional face-to-face corrections work. Sometimes there is a reluctance among corrections officials to accept the shift from rehabilitation to surveillance. At the same time, electronic monitoring also represents a shift away from traditional custody. In this regard, electronic monitoring is sometimes seen as too lenient.

Finally. an electronic monitoring program must coordinate with those elements of the criminal justice system not directly served by the program. For example, state or federal prisons might wish to have prisoners supervised by a county-run electronic monitoring program. Or a juvenile services department might apply to put an offender on a program run by a sheriff.

System support is necessary to get a program off and running, but an electronic monitoring program relies on continued support as well. Selection of appropriate clients requires cooperation between various agencies. And if an offender fails the program, the system must be able to provide punishments that uphold the credibility of the program. In other words, the offender must face concrete sanctions if he or she fails.

FINANCIAL SUPPORT

An electronic monitoring program requires a permanent funding base to pay for equipment, staff, and administrative overhead. User fees can help support a program. Additional funding might come from the administering agency's budget, federal, state or local government agencies, and private corporations and foundations.

PUBLIC SUPPORT

A new monitoring program needs community and political support. Electronic monitoring raises many issues of public concern. Public safety is primary among these issues. Who will be put on the program? Who will be specifically excluded? Community groups and leaders need to be consulted or informed as such issues are decided.

Other questions of public interest often revolve around legal or ethical considerations.

LEGAL/ETHICAL ISSUES

Electronic monitoring has engendered debate on a number of legal and/or ethical questions. Some of these issues are briefly summarized:

<u>Electronic Monitoring "Widens the Net".</u>   Prime candidates for electronic monitoring include low-risk offenders that would normally have been sentenced to routine probation. This "widens the net" of social control.   If offenders that would not have been incarcerated are monitored electronically, some of the program's cost and bedspace savings may be lost.   Of course, a greater degree of social control may be desired in some jurisdictions.

<u>Electronic Monitoring "Narrows the Net".</u>   Some critics feel that it is too lenient. The substitution of a "lenient" sanction for a more severe sanction (incarceration) lessens social control because the deterrent effect is compromised. As well, offenders may not be sufficiently incapacitated by electronic monitoring.   New crimes may be committed while on an electronic monitoring program.

<u>Electronic Monitoring is Illegal.</u>   Electronic monitoring may raise constitutional rights questions. Because the equipment allows the government into the offender's home, the right to privacy is questioned.   Protection against unreasonable search and seizure may be an issue, if monitoring is considered a "search".   And, because program eligibility requirements may disqualify some types of offenders, the right to equal protection is also questioned.

Generally, experts conclude that electronic monitoring is not illegal as long as it is imposed with the informed consent of the offender.   Furthermore. if the offender is a convicted criminal. then his or her rights to privacy are already considered limited.

<u>Electronic Monitoring is Discriminatory.</u> Another potentially illegal aspect of some programs is discrimination on the basis of race. class. age, or some other factor not related to the offender's   criminality.   While   often   unintentional, discrimination may occur because of program design.   For example. paying a user fee may discriminate against young and poor people. The requirement of a stable residence

and employment, the problem may be exacerbated. To help avoid such effects, sliding scale fees based on the ability to pay are often used.

Discrimination may also occur when programs target low-risk clients with minor or no previous criminal records. Such screening may result in a client pool made mostly of middle class, white collar offenders.

<u>Electronic Monitoring Does Not Rehabilitate.</u> When an offender is placed on an electronic monitoring program, the program usually focuses on surveillance. Some critics argue that human
contact with the offender is reduced, and the potential for rehabilitation is diminished. However, increased human contact can always be added to a program with weekly meetings,
counseling, drug abuse groups, etc. Often, the offender will receive more service than traditional probation clients. The quality of the contact should also be considered when comparing house arrest contact standards to incarceration contact standards. As usual, the level of service will depend on the individual program's objectives and budget.

CASE STUDY: HOW CLACKAMAS COUNTY WON SUPPORT FOR THEIR PROGRAM.

