



MINISTÉRIO DA JUSTIÇA
DIRECÇÃO-GERAL DE REINserÇÃO SOCIAL



7th conference on
electronic monitoring
may.2011
.....
presented by Susana
Pinto, coordinator of
EM Porto unit

electronic monitoring
the Portuguese
experience

SISTEMA CERTIFICADO
eic
ISO 9001



vigilância electrónica



EM: a probation dept



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EM: a probation department
sharing the probation service's
strategy, culture and know how

ISO 9001 certification since 2009





mission

under DGRS guidelines,
to execute measures and
sanctions checked with EM with
rigour, quality and transparency



vision

new technologies
new opportunities
new challenges

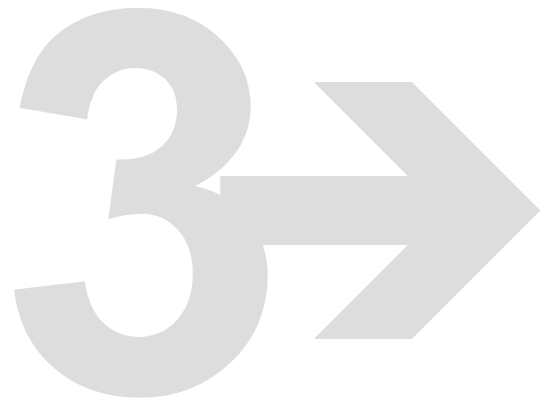


some history

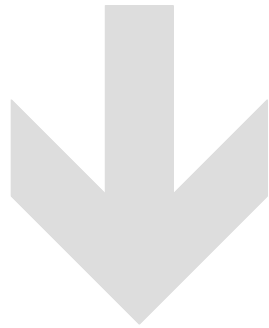
back in the 90's prisons were overcrowded
and too much inmates in pre-trial detention

an answer to fight back 1998: penal
procedure code amendment

- EM as part of a response to the problem
- EM as a tool control for house arrest
(similar requisites to pre-trial detention)
- an alternative to pre-trial detention as a
way to decompress prison system

