

KEEPING OFFENDERS IN THE COMMUNITY

Electronic Tagging and Voice Tracking

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Electronic Tagging

Introduction

Mr. Whitfield suggested that last year in Ireland the final report of the Expert Group on the Probation and Welfare Service took a sensibly cautious view of electronic tagging. In concluding:

“The Group does not recommend that Electronic Tagging be introduced at this stage. Given the limitations of the technology in relation to Electronic Tagging and the continuing development of more sophisticated mechanisms of monitoring, the Group recommends awaiting the introduction of third generation systems and continued monitoring of the extension of the existing systems in Europe and elsewhere.”

He said that elsewhere the scene was changing very rapidly and not always in the same direction. England and Wales would very soon have the largest single scheme in the world. In January 1999 ***Home Detention Curfews*** commenced allowing early release from prison (with a condition of tagging for up to two months). Over 11,000 prisoners have been released in this way so far, although some were for periods as short as 2 weeks. From December 1999 a pilot project for tagging as a sentence of the court is to be extended nationally and the Home Office expects between 7,000 - 14,000 orders a year on this scheme.

Yet in Canada, after 10 years experience of tagging, not only is the mood more cautious, but one State - British Columbia - has decided to withdraw its existing scheme. This followed an independent report from the Solicitor General for Canada's office on three separate tagging schemes. Its conclusion was brutally clear:

“Being placed in an electronic monitoring programme has no appreciable effect on criminal behaviour. Offenders continued to engage in as much crime as those who remained imprisoned or those who received a sentence of probation. Electronic monitoring programmes may actually increase criminal justice costs by widening the net without improving public safety.”

How could this extraordinary difference be explained? And what might it mean for Ireland as it decided whether to make use of the new technology?

The Development of Tagging.

Electronic monitoring in criminal justice systems started in 1984 in the USA as a means of enforcing house arrest. Early pilot projects grew fairly rapidly with thirty projects within two years. By 1988 over 3,000 offenders were being tagged. The early years were, however, dogged by technical problems, unrealistic expectations and poor outcomes. Although designed to reduce both prison populations and criminal justice costs, the generally low risk offenders on whom they were made, coupled with the ability to detect breaches of the order, led to significant net widening (e.g. breaches were punished by incarceration whereas the original offence might not have attracted a prison sentence). A ten year summary of experience by the National Institute of Justice in Washington concluded that, all too often, both costs and prison populations had risen.

Nevertheless, continued experimentation and development covered bail enforcement, “*front door*” schemes (as a sentencing option for the courts, either on its own or in conjunction with another community penalty) and “*back door*” schemes (as a condition of early release from prison). Canada, Australia and Singapore (where it was extensively used as part of a home release programme for drug addicts) were all early users; England and Wales, Sweden and the Netherlands started different types of applications in 1995. Much of Western Europe now has or is planning pilot projects to test its usefulness.

In most jurisdictions tagging remains a small scale sentencing option. The United States of America, for example, had approximately 77,000 tagged offenders at any one time in 1998 compared with 1.7 million in prison and 3.6 million on probation or parole.

The most successful scheme so far is in Sweden. This is a “*front door*” scheme only - an alternative to a prison sentence which has actually been passed by the Court. Short prison sentences (up to 3 months) are not immediately served and are dependent on bed availability. Negotiated postponements are also possible to take account of exams, harvest and other requirements. The time between the Court passing sentence and the offender being called into prison is used by the Probation Service, who run the scheme in its entirety, to explore whether

a period of tagging, for the same length of time as the prison sentence, usually 1, 2 or 3 months, would be appropriate. Conditions are stringent. It must be used in conjunction with a planned programme of activities and drug and alcohol testing are also part of the package. But take-up is high and it works by and large. Successful completion rates are around 90%, a figure which has remained constant over 3 years. In the same period, the prison population has been reduced by a remarkable 25% and the Swedes estimate that around 150 million kroner has been saved. Those offenders who can afford to do so pay a “rental” for their equipment, which goes to a general victim’s fund. This, no doubt is part of the reason why public acceptance of the scheme has been so wide. A reconviction study was due to be published in 2000.

