A Quantitative and Qualitative Assessment of Electronic Monitoring

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Background

- Electronic monitoring (EM) boom
  - Jessica Lunsford Act
  - Advances and improvements in technology
  - Shift from Radio Frequency (RF) to Global Positioning Systems (GPS)

- Research has not kept pace
Project Overview

- Funded by NIJ
  - Completion date January, 2010

- Project Components
  - Process evaluation
  - Outcome evaluation

- Data
  - Florida Department of Corrections data
  - Interviews with offenders, officers, administrators
  - Laws, DOC policies, and practices
Florida as the Evaluation Site

Florida is appropriate for EM research for the following reasons:

1. EM used for over 20 years for felony offenders
2. Several supervision types
3. EM population significant – 2,392 on June 30, 2009
EM authorized by the Florida Legislature in 1987, and the FDOC began using radio frequency (RF) in 1988 for offenders sentenced to community control, commonly known as “house arrest.”

Active global positioning system (GPS) was the second EM technology, implemented in Florida in 1997.

Offenders monitored with active GPS are required to wear ankle bracelets that communicate with a larger device carried by offenders at all times, called a monitoring tracking device (MTD).
The MTD communicates with a satellite and transmits a signal to a monitoring center through a cell phone within the device.

The MTD has an LCD screen to display messages to offenders from supervising officers.

Officers are able to track the exact location of offenders on a computer screen to determine whether they have violated their conditions of supervision by entering prohibited areas.
The EM program in Florida changed dramatically as a result of the Jessica Lunsford Act (JLA), passed in 2005.

Jessica Lunsford was a nine-year-old Florida girl who was kidnapped, raped, and murdered by a previously convicted sex offender.

The JLA amended many offenses to make punishments more severe, established more severe penalties for sex offenders who fail to register with authorities, created mandatory electronic monitoring provisions for certain offenders, and appropriated funding for EM.

Requires EM for prison releasees designated as sexual predators or for offenders who are over the age of 18, who violate certain statutes involving a victim under the age of 15.
Jessica Lunsford Act

- Florida Statute § 948.11, titled “Electronic Monitoring,” was amended to require “probationers, community controleees, or conditional releasees who have a current or prior conviction for violent or sexual offenses” to be monitored by a “system that actively monitors and identifies the offender’s location,” i.e., GPS technology.

- Mandates that sex offenders or sexual predators, 18 years or older, who victimize persons under the age of 15 and have had a probation or community control sentence revoked, are required to be placed on active GPS if the sentencing judge places the offender on community supervision.

- In FY2005-06 the JLA appropriated $3,928,860 of recurring general revenue for the purpose of increasing the number of GPS units by 1,200.
Total Placements on EM in Florida: FY 2000-01 to 2008-09

Total Number of New Placements on EM

Number of New Placements

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Prepared by The Florida Department of Corrections, Bureau of Research and Data Analysis, Community Supervision Section, September 22, 2009
Placements on EM in Florida by Type of Device: FY2000-01 to FY2008-09

Fiscal Year

New Placements by Device Type

Radio Frequency (RF) - blue
Active GPS - red
Passive GPS - green
Trends in Active Offenders on EM: FY1993-94 to FY2008-09

Total Number of Active Offenders on EM on June 30th

Florida Department of Corrections
www.dc.state.fl.us
Offenders Active on EM by Type: FY2000-01 to FY2008-09

Number of Active Offenders on EM on June 30th

Florida Department of Corrections
www.dc.state.fl.us

*Passive GPS was discontinued in April 2006. GPS statistics pre April 2006 include both Active and Passive GPS. (OPPAGA 07-42, 2007)
Radio Frequency (RF) is the least expensive form of EM at $1.97 per day in 2008. The cost only covers the services from EM provider in relation to the equipment, not the extra staff time required.

GPS costs $8.94 per day with $1.00 of that daily cost for the Monitoring Center.

Annual cost of active GPS equipment and services provided is $3,263.

The per diem equipment and vendor services costs for RF and GPS have declined between 2005 and 2008.
Annual Funding of EM in Florida: Fiscal Years 2000-01 to 2009-2010

Data taken from General Appropriations, Grants Trust Fund, and monies appropriated by the Jessica Lunsford Act.
Since EM is the most restrictive form of community supervision and is explicitly designed to divert offenders from a state prison sentence or to keep those who have post-prison supervision from returning to prison, a comparison of EM and imprisonment costs is warranted.

In comparison to the cost figures of EM devices noted previously, the average daily cost of prison operations per inmate was $55.09 per day, or $20,108 per year, in FY2007-08 (FDOC).

This does not include the cost of constructing new prisons or expanding existing facilities, which resulted in an expenditure of $107,441,753 in FY2007-08 (FDOC).

Another way to compare the cost of EM relative to incarceration is that six offenders could be placed on active GPS or 28 could be on RF for one year relative to one inmate being housed in a correctional facility for one year.
Cost of Imprisonment Versus EM

- These relative costs of using electronic surveillance to more closely monitor high risk offenders on community supervision versus housing them in state prison speaks to the importance of determining if EM is effective in preventing felons from absconding, violating their conditions of supervision, or committing new crimes and jeopardizing public safety.