When Clackamas County Community Correction's Director Terry Gassaway became interested in electronic monitoring systems, he contacted manufacturers to find out more about the technology. When the technology appeared viable, his next step was to obtain support for a pilot project program. Gassaway took sample equipment to his county judges, showed them how it functioned and explained how a program could work under CCCC jurisdiction. He gave a similar presentation to the Board of County Commissioners. The pilot project was granted permission to proceed. Press releases and speakers were used to inform the public.

In its first months the new program received a great deal of media attention. Most reactions were positive.

The first offender put on the program was serving a six month sentence on a multiple driving under the influence conviction. Local press showed up to interview and take pictures of the offender, who agreed to the publicity. The article and picture were picked up on the AP wire and generated national attention.

Money for the equipment came entirely from the program's budget. (The program started with ten active units and ten passive units.) Participation is voluntary, with a sliding scale fee. The program continues to be funded primarily from the agency budget. However, in 1988, the County General Fund provided money for additional equipment, preferring to expand the use of electronic monitoring instead of opening another residential center. In fiscal year 1988/1989, user fees covered 31% of the program's costs.

Section 4

CHOOSING EQUIPMENT

OVERVIEW

There are two basic types of electronic monitoring equipment: continuously signalling systems and programmed contact systems. Both systems are connected by telephone to a computer at the program's central office.

Continuously signalling devices are also known as active systems because they monitor the offender around the clock, except during scheduled absences from the residence. Programmed contact, or passive systems place intermittent phone calls to the offender's residence. There are a variety of methods for verifying client response to these calls.

CONTINUOUS SIGNAL SYSTEMS

System Description

Continuous signal systems consist of three parts:
1. A transmitter worn by the offender.
2. A receiving unit connected to the offender's home phone.
3. A computer located at a central office and linked to the receiving unit by telephone.

The transmitter sends a signal to the receiving unit. The receiver relays the signal to the computer. Whenever the offender enters or leaves range of the receiver, the computer is automatically alerted. If the absence is unscheduled, the computer issues a violation report.

Variations

There are also active systems which do not use telephone lines to monitor a continuous signal. Rather, they use a radio signal. For example, a corrections officer may keep a portable receiver in his or her car. The officer drives by the offender's residence to pick up the signal emitted by the offender's transmitter. If the offender is supposed to be at work, or some other location, the officer may drive by the offender's work place to verify his or her presence.

Pro's and Con's

Continuously signalling systems provide more intensive supervision and control than passive systems. They provide more information about offender compliance to electronic monitoring program restrictions, like whether or not the offender is at home. Compared to passive systems, active systems require less staff time to monitor the offender.

Unfortunately, the technology is subject to a variety of problems. Radio frequency signals are easily disturbed by power surges, large appliances, broadcast towers, etc. Such interference can easily generate a false alarm. The equipment is less reliable, has a shorter life span, and can be difficult to set up, diagnose problems, and repair.

PROGRAMMED CONTACT SYSTEMS

System Description

These systems also consist of three parts:
1. An encoding device worn on the offender's wrist or ankle.
2. A verifier box connected to the offender's home telephone.
3. A computer at program headquarters.

The computer is programmed to place random and/or scheduled calls to the offender's residence. When a call is placed, the offender must verify his or her presence by inserting the encoding device into the verifier box. When this electronic contact is made, the transaction is complete. The computer notes if there is no answer, the line is busy, or verification is not made properly. The offender may also be required to leave a recorded statement when the computer calls. Changes in the offender's voice can help officials detect such things as an episode of substance abuse.

Variations

Other verification methods also exist. Computer analyzed voiceprints can positively identify the offender. Voiceprint systems eliminate the need for the encoding device and verifier box.

Visual verification technology is also available. A visual telephone is placed in the offender's home. When the computer places a call, a photograph of the offender is transmitted to the electronic monitoring program office. Electronic monitoring program staff must confirm the identity of the photographed individual.
Visual verification systems are sometimes used with a breathalyzer placed in the client's home. The transmitted photograph shows the offender blowing into the breathalyzer and the results of the alcohol test.