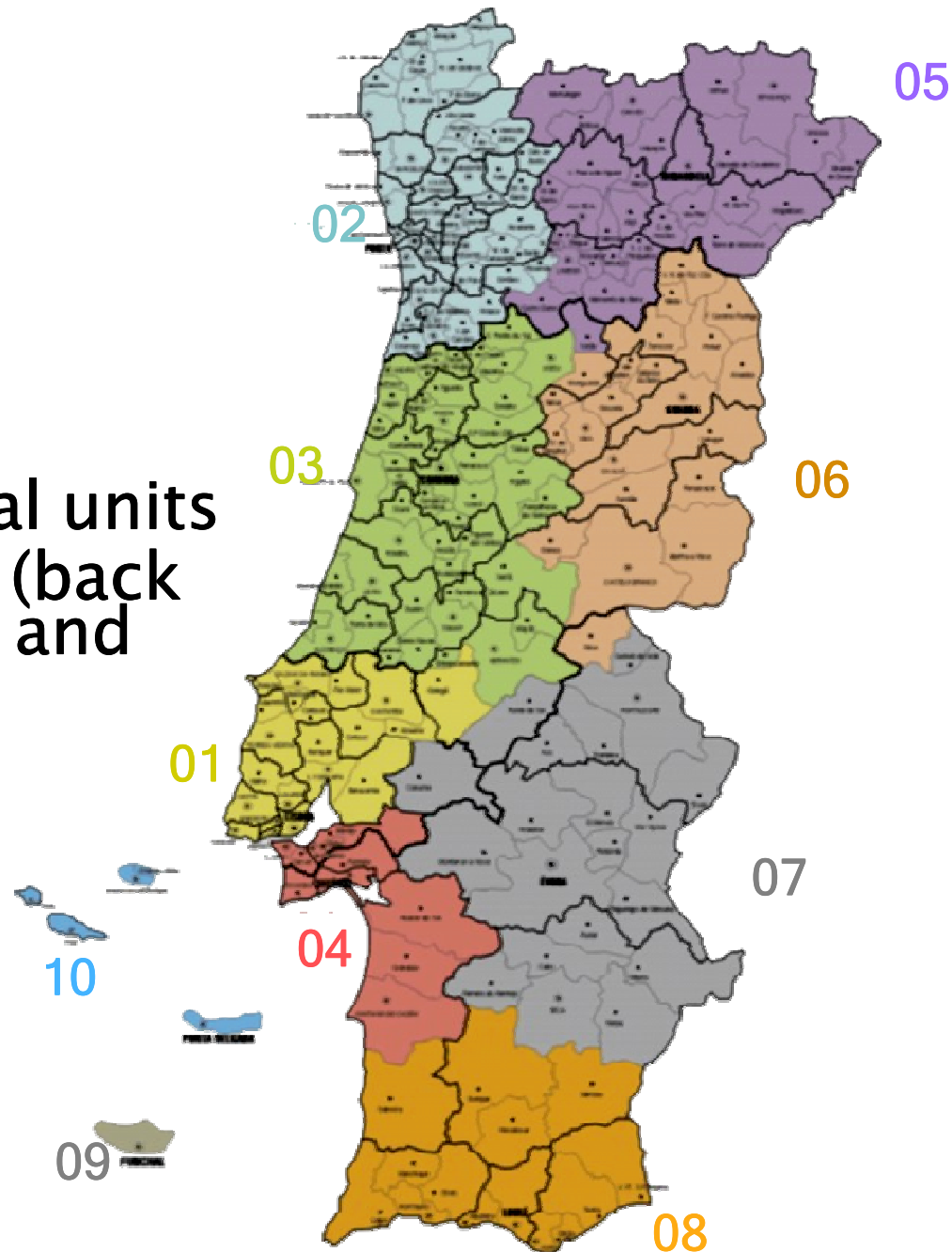


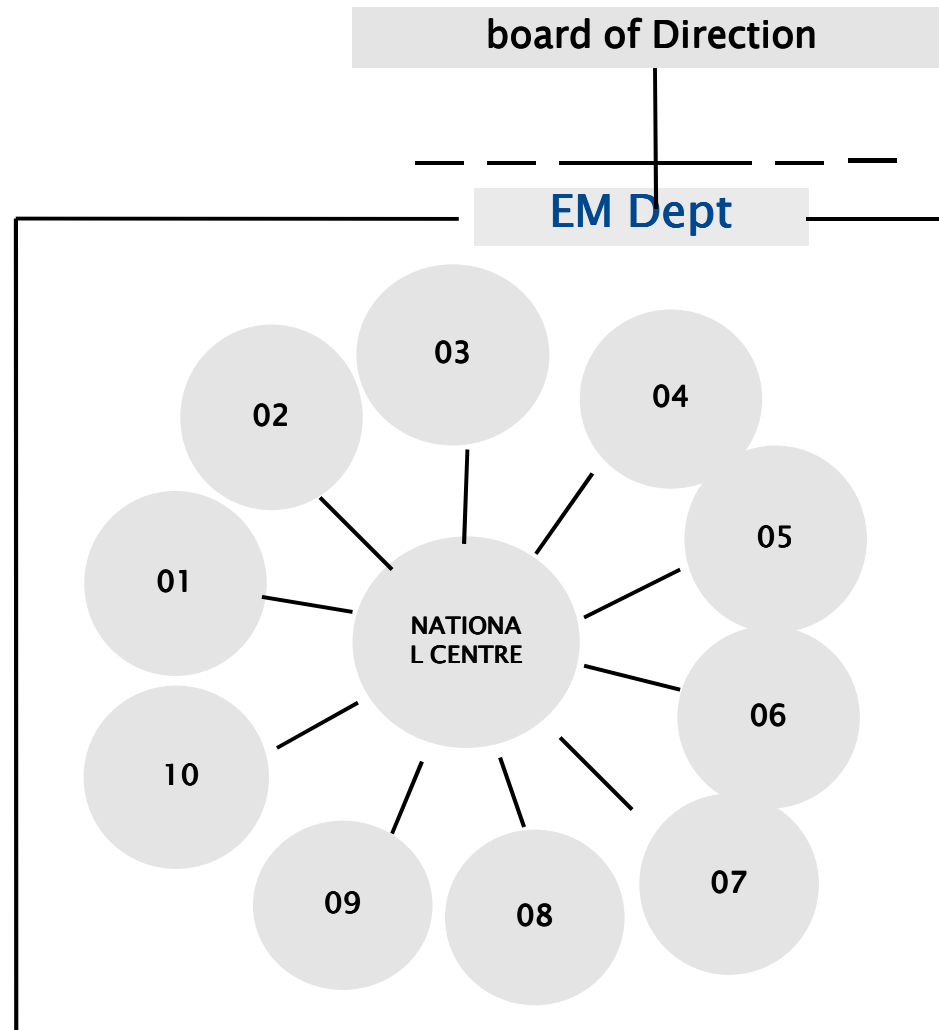
structure and organization



EM units

- 10 EM territorial units
- 1 national unit (back office, security and redundancy)
- 24/7/365







each unit

- responsible for the enforcement in its territory
- all field work
- social work
- install the equipments
- response to alarms
- link to the courts

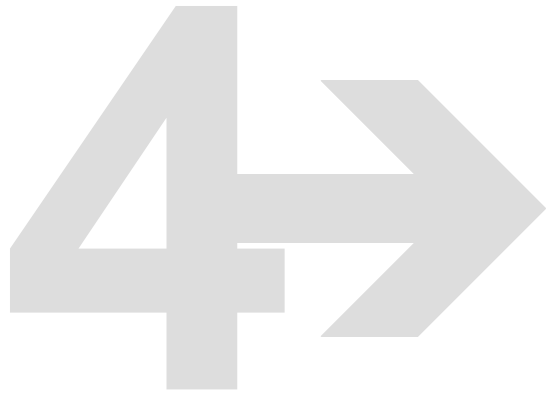


each unit

- 1 server terminal
- 1 coordinator per unit
- 0–3 probation officers (case management, assistance)
- 7–10 deputy probation officers (control, EM tasks and assist probation)



- 1 Director and just 1 probation officer
- **leadership**
- supervision, monitoring and assessment of EM system
- horizontal link with other depts.



legal frame



penal process: 16 years old >

always upon judge decision

| | |
|--------------------------|---|
| pre-trial | house arrest |
| after trial sanctions | house arrest up to 1 year (some cases up to 2) |
| | adaptation to parole (pre-parole) |
| domestic violence | pre and post trial sentence restraint orders |



