

# Fact Sheet

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*in a series of fact sheets  
that examine questions  
frequently asked about the  
criminal justice system.*

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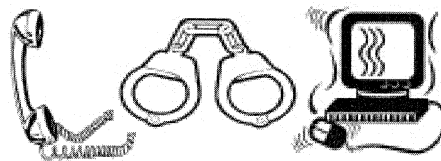
## Electronic Monitoring

In the Fall of 1995, the Ontario government announced the closure of halfway houses for adult offenders under provincial jurisdiction (those serving a sentence of imprisonment of less than two years). The halfway house system for 400 provincial offenders in Ontario virtually disappeared overnight. Those who would have otherwise been released to halfway houses are now confined in prison.

The Ontario government declared its intent to introduce electronic monitoring early in 1996 for some non-violent adult offenders sentenced to short terms of imprisonment. Implicit in this announcement was the expectation that electronic monitoring would reduce the prison population and thereby offset the impact of halfway house closures. In the press release from the Minister of Correctional Services, electronic monitoring was described as "a firm deterrent", an effective mechanism of control and supervision of offenders in the community and less costly than halfway houses.

What do we really know about electronic monitoring and its value as a correctional tool? Will this correctional initiative result in reduced crime, reduced use of incarceration and reduced cost to the taxpayer as is being claimed? This Fact Sheet will explore these claims by presenting more information on the purpose and nature

of electronic monitoring, examining the research on similar programs in other jurisdictions and assessing electronic monitoring in the context of what research can tell us about "what works" in corrections.



### What Is Electronic Monitoring?

Electronic monitoring is *house arrest monitored by electronic equipment*. The electronic monitoring equipment consists of a bracelet strapped to the offender's wrist or ankle which emits radio signals within a defined range (usually up to 150 feet). A receiver attached to his/her phone receives the signals and a central monitoring system constantly checks for the offender's presence. Some systems can be equipped with a breathalyzer unit. If the offender leaves his/her home without permission, tampers with the equipment or, in the case of the breathalyzer, indicates use of alcohol, the system raises an alert. A violation will result in action ranging from a warning to return to prison. New charges for being unlawfully at

large could be laid which could result in more time in prison. During periods of approved absence from the home, usually only for work or school, offenders may be monitored by way of random visits by the supervisor.

*Except for these periods of approved absence, the individual is confined to his/her home.* While some may argue that this form of confinement is less intrusive than prison, others have criticized electronic monitoring as merely bringing the prison into the community by making the home into a jail. It is certainly more intrusive than other community sanctions such as probation.

**House arrest introduces a radically new situation in which every house is a potential state prison. We have here a qualitative leap of government intrusion into the privacy of the home.**

*John Howard Society of  
British Columbia, 1988*

### Who Will Be Eligible For Electronic Monitoring?

In order to be considered for an electronic monitoring program, the individual must first have *a place to live and a telephone*. To ensure equal

access to this program, some U.S. jurisdictions have provided phones to those offenders in need. The Ontario system has no such provisions. The requirement of housing with an approved phone jack remains an impediment to many individuals.

**In Toronto, the number of eviction applications in November 1995 increased 38% over November 1994. Many tenants are unable to pay their rent due to the recent 21.5% reduction in social assistance benefits. (The Metro Advisory Committee on Homeless and Socially Isolated Persons, March 1996)**

**Housing as an eligibility criteria for electronic monitoring will be a barrier for an increasing number of individuals in Ontario.**

Other factors which determine eligibility in Ontario include:

- voluntary participation,
- a sentence with less than 180 days remaining,
- low scores in assessments of risk and need,
- no pattern of violence and no record of sexual offences,
- an on-going constructive time commitment including employment/education, child care, medical needs requiring regular interventions, participation in a treatment program, and
- a stable living environment and/or supportive family and domestic relationships.

Offenders who meet these qualifications do not need the additional supervision provided by electronic monitoring and can be managed safely and effectively on regular probation or parole. In effect, the program targets

those who worry us the least with respect to potential for re-offending and who, research indicates, will do as well or better without additional intervention. Resources used for electronic monitoring (money and staff) should be used to deliver *appropriate* services to the higher-risk, higher-need offender.