- Additionally, it is possible to better identify those offenders who are high risk and would likely have been sentenced to prison but are low risk while under community supervision because of the electronic tether, policy makers can possibly save taxpayers millions of dollars by avoiding the cost of the construction of new prisons and the high reoccurring cost of housing inmates.
Research questions:

- Is EM effective in reducing the likelihood of failure while on supervision?
- Is EM more effective for certain types of offenders?
- How/why is EM effective?
- How does EM impact offenders families, employment, and ability to lead normal lives?
Quantitative Outcome Evaluation

- Quantitative Outcomes
  - Revocation for a new offense
  - Revocation for a technical violation
  - Revocation resulting in a jail or prison sentence
  - Absconding

- Treatment
  - EM - GPS and RF
Quantitative Outcome Evaluation

- Controls
  - Socio-demographic characteristics
  - Criminal history
  - Current offense and sentence
  - Time-varying events

- Research design
  - Propensity score matching
  - Cox regression
Quantitative Outcome Evaluation

Our cohort of supervision admissions from 2000 to 2006 includes 277,000 cases with 6,731 on Electronic Monitoring.

Through Propensity Score Matching, balance was achieved between the EM and Non-EM comparison cohorts on 128 variables, including dummies for circuit, demographics, multiple indicators of criminal history, criminal justice information from prior periods of supervision, etc.

Therefore, we are confident we have equivalent groups except for the treatment of Electronic Monitoring.
EM reduces the likelihood of failure under community supervision. The reduction in the risk of failure is about 31%, relative to offenders not placed on EM.

GPS has more of an effect on reducing failure than RF technology. There is a 6% improvement rate in the reduction of supervision failures for offenders placed on GPS supervision relative to offenders placed on RF supervision.
EM supervision has less of an impact on violent offenders than on sex, drug, property, and other types of offenders, although there are significant reductions in failure rates for all of these offense types.

There are no major differences in the effects of EM supervision across different age groups.

There were no major differences in the effects of EM for different types of supervision.
While quantitative assessments of various reforms are the norm in correctional program evaluations and research literature, qualitative assessments are far less frequent.

Overall, quantitative assessments can provide detailed codified descriptions of correctional program inputs, results and outcomes.

But without qualitative findings, these codified descriptions are largely without compelling explanation.

To address this issue, we include a qualitative assessment of EM surveillance for felony offenders living in the community.
Questions Addressed Through the Qualitative Component of the EM Study

- What are the goals and objectives of the EM program? Have they been implemented?
- Does supervising offenders using the enhancement of EM result in the intended outcomes of more compliance to the conditions of supervision and improved public safety?
- How has EM impacted offenders in ways not intended in terms of their family and personal relationships, employment opportunities, and job retention?
- Are the most appropriate offenders being placed on EM and are there offenders who are not EM that should be?
Questions Addressed Through the Qualitative Component of the EM Study

- Has EM been used as an alternative to imprisonment as intended?

- What issues arise in the use of the technologically sophisticated EM equipment that have consequences for the offender and the EM program in general?

- Is the judiciary adequately familiar with the EM program to make informed decisions about its application as part of their sentencing decisions?

- What practices and policies has the FDOC implemented that have improved EM?
Interviewed EM offenders, EM officers, and Community Corrections Administrators in numerous counties throughout Florida.

Interviews conducted in probation offices.

Average length of interviews:
- Offenders - 45 minutes
- Officers - 45 minutes
- Administrators - 30 minutes

Instruments pilot tested in Tallahassee, Florida
## Number and Locations (County/ Circuit) of Completed and Planned EM Interviews in Florida

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EM Monitoring Center
Offense Types

- Sex Offense: 60%
- Violent Offense: 18%
- Property Offense: 11%
- Drug Offense: 7%
- Other Offense: 5%

Percent
Employment length at DOC (N = 20)

- 10-15 Yrs: 20
- 16-20 Yrs: 10
- 21-30 Yrs: 55
- ≥31 Yrs: 15
Officers EM and Non-EM Caseloads

EM cases do not make up the bulk of officers’ caseloads.

The average EM caseload was 4.5 and the median was 3.0.

Almost 50% of the officers had two or few EM cases.

Officers had an average of 30 Non-EM cases.

25% had 15 to 25 Non-EM cases.

39% had 25 to 35 Non-EM cases.

14% had 45 or more Non-EM cases.
I mpact of EM on Offenders Significant Others

Information was collected during the interviews to determine the extent to which EM impacts offenders' relationships with their spouses or significant others.

Of those who were married or in a relationship, only 14% described their spouses/partners as helpful, supportive, or understanding about EM;

43% claimed that EM is an inconvenience and a burden to their partners and/or negatively impacts their relationships.

One offender said matter-of-factly that EM “serves as a scarlet letter” and has had a detrimental impact on his relationship with his family. Another noted that “Every time it goes off, we think the police are coming to arrest me.”
Impact of EM on Offenders Families: The Officer’s Perspectives

- Similar to offenders, officers agreed that being placed on EM alters offenders’ relationships with their significant others, as well as with their children.