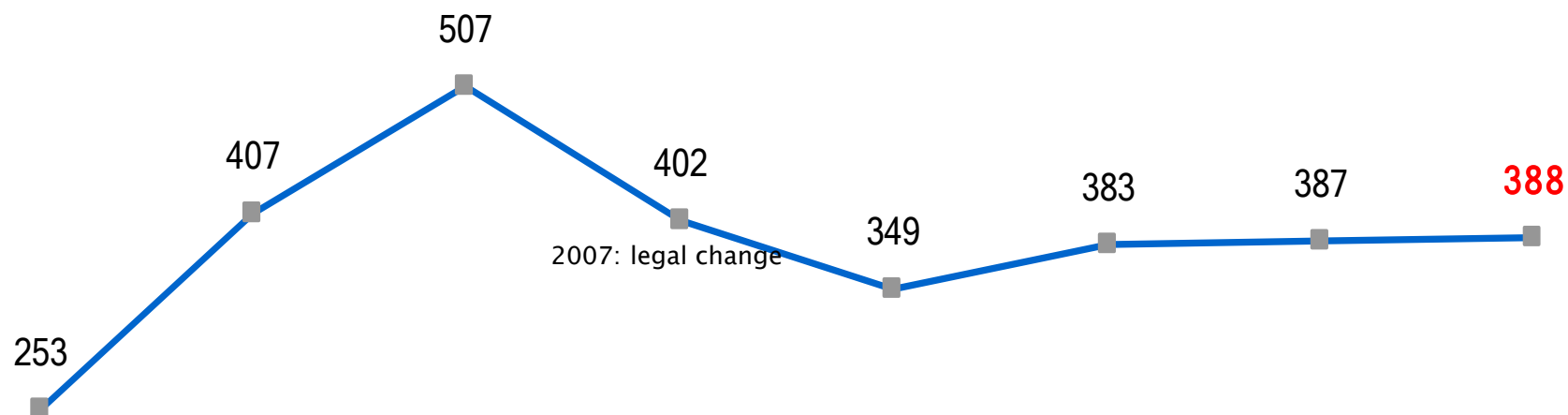
pre-trial house arrest eligibility

for cases punishable up to 3 years > prison

- as an alternative to pre-trial detention
- to avoid pre-trial detention
- to avoid prisons overcrowding
- upon offenders and cohabitants consents