Yet another variation requires the offender to carry a digital read-out pager. A call to the pager generates a number which the client must key into a touchtone phone in response to a call from the computer.

These alternative verification methods are newer and can be much more expensive than the basic passive systems.

<u>Pro's and Con's</u>

Programmed contact equipment is more reliable than continuously signalling equipment, and less expensive. The technology is generally simple and straightforward. Some equipment variations provide more information about the offender, giving electronic monitoring program officials more of the "face to face" feeling of traditional corrections work.

On the down side, passive systems offer less control over the offender than active systems and are not appropriate for all risk categories. Program officials do not know for sure if the offender is at home, except for the duration of the programmed contact.

NEW SYSTEMS

Equipment is now available which combines certain features of active and passive systems. One example uses a continuous signal, but when a violation occurs, the system telephones the offender and verifies his or her presence by voice recognition. If verification is not made, a pager can alert staff of the violation, and they can issue a violation report. This system cuts down on the number of false alarms generated by continuously signalling equipment.

CHOOSING THE RIGHT EQUIPMENT

The equipment type must be matched to the program's applications and offender profile. For example, if house arrest is used for total incarceration, an active system offers around the clock surveillance. But if a program's main focus is not on confinement, a passive system that monitors the offender only during scheduled hours may be more appropriate. Another option is to use both active and passive systems for maximum program flexibility.

Finding the right technology and the best investment takes some research. Because electronic monitoring is a relatively new field, the technology is still evolving. Old systems are being improved; new equipment is being developed. What's more, manufacturers vary widely in responsiveness and reliability. As well, hidden costs abound and inadequate research can lead to unplanned expenditures down the road.

The following steps can help program planners avoid hidden costs:

Talk to Vendors. The Journal of Offender Monitoring (See Resource Section at end) maintains an index to current manufacturers of electronic monitoring equipment. Manufacturers vary in reliability, quality, and service. Before buying, it is important to talk to a number of potential suppliers to get an idea of what is available and different equipment fits with your needs. Some important questions to discuss with vendors include the following:

* Can trial use of equipment be arranged?
* Does the vendor provide training services? Is there an extra charge for training?
* Who provides equipment maintenance and repairs?
* Are service contracts an option?
* Will the equipment be upgraded as improvements are made?
* Who pays for long distance calls and/or travel expenses?

Talk to Users. When considering a specific system, it is important to talk to agencies currently using that equipment. Agency administrators can provide information about how well the particular technology suits agency needs and goals. Hands-on users can provide extremely valuable information about equipment reliability, manufacturer responsiveness, and offender performance.

Survey Available Information.   Good sources of information
include: professional conferences, other criminal justice
agencies, manufacturers, formal and informal studies,
articles and other printed information. See the list of
resources at the end of this document.

Consider Buying Vs. Leasing.   Buying equipment is less
expensive in the long run but more expensive in the short
run. However, leasing allows a great deal more flexibility.
Program officials can choose to upgrade equipment, change
systems, or switch vendors altogether. This flexibility is
important in a field where the technology is evolving
rapidly.

Start Small. Many new programs overestimate the number
of units they need to begin operations. It is best to start
with a minimum number of pieces and add more units as
the program grows.

Determine Phone Cost/Compatibility. Program planners
should consult with telephone company representatives to
be sure that proposed equipment will be compatible with
local telephone service. Phone charges should also be
discussed as large jurisdictions might require toll calls or
long distance calls to connect with the central computer.

CASE STUDY: CLACKAMAS COUNTY EQUIPMENT CHOICES

Clackamas County has always emphasized program flexibility and has tried to use the equipment to the limits of its ability. The Clackamas County program started with ten purchased radio frequency sets and ten leased passive sets. They worked closely with the manufacturers in initial equipment and software debugging. However, when their purchased equipment broke down, they found broken units were not worth repairing. Instead, they were replaced with leased equipment, and they have been leasing ever since.

As the program grew, more active and passive units were added.