- 89% felt that offenders’ relationships with their significant others change as a result of being placed on EM, with most (65%) describing the negative impact as stress from the nuisance and inconvenience, and spousal involvement (13%) in the cost of supervision.

- Most (70%) of the officers feel that EM negatively impacts offenders’ relationships with their children because the children feel stressed about or ashamed of the parent-offender, the restrictions on the places where the parent/offender can take them, the limitations or prohibitions on visits with the children, and the interruption it brings into children’s lives.
Impact of EM on Offenders Employment:

The Offender’s Perspective

- The ability of offenders to obtain jobs and/or to retain employment may be impacted by EM, especially from the visible MTD and having to “walk the box” for approximately 15 minutes when the signal is lost.

- The majority (61%) of offenders said EM impacted their ability to obtain employment in a negative way.

- The following are sample statements made by these offenders:
  - “There was one job interview where as soon as they saw the monitor, the whole mood changed.”
  - “Business owners don’t want customers to have to deal with someone on EM.”
  - “Potential employers just say no, because they can’t see how I can do the work with the box.”
Impact of EM on Offenders Employment:
The Officer’s Perspective

- Officers were asked the question, “Do you believe the offenders job situations change once they are placed on electronic monitoring?”

- Over 9 in 10 supervising officers interviewed (94.4%) believed that offenders’ job situations change as a result of EM.

- This question was followed up by asking those who said EM did have an effect to explain how it had an impact.

- 42% said the signal lost causes inconvenience to employers.

- 24% said carrying equipment could cause a problem.
The Judiciary’s Perceptions of EM and How it is Applied: Officers Opinions

- Officers who supervise offenders on community supervision, including those who carry an EM caseload, are integrally involved in the court system.

- Officers were asked, “What is your opinion regarding how judges perceive EM and how they make decisions regarding the placement of offenders on EM?”

- The most common opinions expressed about judges’ perceptions of EM was that they “do not know a lot about EM” (14.3%), “need more education and involvement in EM” (11.4%), or “have no concept of EM” (5.7%). These responses combined comprise about 1 in 3 of the responses (31.4%) and indicate that the officers believe judges are not as knowledgeable about the EM program as officers feel they should be.

- “Judges are not familiar with the process. I’m not sure how they determine who gets on EM.”

- “They place offenders on EM based upon statute.”
The Prosecutor’s Perceptions of EM and How it is Applied: Officers Opinions

- Officers were also asked, “What is your opinion regarding how prosecutors perceive EM and how they make decisions regarding the placement of offenders on EM?”

- The dominant perception among supervising officers is that prosecutors are not well informed about EM, based on the fact that 23.3% said they “need more education” and 26.7% said, they “do not believe prosecutors know a lot about EM.”

- Therefore, 6 in 10 (60.0%) of the officers held the opinion that prosecutors are not as adequately versed in the use of EM as is necessary.
Officers Perceptions of EM as a Prison Diversion

When asked, “Approximately what percentage of your EM offenders do you think would likely have been sentenced to state prison if EM were not available”?

On average, officers believed that 30% of their EM cases were diverted from prison.

75% of officers believed at least some portion of their EM cases would have been sentenced to prison.

25% thought 50% or more of their cases were diverted from prison.
Are the Most Appropriate Offenders on EM?

Officers’ Opinions

- On average, officers believe that 35.2% of their EM caseloads should not be on EM; the median response was 30.0%.
- Twenty-five percent believe that 10% or less of their EM caseloads should not be on EM.
- 1 in 3 (34.3%) think that 50% or more of their EM offenders should not be on EM.
- The most common response by officers (23.3%) to the follow-up question, “Why should these offenders not be on EM?” was that some offenders are not considered dangerous and pose a low risk to the community.
We then posed the converse of the previous question to officers by asking, “What percentage of offenders who were not placed on EM should be on EM?”

On average, officers believe that 21.8% of their non-EM caseloads should be on EM; the median response was 20%.

In contrast, over one-half (54.3%) of the officers think that 20% or more of their non-EM cases should be on EM, and almost 1 in 4 officers (23.9%) believe that 30% of their non-EM cases would benefit from electronic surveillance.
What has the impact of the Statewide Monitoring Center been on the EM program established in 2007?

**Officers** – “How has the EM program changed since the implementation of the Statewide Monitoring Center?”

Most common responses:

1. Reduced number of false alarms: 57%
2. More time to supervise: 17%
3. Reduced workload: 9%

“The call center is worth every penny we’re paying them as far as I’m concerned.”

“One of the best things the Department has done.”
Conclusions

1. EM is an effective community supervision strategy in terms of improving public safety and reducing the need for costly imprisonment.

2. Florida’s Statewide Monitoring Center has been an effective EM strategy that has alleviated the workload of officers significantly. of offenders on EM.

3. Revisit laws that mandate EM for specified offender types.

4. Develop ways to better inform the judiciary.
Conclusions

5. Assess ways that can reduce the unintended consequences of EM on offenders in terms of employment and disruption to their families.