The poor may be further disadvantaged with respect to eligibility for electronic monitoring by *user fees*. The Ontario program charges participants a fee of \$240 per month. The fee is not affordable to those on social assistance or in a low paying job who are struggling just to meet the costs of basic needs of food and shelter. Ontario intends to use a sliding scale for fees in the attempt to avoid discrimination. Similar programs in the U.S. are heavily dependent on user fees to maintain the claim of cost-efficiency. Many offenders who cannot afford to pay all or part of the fee (which averages about \$200 per month) are being screened out of these programs.

### **What Are The Costs Of Electronic Monitoring?**

The Ontario government estimates the cost of the proposed electronic monitoring program will be \$17 per day per offender. When compared with the per diem cost of \$132 to incarcerate an offender in Ontario, the apparent cost savings is appealing. However the cost savings must be viewed in the context of important qualifiers.

- Electronic monitoring will only save money if it is used with offenders who otherwise would be in jail. If it is used as an add-on to increase the severity of probation and parole or if judges give prison sentences in anticipation of an offender being placed in an electronic monitoring program, then it will increase the costs of corrections.

**The introduction of Community Service Orders (CSO) in Ontario was thought, at the time, to be a major initiative to provide alternatives to prison. CSO's were supported for virtually the same reasons that electronic monitoring is supported today - the increased supervision and activity of the person in the community would be attractive to the judiciary resulting in more persons serving their sentence in the community with a corresponding decrease in incarceration.**

**That did not happen.**

**Studies conducted by Menzies in Ontario and analyses reported by the Canadian Sentencing Commission show consistently that the majority of those given a CSO would *not* have gone to jail anyway. The net impact was to increase the cost of corrections with minimal impact on levels of incarceration.**

- Electronic monitoring will only save money if a sufficiently large number of individuals are diverted from prison to close institutions.

**The daily cost per inmate is calculated by dividing the total annual costs of operating prisons in Ontario (\$348 million in 1993/94) by the total days of stay in that year (2,647,710). Approximately 90% of the costs are salary/benefits and administrative costs and, therefore, relatively fixed. True cost savings would only be achieved when the number of days in prison could be reduced to the point that prisons could be closed. Any prison closure would only be possible if the reduction in bedspace was concentrated in one area.**

**Closing a 350 bed prison (reducing the provincial capacity by less than 5%) would require that every year approximately 4,200 individuals serving an average of one month within the same general area of the province be placed on electronic monitoring (350 beds x 12 months = 4,200). It is highly doubtful that a province-wide program targeted at short-term prisoners, even one that is heavily used, could accommodate the numbers required to close institutions.**

### **What Can We Learn From Electronic Monitoring Programs In Other Jurisdictions?**

The use of electronic monitoring began in the U.S. in the mid-1980's and has grown rapidly to the point where an estimated 75,000 individuals are on electronic monitoring on any given day in that country. In Canada, electronic monitoring programs operate in British Columbia, Saskatchewan, Newfoundland (presently only as a pilot) and Yukon (in early stages of development). Ontario had a pilot project from 1989 to 1991.

While programs in the U.S. report that electronic monitoring diverts offenders from prison and saves money, more critical analyses cast doubt on these findings. A review by Johnson et al. (1989) of five different studies of programs involving electronic monitoring concluded:

*that the target populations did not consist of prison-bound offenders, but instead comprised of those offenders currently on probation or work release programs ... Consequently, the electronic monitoring in these five studies did not save money or relieve overcrowding.*

These same authors came to similar conclusion in their review of the 3 year study of Florida's House Arrest Program

and even suggested that the State of Florida may now be paying more, not less. A 1990 survey of correctional agencies by Renzema and Skelton showed that the introduction of electronic monitoring had resulted in the addition of correctional positions. Of the 173 agencies surveyed, 56 agencies reported adding a total of 274 employees while only 2 agencies reported losing a total of 5 employees because of the introduction of electronic monitoring - a net increase of 269 new positions.

**Initial claims of the costs of electronic monitoring in B.C. were underestimated and reduction in prison population overestimated.**

**In 1987 before the pilot project began, B.C. correctional officials estimated that 5 staff would be sufficient to manage 150 offenders on electronic monitoring. The evaluation of the pilot project, however, deemed it necessary to have a staff of 10 to manage 40 offenders on the program -- approximately eight times the initially projected staffing levels.**

**Staff estimated that the use of electronic monitoring would result in a 70% reduction in the population serving prison sentences on weekends within 1½ years. A more detailed investigation by correctional officials, however, showed that a substantially lower estimate (42%) of reduction in the prison population of this group of offenders.**