Evaluating Tagging

We know from world-wide experience, not just in Sweden, that tagging can work well if used:

- As a short term option. Compliance tends to fall off sharply after 3 months.
- In conjunction with a planned treatment programme (tagging used on its own has a much more chequered history).
- In a well targeted environment. This is absolutely crucial. Successful completion and cost effective use depends entirely on the kind of offenders on which it is used - a point made with some force by the American Probation and Parole Association in recent summary findings. It reported that tagging increases recidivism rates and overall costs when used on low risk offenders. However, use on moderate and high risk offenders, coupled with appropriate interventions that target specific criminogenic factors proved to be more cost effective.

We know that the systems are reliable, providing their limitations are understood. The issues for any country in deciding whether to invest in the infrastructure needed for tagging are:

- What kind of system - front-door, back-door or combination?
- How can targeting ensure cost effective use?
- Who controls entry into programmes - Probation Service, Court, other?

- What policy aim is paramount - improved surveillance and control, reduced offending, savings on prison costs?

New Technologies

There are two new developing systems which aim to take tagging, which provides simple enforcement of a home curfew, into the next millennium. Two which provide “tracking”, or constant monitoring of an offender’s whereabouts, are already in use, if only on a small scale:

- **GPS (Ground Position by Satellite)** technology is well developed and in widespread use for vehicles, yachts and other locations where power supplies and equipment space are readily available. Its use with offenders, however, has been fraught with problems, since the power pack and transmitter have to be carried by the offender at all times. Battery problems, cost and other technical difficulties mean that, despite enthusiastic marketing over the last 4 years in the USA, it is used on less than 300 offenders, and with only very limited success. Several more years of development will be needed before it makes a real impact, and then its use is likely to be confined to a small group of serious offenders.

- **Urban Locator Systems** using mobile phone networks and technology are also a possibility but, again, location errors of up to 300 metres, costs and problems with battery technology all have to be resolved before it becomes a really practical proposition.

In summary the use of electronic monitoring for low level offenders, fine defaulters and very young offenders will not make the best use of this form of community penalty. The most effective uses of tagging are as follows:

- As an enhancement to community supervision for high risk offenders or cases where public protection issues are paramount
- As a short-term option within intensive supervision programmes. Six to eight weeks of monitoring can be used to buy time while treatment, employment or other programmes can be implemented
- As a method to reduce prison pressures, specifically overcrowding.

In comparing costs with prison, electronic tagging is said to be less than 45 per cent of the cost of custody, (based on Category C Prison).

Tracking

VoiceTrack

The possibility of a cheap, flexible alternative to tagging is available through voice verification systems and it was for this reason that Kent Probation Service started to use a system called VoiceTrack on a pilot basis in 1998.

The speaker became interested in the potential for voice verification systems in 1996, not necessarily in competition with tagging, but it seemed that "VoiceTrack" offered excellent possibilities for improving offender accountability and a wide range of supervision options. It was planned that VoiceTrack would be an adjunct to supervision rather than a replacement for it, because it added some very definite elements of control and surveillance to a period of community supervision. It does much more than monitor a curfew, because the flexibility of the system allows contact to be made with the offender on either a scheduled or random check basis, from a range of pre-determined locations (e.g. home, work, drugs clinic or treatment centre) depending on individual circumstances. The system offers flexibility, cost effectiveness and simplicity, since there are no tags to be worn or monitoring units to be installed. But we had first to establish whether it would work well on the U.K. telephone system and whether we could demonstrate that it worked reliably and consistently. We also had to test out who it worked for, as well as whether it worked in the way we needed. The pilot project, consisting of a total of 25 cases, has given very good results.

VoiceTrack Evaluation

VoiceTrack uses a combination of telephone and voice verification technology to establish whether an offender is speaking from an agreed list of locations and whether the right person is responding to the pre-planned or random checks. The offender starts the process by registering a voice print with a central computer. The supervising officer needs to be present to verify this process, which is very simple and takes only a few minutes. The offender is then given a small, dedicated pager which can be carried in a pocket or clipped to a belt. The pager signals when the offender has to make contact, and the display shows the free phone number that must be contacted within a specified time (usually a few minutes). All contacts are timed. The check-in call is very brief - about thirty seconds - but this is enough time to establish the identity and location of the caller. Printouts on offender compliance can be made available to

the project manager or the supervising officer on a daily or weekly basis, as required. The system gives the offender as well as the supervising officer an immediate warning if she or he is in a wrong location, and it is clear that, even when successful reporting is achieved, it is a useful reminder that the conditions of the order must be met.