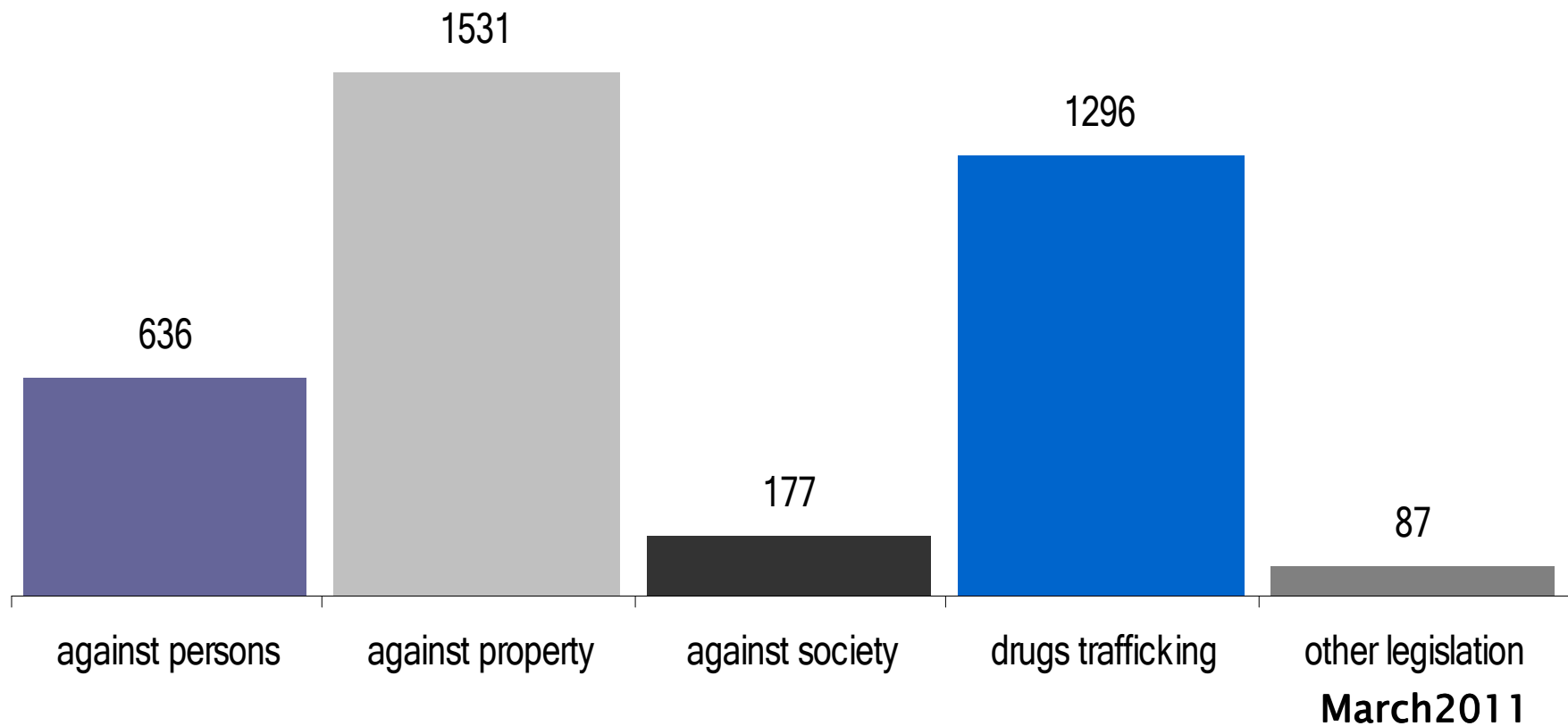
pre-trial house arrest | evolution



success rate 92,38%



pre-trial house arrest | types of crimes





post-trial house arrest up to 2 years | always with EM

aiming to

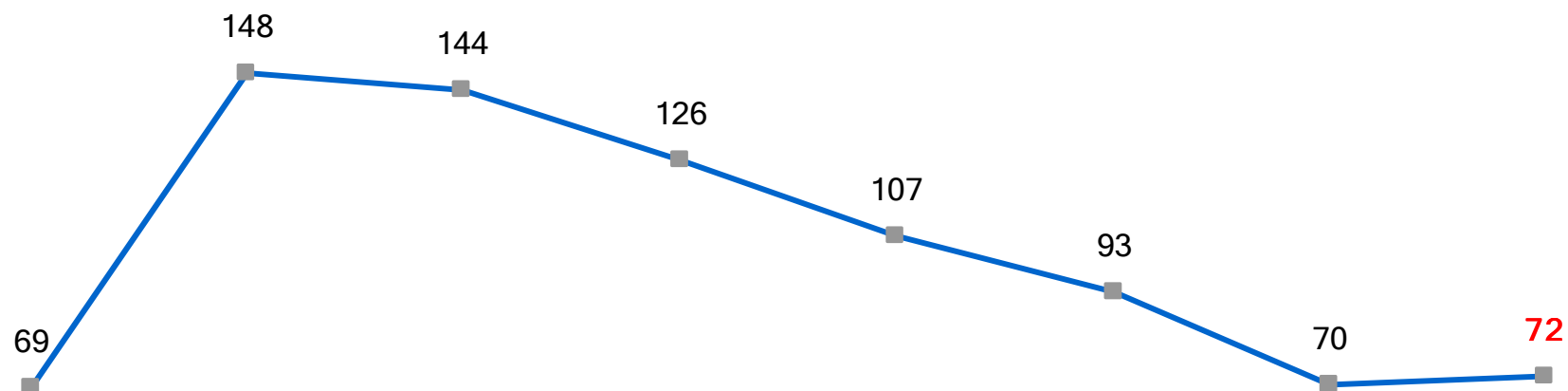
- replacing imprisonment in some cases
- cases with a pattern of recidivism and early delinquency – preventing raising up