The county stays in close communication with monitoring equipment vendors, sometimes testing new equipment for manufacturers. As new technologies have emerged, they have incorporated new equipment abilities into their program. For example, they recently added visual identification and breathalyzer equipment to their program.

Section 5

SELECTING OFFENDERS

IDENTIFYING CLIENT POPULATIONS

The target offender profile will have a significant impact on program design. For example, a low-risk offender population might not require immediate response to a reported violation. On the other hand, a program serving a higher-risk population might require 24 hour staffing for immediate response when a violation occurs.

Equipment choices will also be affected by the offender type. In cases where alcohol abuse is likely, a breathalyzer system might be indicated. In cases where public safety is a high priority, 24 hour surveillance might be required.

Finally, program planners can use the target profile to develop selection criteria. Selection criteria are used to determine which offenders qualify for the program.

Nationally, most electronic monitoring program participants are males convicted of a wide variety of criminal violations, with the highest percentage being major traffic offenses. Property offenses, drug offenses and offenses against the person are the next ranking violations.

SELECTING OFFENDERS

Referrals to Program

Offenders may be referred to monitoring programs from a variety of sources. Judges, public defenders, jails, prisons, other counties, other states, other agencies and in-house referrals all provide candidates.

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Custody or probation officers can make referrals. Attorneys might make recommendations for their clients. And police might refer offenders to electronic monitoring. In short, the program can be set up so offenders are referred from any point in the criminal justice system. However, many programs draw most of their participants from one or two main sources. Ideally, all referrals should be screened for eligibility by officials familiar with daily operation of the program.

Eligibility Policies

No particular class of offender is "best" for electronic monitoring. Many programs prefer low-risk offenders and use risk assessment as a primary tool for determining eligibility. Factors often used to determine eligibility include employment history, suitable residence, suitable telephone, ability to pay user fee, previous criminal record, and compliance with probation or parole requirements. Subjective factors also play a role in determining eligibility. The screening officer must use his or her judgement and intuition to assess the offender's desire to succeed and likelihood of success.

CASE STUDY: CLACKAMAS COUNTY SELECTION OF OFFENDERS

When Clackamas County's program was implemented, the court granted the corrections agency authority to draw offenders from the county residential center for custody on electronic surveillance. Such offenders were sentenced to the residential center with eligibility for electronic monitoring.

As Clackamas County's judges have become familiar with electronic monitoring, more and more offenders have been put on the program without serving any jail time. Such offenders are sentenced to custody, but serve their term on electronic monitoring. Sixty percent of Clackamas County's electronic monitoring participants now come directly from the courts. Most of the remainder come from the residential center. The County also has intergovernmental agreements to supervise state and federal prisoners on electronic monitoring.

After an offender is referred to the program, a corrections counselor conducts an interview to determine eligibility. At first, only low-risk offenders qualified for the program. But due to the variety of offenders and crimes, the county made the decision to keep screening criteria open-ended and not rule out particular crimes in the absence of data to substantiate failure. The following criteria were developed and are currently used:

> *1. The offender must be able to pay a daily fee to participate in the program. In financial hardship cases, fees will be waived or reduced. The fee in 1988 is $10 per day.*

> *2. The offender must have verifiable and consistent employment. Un-employed offenders will be reviewed on a case-by-case basis and will be required to participate in a full time job-search program.*

3. *The offender must have a suitable residence.*

4. *The offender must have a phone in working order. The program has purchased four phones to be used if an offender meets all the criteria but doesn't have a working phone and cannot afford to purchase one.*

Section 6

MANAGING OFFENDERS

OFFENDER REQUIREMENTS

In order for offenders to succeed on an electronic monitoring program, they must be given clear rules to follow, and the consequences of failure must be duly stressed. Generally, program participants are required to adhere to an authorized schedule of confinement in the home and to attend regular meetings with a program officer.

Additional requirements may include sobriety, participation in drug or alcohol programs, drug or alcohol testing, medication, counseling, community service, job searching, suspension of driving privileges, or other conditions. If the offender is also on probation, these requirements are often probation conditions. Program requirements can be tailored to the individual participant.

