

Home Confinement and Electronic Monitoring

Home Confinement

Home confinement or house arrest – with and without electronic monitoring (or EM) – is an intermediate community corrections program designed to restrict the activities of juvenile offenders in the community. Home confinement restricts the freedom of juvenile offenders by requiring them to remain at home during specified timeframes, such as at all times, at all times except when in school or working, or at night – that is, curfews (Austin, Johnson, and Weitzer 2005). Juveniles’ activities are closely monitored (electronically and/or by frequent staff contacts) to ensure that they are complying with the conditions set by the court. The level of monitoring by supervisors varies from case to case, but contacts are usually more frequent than regular probation (Austin et al. 2005).

Electronic Monitoring

EM, which is often used in conjunction with home detention, monitors an offender’s whereabouts through an electronic monitoring device and through random phone calls to the juvenile’s residence (Austin et al. 2005). As an alternative to detention, EM encompasses a wide range of systems and components, including home monitoring devices, wrist bracelets, ankle bracelets, field monitoring devices, alcohol and drug testing devices, voice verification systems, and global positioning systems (NLECTC 1999). Overall, electronic monitoring is viewed as a sanction that is more punitive than traditional probation but less restrictive than detention sanction (Gable and Gable 2005).

Generally, offenders in a home detention electronic monitoring program wear a tamper-resistant wrist or ankle bracelet that emits a unique signal to a home monitoring device (HMD) in the offender’s home (NLECTC 1999). The HMD communicates with the central computer in a monitoring center through the offender’s telephone line and is monitored 24 hours a day by a monitoring specialist. EM systems can be either “passive” or “active” and are typically operated through radio frequency or global positioning system (GPS) monitoring. Radio frequency systems are used to ensure that an individual placed on home confinement is actually at home.

A passive radio frequency system generally requires the offender to answer a telephone and speak to a case officer or to insert the transmitter into the HMD to verify his or her presence at a location. An active system, by contrast, emits a continuous signal from the transmitter to the HMD. If the offender moves out of range, the HMD alerts the central monitoring center. The central monitoring center also

Suggested Reference: Development Services Group, Inc. 2014. “Home Confinement and Electronic Monitoring.” Literature review. Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention.

https://www.ojjdp.gov/mpg/litreviews/Home_Confinement_EM.pdf

Prepared by Development Services Group, Inc., under cooperative agreement number 2013–JF–FX–K002. Points of view or opinions expressed in this document are those of the author and do not necessarily represent the official position or policies of OJJDP or the U.S. Department of Justice.

may be alerted if a signal indicates a deviation from the preapproved schedule or a violation of a predetermined set of regulations. A violation requires an immediate response from the appropriate agency.

Participants who do not comply with the conditions of their supervision face sanctions ranging from a reprimand to violations for new offenses (NLECTC 1999). The system can be set up to the juvenile's school and work schedule or other activities that are permitted (Bales et al. 2010).

GPS monitoring uses a network of satellites to triangulate the offender's physical location. The equipment consists of a tamper-resistant bracelet worn by the offender and a tracking device carried by the offender. The tracking device uses transmissions received from the satellites to calculate the offender's position and transmits the data to a monitoring center through a cell phone system. This information is transmitted in a slightly different fashion by passive and active GPS systems. The passive GPS system stores and transmits data at appointed times to the monitoring center. In contrast, the active GPS system transmits information in near "real time" on the individual's location to the monitoring center. This near-real-time transmission allows the center to alert the probation officer immediately when a violation occurs. It also provides information on where an individual has been throughout the course of the day and when the offender was at the different locations (Bales et al. 2010). It is believed that, through GPS monitoring, offenders will be deterred from engaging in criminal behavior as it increases the probability of detection by law enforcement and limits the freedom of users (Gies et al. 2013).