eligibility

- **low risk**
- upon offenders and cohabitants consent



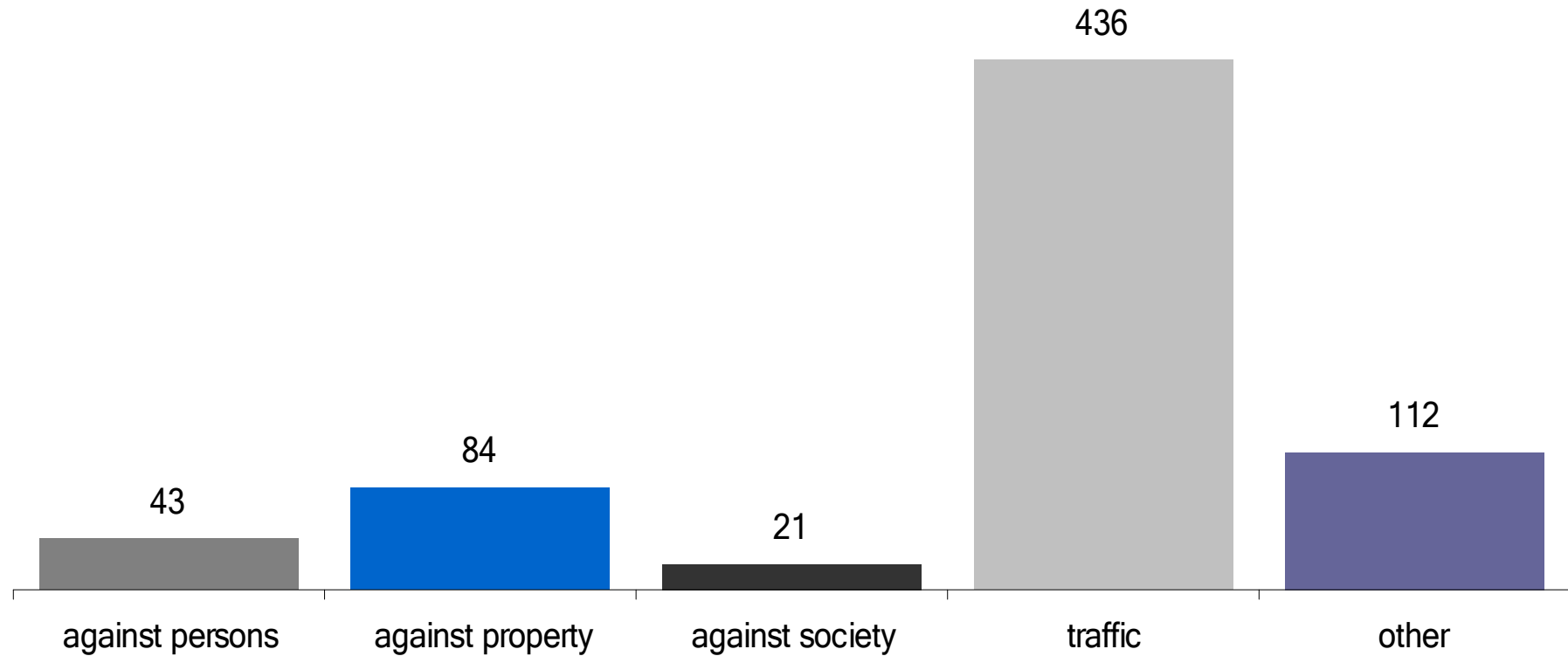
post-trial house arrest | evolution



success rate 96,43%



post-trial house arrest | type of crimes | low risk



March 2011



pre-parole up to 1 year | always with EM

eligibility

- for those sentenced who no longer need to remain in prison
- upon offenders and cohabitants consent's