HANDLING VIOLATIONS

Any failure to comply with program requirements can constitute a violation. In Clackamas County, schedule violations and substance abuse are the most common violations.

A new program will need to develop a step-by-step disciplinary process for handling violations. For example, when the computer reports a violation, the program officer might follow up with a phone call. If the offender can't be reached, the officer might drive to the residence or have the local police drive by to see if the offender is at home. If the offender can't be found, the police may be alerted.

In addition to a response procedure, officials need sanctions with which to punish violations. When a number of privileges

are built into the program, the program officer will have a number of sanctions at his or her disposal. Sanctions might range from revoking a social pass or other privilege, to adding new conditions or returning the offender to custody. When a variety of sanctions are available, the punishment can be fitted to the violation.

CASE STUDY: CLACKAMAS COUNTY OFFENDER MANAGEMENT

During the intake interview, corrections counselors explain the rules of the program to the offender. Both parties sign a contract specifying the conditions for participation in the program and the schedule to be maintained by the offender. After that, the offender and the officer meet on a weekly basis to update the schedule and review the client's performance.

Because many program participants are convicted drunken drivers, participation in an alcohol program is often a requirement of the monitoring program. Random drug testing and breath tests are also used to detect substance abuse violations.

Staff monitoring tasks differ depending on the system the offender is using. Passive systems require staff to review recorded messages, photographs, and computer reports. Active systems require response to violation reports.

Violations are handled on a case by case basis. Most violations occur outside of working hours, from 6:00 pm to midnight. Because 24-hour staffing is provided, serious violations are addressed immediately. Less serious violations are dealt with the next morning.

Section 7

PROGRAM HOUSING AND STAFFING

Most often, monitoring programs are housed in already-existing facilities and run -- at least in part -- by existing staff. Additional personnel may be needed to direct, run, or provide support for the program. The fact that monitoring programs are easily supported within existing organizations is one of their advantages, making for low overhead and quick start-up.

PROGRAM HOUSING

When determining where to house a new program, consideration of the following questions may be useful:

* What agency has jurisdiction over the program?
* What source are most clients drawn from?
* Is a 24-hour facility necessary?
* How often will clients be visiting the facility?
* Will clients be required to participate in activities (such as counseling) located in the facility?
* Is there room for the program to grow?
* Is a source of radio frequency interference nearby?

PROGRAM STAFFING

Staff salaries account for the greatest part of program overhead costs. The size of these costs will depend on how the program is structured. If the program budget allows, at least one person should always be available who is familiar with the equipment, program operation and selection criteria. However, professional staff time is expensive and a high level of service may not be necessary around the clock.

A well trained support staff can cut down on the professional staff time needed to administer the program. For example, clerical staff could monitor the computer reports and contact the offender's monitoring officer as necessary.

Division of Responsibilities

Staff responsibilities fall into several categories. Deciding on the allocation of these duties before the program is put into action will streamline operations:

Who Decides Client Eligibility? In some areas, the courts decide. In others, the court gives authority to another agency to put offenders on the program. In this case, the administering agency must decide who will be responsible for determining offender eligibility.

Who Meets With the Offender? Intake interviews, exit interviews, and fee collection can consume a great deal of staff time.

Who Monitors Offender Compliance? Though machines perform the routine monitoring tasks, a staff member must check the computer reports for compliance to the house arrest schedule. The time spent reviewing reports will vary with the number of offenders and the complexity of the manufacturer's computer program.

Who Handles Field Work? A program officer must visit an offender's home to install equipment, solve radio frequency problems, and in response to violations. If the offender is also on probation, the assigned probation officer can be responsible for routine home visits.

CASE STUDY: CLACKAMAS COUNTY PROGRAM HOUSING AND STAFFING

As previously noted, the county's program is located in the county work release center where two corrections counselors and one half-time support person run the program. The ratio of professional staff to participants is approximately 1:20. However, "caseload" statistics are not the best way to describe program staffing requirements. Because offenders are monitored around the clock, the question is how many shifts are required to supervise offenders both day and night.