*Mainprize 1992*

The British Columbia Corrections Branch evaluated its own program in 1989 after an 18 month pilot period. Ninety two (92) offenders who were

originally sentenced to 90 days or less in prison to be served on weekends, primarily for drinking and driving offences, participated in an electronic monitoring program. There were very stringent eligibility criteria similar the criteria for eligibility for the Ontario program. While very high "success" rates were reported, no attempt was made to compare the results with similar groups participating in other programs and there was no follow-up to determine the long-term effect on re-offending rates. Despite the limits of the study, the program was extended to the entire province and, over the years, the program has expanded to include offenders with longer sentences and, despite earlier assurances of non-inclusion, to those with offences of a sexual or violent nature. No study of the expanded program has been done to allow for an analysis of cost-savings or effectiveness relative to other programs.

In contrast to B.C., the 18 month pilot project in Ontario which ended in 1991 resulted in the use of electronic monitoring being abandoned. The pilot project evaluation concluded that too few prisoners met the eligibility criteria to justify the program and those who were eligible were such low-risk offenders that they would have qualified for community release through other existing programs. It is important to note that the eligibility criteria of Ontario's pilot study are similar to that of the program implemented in 1996.

Unlike Ontario where no additional services are to be developed and funded, electronic monitoring in Newfoundland is supplemented by new provincially-funded services providing individual counselling and intensive group work focusing on life skills, substance abuse and anger management. The main question to be answered in any evaluation of this program is whether the results can be attributed to electronic monitoring or to the supplementary programs.

It is difficult to understand why Ontario is proceeding now with the

implementation of electronic monitoring given its own failed pilot and the uncertainty about the costs and recidivism effects of programs in other jurisdictions.

### What Can We Learn From The Research on "What Works"?

Through extensive reviews of the research on correctional programs throughout the world, Dr. Don Andrews of Carleton University and his colleagues have identified components of programs that reduce re-offending. This internationally recognized body of work shows that effective correctional programs are ones which:

- provide treatment services (punishment alone *increases* recidivism);
- assign offenders to programs providing different levels of intensity of service according to their level of risk (assigning low-risk offenders to more intensive programs *increases* re-offending rates);
- target the characteristics and circumstances of higher-risk individuals that, if changed, actually reduce criminal conduct; and
- deliver services that are structured and active and that are applied by well-trained and well supervised staff.

Electronic monitoring, being a system of surveillance and control, is

inherently punitive. The Ontario plan is not a system designed to deliver appropriate and effective rehabilitative services. It targets the wrong group of offenders for intervention. Even when the program is expanded to include higher-risk, higher-need offenders, it does not deliver treatment services focusing on issues relevant to criminal behaviour such as employment, a stable home life, self management skills which research has shown can reduce reoffending.



### Not Effective, Not Cheaper, Not Humane -- Not Right For Ontario!

Electronic monitoring appeals to different people for different reasons. Some who are concerned about the over-use, costs and negative impact of imprisonment support it as an alternative to jail. Others support electronic monitoring as a way of making community supervision more

punitive in the belief that the harsher the punishment, the less likely the individual is to offend. It is not likely, however, that the same program can be used *both for the reduction and enhancement* of supervision and control. It seems quite likely that electronic monitoring in Ontario will be applied to offenders who would have been released anyway under other supervision programs. In the end, the net impact on the numbers of individuals incarcerated and the costs of incarceration will be negligible, the cost of equipment will be an additional expense and the impact on re-offending rates, if any, will be unknown.

In the meantime, the higher-risk, higher-need offender, not seen to be eligible for electronic monitoring, will remain in prison. Nothing is being proposed to enhance the counselling and support services which have been shown can reduce recidivism. In fact, services to offenders with limited resources and few community supports have been reduced with the elimination of halfway houses.

We *can* reduce the numbers of people incarcerated and reduce the costs of corrections in Ontario with careful attention to restraint in the use of criminal justice measures and the development of programs and services which are appropriately targeted, designed and delivered. A paper analysing the Ontario situation and proposing alternative strategies is available from the Society.

***The John Howard Society is an organization of citizens who accept responsibility for understanding and dealing with the problems of crime and the criminal justice system.***

If you would like more information about the John Howard Society or you would like to contribute to the work of the Society, please write or contact us by phone at:

John Howard Society of Ontario  
6 Jackson Place  
Toronto, Ontario  
M6P 1T6

Tel: (416) 604-8412  
Fax: (416) 604-8948