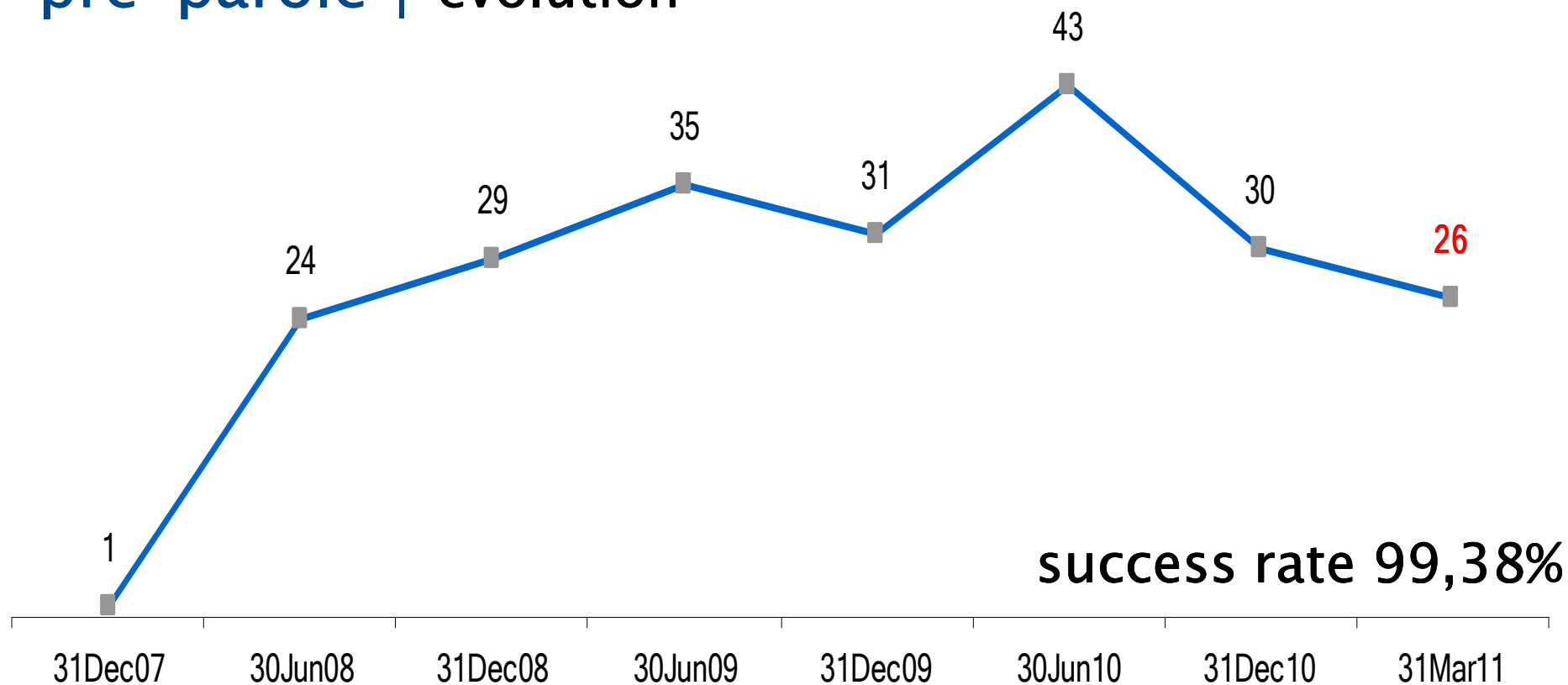


pre-parole

- always with EM
- upon the offender and the offender's cohabitants assent
- evaluation of the case when 1 year or less misses $1/2$, $2/3$ or $5/6$ of the served sentence
- executed similarly the post-trial house arrest