The program's electronic monitoring staff work in two shifts covering 14 hours of the day. Tasks include intake interviews, weekly check-ins, schedule changes, exit interviews, fee collection, working with equipment manufacturers, monitoring offenders, and responding to violations. Some of these tasks must be completed during business hours. More intensive monitoring is required at night when violations are more likely to occur. Work release center staff cover those hours when no monitoring program staff are present. Successive shifts communicate via a front office journal, case files and computer printouts and schedules.

Intake interviews require about two hours. The weekly meetings take about half an hour each. With the program's current intake rate of 30 new participants per month, the time devoted to these tasks quickly adds up. Because of time and staffing restrictions, the program focuses on surveillance over client contact. At the current staffing level, the program is able to monitor up to 40 offenders at one time.

Clackamas County also operates an intensive outpatient drug program which utilizes electronic monitoring while clients are participating. Program staff have increased contact with this population compared to the general population on electronic monitoring.

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Section 8

CONTROLLING COSTS

PROGRAM DESIGN

Electronic monitoring programs can be cost effective, depending on the program design. Because electronic monitoring can be less expensive than incarceration, programs designed to divert offenders away from incarceration may result in substantial savings.

In contrast, monitoring programs are usually more expensive than probation supervision. The added cost comes from equipment and the staff time required to run the program. The key to controlling staff costs is to avoid duplicating efforts. For example, if the equipment is performing monitoring tasks, fewer random visits to the offender's home will be required.

EQUIPMENT COSTS

As noted in Section 4, equipment choices have a significant impact on program costs. Equipment reliability, durability and performance need to be researched as thoroughly as possible. Leasing equipment instead of purchasing it allows more flexibility as new technologies become available.

USER FEES

User fees can help pay for a program. However, if ability to pay is a firm selection criteria, the program may be open to charges of discrimination.

CASE STUDY: CLACKAMAS COUNTY PROGRAM COSTS

In 1988, the county's program costs $19 per day per offender. This figure covers all equipment rental, office space, staffing and administrative costs, including phone lines. This per day charge is offset by a $10 per day user fee, reducing overall program cost to $9 per day.

Eighty-five percent of the clients who terminate have paid 100% of their fees.

Section 9

RESULTS

SUCCESS/FAILURE RATES

Most electronic monitoring programs report a high rate of successful program completions. Most failures consist of curfew and drug violations. The worst violations consist of new crimes committed while participating in a monitoring program. Although no extensive studies have been performed, success seems to be linked to the screening of participants. In other words, it depends who gets put on the program. Another factor affecting the success rate is program staffing, if computer output is reviewed around the clock, more violations will be detected and the violation rate will seem higher.

Other criteria used to evaluate the "success" of an electronic monitoring program include cost effectiveness and impact on the offender. Even if one offender commits a new crime while on electronic monitoring, perhaps several other participants are deterred from future offenses by avoiding the criminogenic effects of jail.

There is no national standard with which to evaluate electronic monitoring programs. Most programs are tailored to their communities, each has it's own goals to fulfill. Each program must be evaluated in terms of it's own stated goals.

CASE STUDY: CLACKAMAS COUNTY SUCCESS RATES

By the summer of 1990, approximately 900 offenders had worn one of the electronic devices. The successful completion rate for 1988 was 83%. A recidivism study found no statistical difference between the re-arrest rates for work release offenders and electronic monitoring offenders during the same period of time.

In Clackamas County, there is great enthusiasm about the program. Administrators plan to expand the program, test new equipment as it becomes available, and to explore new applications with an eye towards the future needs of the community.

RESOURCE LIST

For vendor information, equipment information, and referral to current literature, contact either of the following:

The National Institute of Corrections
Information Center
1790 30th St., Suite 130
Boulder, CO 80301
(303) 939-8877

The National Institute of Justice
633 Indiana Avenue N.W.
Washington D.C. 20531
(202) 724-2959

This quarterly publication provides another source of current information:

Journal of Offender Monitoring
P.O. Box 1013
Warrensburg, MO 64093
Editor: Joseph B. Vaughn