Target Population

In the past two decades, the number of individuals supervised in the community through electronic monitoring and home confinement has increased. It has been estimated that roughly 20 percent of all community-based supervision, including of both adults and juveniles, involves electronic monitoring (Gable and Gable 2005). Home confinement and EM may be offered in two situations: pre-adjudication, as an alternative to detention, and post-adjudication. Pre-adjudication includes youths who are awaiting their first appearance in court and are ordered by court to be supervised until their appearance in an effort to ensure community safety. Post-adjudication use of EM or home confinement is different, as the juvenile has been adjudicated delinquent in these situations. Once a juvenile has been adjudicated delinquent, the court holds a disposition hearing to decide what sanctions to impose on the juvenile and whether the juvenile should be placed under court supervision (Puzzanchera and Robson 2014). Youths who are placed on community supervision may be sentenced to home confinement or electronic monitoring as a condition of their probation. Youths may also be placed on EM or home confinement if they are awaiting out-of-home placement, evaluations, or treatment (U.S. Probation and Pretrial Services 2007; Kansas Department of Corrections 2014). Overall, both home confinement and electronic monitoring provide more intensive supervision than ordinary probation and may also provide additional services to the youths and their families (Austin et al. 2005).

The diversity of the types of offenders in home confinement requires that programs operate under various degrees or levels of restriction. These can range from simple curfews to complete "lockdowns." For example, the home confinement program of the federal courts offers three distinct levels of restriction (Gowen 2000). The first level (curfew) requires the program participants to remain at home every day at certain times. The second level (home detention) requires participants to remain at home at all times except for preapproved and scheduled absences, such as for work, school, treatment, church, attorney appointments, court appearances, and other court-ordered obligations. The most restrictive level, home incarceration, calls for 24-hours-a-day lockdown at home, except for medical appointments, court appearances, and other activities specifically approved by the court

(Gowen 2000).

Advantages of Home Confinement and EM

Proponents of home confinement and EM point to the financial savings, decreased recidivism (discussed below in Outcome Evidence), and the ability to monitor and pinpoint offenders' locations in real time as advantages of these alternatives to detention or confinement. Regarding financial savings, both home confinement and electronic monitoring can save taxpayers, detention facilities, and adjudicated juveniles money. EM programs can range anywhere from \$5.50 to \$10.00 a day, whereas detention centers can range from \$100.00 to \$160.00 per day. In addition, juveniles on home confinement with or without electronic monitoring can work and pay for their monitoring device. Finally, home confinement with or without electronic monitoring can also save the juvenile money, as his or her bond may be reduced if the youth agrees to home confinement and/or electronic monitoring (Sklaver 2010).

The ability to pinpoint offenders' locations in real time is possible through EM devices using GPS. In doing this, law enforcement personnel are able to track whether juveniles are adhering to the conditions of their release. This also benefits the juvenile, as it can provide an alibi should the offender be accused of an additional crime that he or she did not commit. Additionally, tracking the juvenile's whereabouts creates the possibility of providing around-the-clock crisis intervention services if needed (Sklaver 2010).

Disadvantages of Home Confinement and EM

Although there are advantages to the use of EM and home confinement, there are also noted disadvantages, which can include discrimination against indigent families, violations and false positives, and flight risks and emotional effects. EM use may potentially discriminate against indigent families because many communities require the juvenile and his or her family to pay for the device and other fees associated. For example, families are required to set up phone lines to activate the device, and such lines cannot have three-way calling, caller ID, or any other features. As a result, many families have to set up another phone line rather than simply using their current line. In addition to phone lines, families may also be required to pay an installation fee, a daily charge for equipment use, the cost of random drug tests or breath analyses, and for any damage to equipment. Some families cannot pay these fees, which can potentially terminate the service or exclude them from using these services from the start (Sklaver 2010).