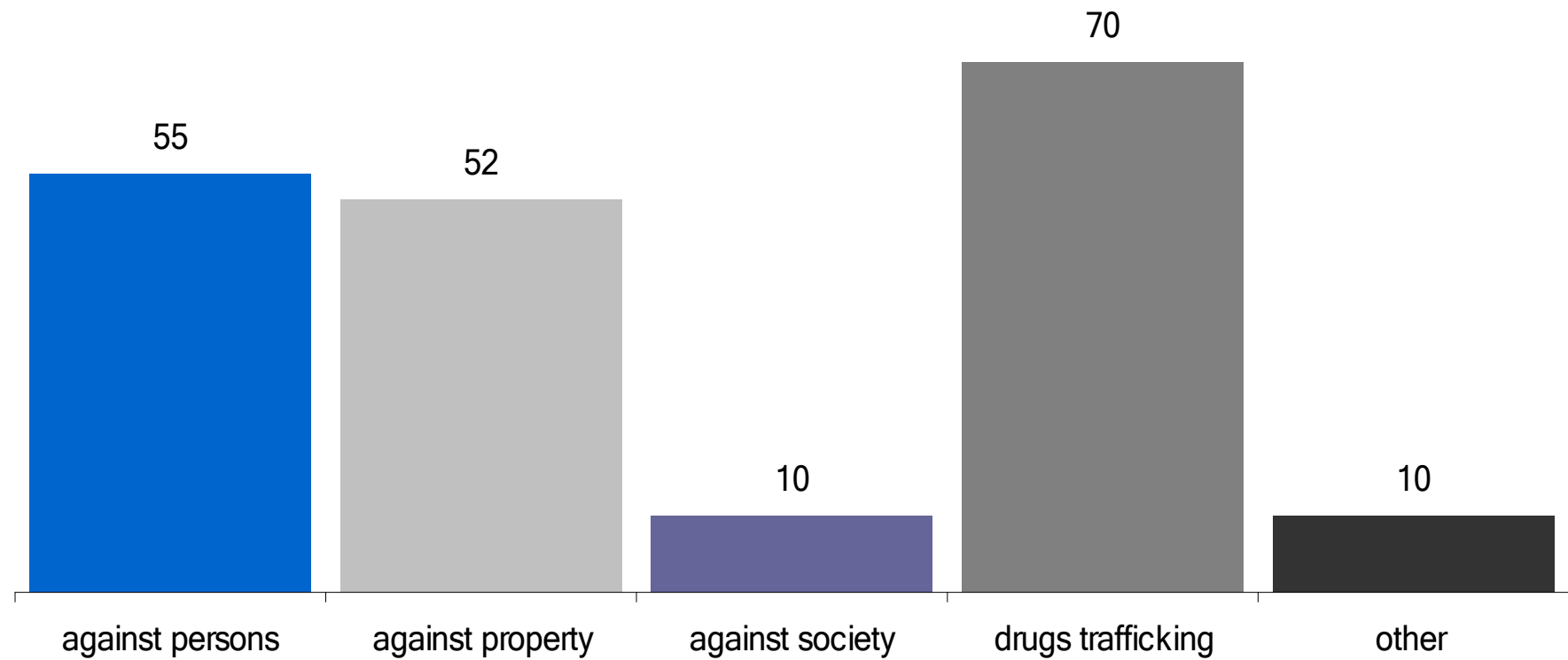


pre-parole | evolution





pre-parole | types of crimes



March 2011



domestic violence restraint orders (pilot)

- monitoring offenders/defendants
prohibition of contacts with the victim
- RF reverse tagging
- so far 30 cases in daily basis, national wide

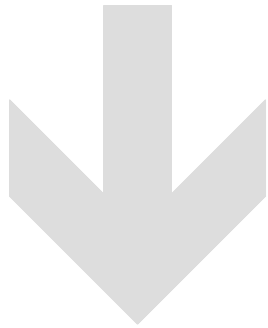


policy



principles

- follow the general concept of probation:
control and assistance
- control and assistance performed in the same way by all units
- units tasks under zero tolerance politics vs common sense
- all operations are ruled by severe national standards, a national protocol of action
- 24/7/365



assistance

- assistance = social orthopaedic: social work, counselling, orientation, obstacles removal
- one to one approach, to accomplish a successful measure and to prevent violations
- help offenders to handle confinement
- to attempt specific programmes (training, alcohol or drugs therapy, mental health)



control

- all events deserve attention and response
- to restore normal control of EM in case of violation or breach
- to verify and control the authorization's purposes
- regular and incident reports to the court



leaving home

- **regular** permits – court authorization to work or study, or to receive health continuous care
- **exceptional** permits– court or probation authorization for certain purposes
- **unpredictable** – medical emergencies



leaving home

intensive supervision of exits from home

- before permits are granted, EM units check any justification for the request
- EM units control the offenders compliance with the granted permit





- CAUTION! consciousness that EM is just an instrument for law enforcement, order and probation
- EM does make sense as a tool for a better and intensive supervision
- results depend on the human factor: the way technology is used by probation staff
- sophisticated technology is not all or enough
- human presence is the most important factor



- ethical principles cannot be left behind, they must rule daily work
- how do we use the technology?
- are we going too far or not?
- is the offender aware of how much control EM allows?
- are we preserving defendant and family dignity from the public curiosity?
- so far so good
- to be aware in the future




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need more information?
please contact
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thank
you

electronic monitoring
the Portuguese
experience



vigilância electrónica