We first used members of our own staff to test the system and they tried using wrong locations, wrong pin numbers, missed calls or even close relatives, to try and subvert the system. All were duly rejected and although, under field conditions, speech from the offender can be corrupted by extraneous noises, in general the system worked exceptionally well. If there are problems, offenders can be asked to repeat the check-in process where necessary.

Case Profiles

In March 1999, 25 cases had been or were still being supervised with VoiceTrack. Fourteen were on Probation Orders, including four difficult sex offenders; eight were on Community Service Orders; and the other three were used in bail or prison cases where additional conditions were felt to be needed for public protection reasons.

Five of these cases are still current, and of the 20 completed cases, 17 were completed satisfactorily, two were terminated due to offender breach, and one offender (who was one of the more difficult sex offenders) finished early when a decision was made to increase police surveillance as a more useful option for containing the risk.

We are now at a stage where the pilot project has demonstrated that the system works reliably and well in a UK context. More experience is still needed, of course, to explore the potential of the system, and 25 cases are too few in number to make any specific claims. We now intend to make a broader test involving other probation areas to test current assumptions, gain further experience, and ensure that the system works equally well in more complex and demanding circumstances. The capacity is certainly there.

The system makes very real demands on offenders. In terms of having a continuum of supervision, in which offender accountability can be varied depending on the degree of risk and public protection needed, the flexibility with which the VoiceTrack system operates is very useful indeed. In general, we see it as a short term option - the demands that multiple checks make on an offender are such that three months is probably a realistic limit. But this

allows time for other probation programmes to take effect, for relationships to be built and for longer-term work to be put in place. VoiceTrack may have a very useful role to play in improving the effectiveness and success of a range of community penalties.

At the other end of the scale, the potential for use in rural and isolated areas for offenders on remote community service sites, or where simple checking is required, is considerable and needs to be explored further. VoiceTrack may also have a small but significant contribution to make in resolving workload pressures and increasing efficiency savings.

Most importantly, high risk and sexual offenders can be subject to additional monitoring, either immediately following a court order or when personal circumstances indicate that a period of risk is likely. One interesting discovery has been the interpretation of voice print matching, which is recorded as a numerical value on printout reports. The project manager has quickly become expert in interpreting these printouts, and on more than one occasion has been able to alert supervising probation officers to difficulties that might become trigger points to offending behaviour, for example, because changes in the offenders tone may indicate a violation risk. The value of this in high risk cases can hardly be overstated. Prompt action has real preventative value.

In summary, the system can enhance supervision in high risk cases, provide alternative methods of surveillance and control within a community setting, improve offender accountability across a range of community sentences with a degree of flexibility not otherwise available, and provide cost-effective solutions in a range of other applications.

Vance Harris gave a demonstration of the tracking procedures in another voice verification system "Teletrack Corrections". This voice verification service is a simple, effective and secure method of ensuring that low risk, non violent offenders who take up expensive, overcrowded prison spaces, are confined to particular locations for pre-determined periods of time. It means that an offender's freedom in the community is restricted and conditional. This will benefit any judicial agency or body that can't afford or doesn't want to send offenders to prison, but wants to avoid the high rates of crime committed by offenders on bail or probation.

Offenders enroll onto Teletrack Corrections using an ordinary telephone by speaking a specified word or set of numbers. The supervising authority (e.g. Court or Probation Officer) determines the containment location(s) and associated “curfew” periods. This combined with the offender’s voiceprint establishes the offender’s “containment matrix”. Once enrolled, Teletrack Corrections will at random intervals call the location where the offender should be and verify the offender’s presence through voice verification. If the offender is not at the given location, Teletrack Corrections will automatically inform the designated Court, Police Station or Probation Officer.

Prison is an expensive solution and overcrowding increases security risks through social tension amongst prisoners and prison security staff. Assigning low-risk offenders to prison can lead to re-offending on release. Family structures and support mechanisms are disrupted when low-risk offenders are imprisoned and “Revolving Door Justice” provokes a negative public reaction.

Teletrack Corrections is a fraction of the cost of a prison sentence and there is no capital outlay. It increases the number of prison spaces for hardened criminals while keeping low-risk offenders from becoming so and re-offending. Offenders can be monitored at home and at work. The system is deemed non-intrusive as no wrist or ankle bracelets are required and expensive equipment does not have to be installed in the offender’s home.

Failure by the offender to meet the conditions of his/her “containment matrix” revokes his/her Teletrack Corrections programme in exchange for Prison Time.

Call patterns are tailored for each offender to ensure compliance with curfews.