As with most electronics, electronic monitoring also presents the potential of false positives. For example, in some cases an EM device will send out a notification informing personnel that the juvenile has violated the terms (even though the juvenile has not), because the cell phone has not been properly charged. Additionally, there are limitations to the ability to track juveniles' whereabouts if they leave their predetermined designed areas. For example, radio-frequency models can notify officials only that the offender has left the designated area, but they are unable to locate the offender. To track an offender's movement in real time, GPS monitoring must be used. Finally, researchers also point to the emotional impact of wearing an electronic monitoring device, such as the stigma associated with wearing a visible electronic monitoring device (Sklaver 2010). One evaluation of EM compliance conducted in New York's Monroe, Niagara, and Onondaga Counties found that 64 percent of juveniles who failed to comply with their EM conditions cut off their ankle bracelets, which was believed to be the result of the psychological impact of wearing the bracelet (Charles 1989).

Outcome Evidence

Although there is some research on the impact of home confinement or electronic monitoring on recidivism, the research has been mixed. Additionally, there is limited research on juvenile populations.

Most of the early research suffered from poor research designs, a lack of program integrity, and an exclusive use of low-risk adult offenders (Sherman et al. 1998). These studies indicated that home confinement programs produce a low rearrest rate – about 5 percent (Petersilia 1987). More recently, several studies examining both pretrial (Baumer and Mendelsohn 1991) and post-adjudication programs (Bonta, Wallace–Capretta, and Rooney 2000; Austin and Hardyman 1991) found low recidivism rates using experimental designs but no significant difference in recidivism between offenders under EM and under close manual supervision.

Similar experimental results have been found for juveniles placed under electronic monitoring or traditional home confinement as alternatives to secure detention. In a randomized experiment involving more than 300 juveniles, Wiebush (1993) found that both regular home detention cases and electronically monitored home detention cases had very low rates of recidivism (4 percent and 3 percent, respectively) while in the program. That is, both EM and traditional home detention served equally well as alternatives to detention. This same study examined the efficacy of EM as an enhancement to a postdispositional intensive supervision programs (ISPs), using a separate randomly assigned sample of 288 youths. Half these youths received “regular” intensive supervision, and the other half were placed on EM as part of their intensive supervision. There were no differences between the groups in reoffending rates after 6 months of follow-up, indicating that EM did not enhance the efficacy of the ISPs.

More recently, Bales and colleagues evaluated the Electronic Monitoring System in Florida, which was approved for use by the Florida Department of Corrections in 1987. In their evaluation of the Electronic Monitoring System in Florida, Bales and colleagues (2010) found that, compared with the control group on other forms of community supervision, EM reduced the risk of failure to comply by 31 percent. GPS was slightly more effective in reducing rates of failure to comply than radio frequency (RF) systems; more specifically, for GPS monitoring there was a 6 percent improvement in the hazard rate for reducing supervision failure compared with RF monitoring. EM made deeper impacts on sex, property, drug, and other types of offenders than on violent offenders, though the effects remained significant for EM supervision of violent offenders compared with other forms (non-EM) of community supervision. There were no significant differences in the effects of EM across different age groups or for the effect of EM for different types of supervision. However, notably, although juveniles were included in the study, the majority of participants were adults (Bales et al. 2010).

For more information on the program, please click on the link below.

[Electronic Monitoring \(Florida\)](#)

Conclusion

Although the purpose of home confinement and EM differ depending on the phase in the criminal or juvenile justice system they are used, the ultimate goal of restricting an individual’s activity and protecting the public remains the same (U.S. Probation and Pretrial Services 2007). Overall, home confinement and EM programs appear to consistently result in low recidivism rates for both adults and juveniles when used as a pretrial intervention or post-adjudication sentence. The available evidence also indicates that electronic monitoring – while perhaps popular – is neither clearly more

nor clearly less effective than close supervision by agency staff. Both home confinement and EM have also been shown to offer cost advantages over incarceration. For adults, they reduce the public tax burden by allowing the offender to work. And juveniles continue their schooling uninterrupted. Home confinement and EM also reduce the cost associated with incarceration. Further evaluations on the use of electronic monitoring with juvenile populations are needed, especially since such monitoring is widely used with this population (Austin et al. 2005).

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