

Reflections on A Research Agenda for Electronic Monitoring in the United States

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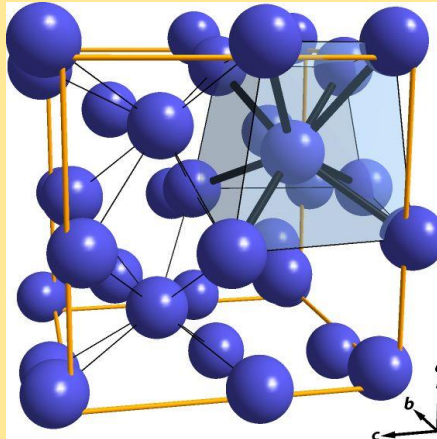
USA

9th CEP Conference on Electronic Monitoring in Europe

11 December 2014

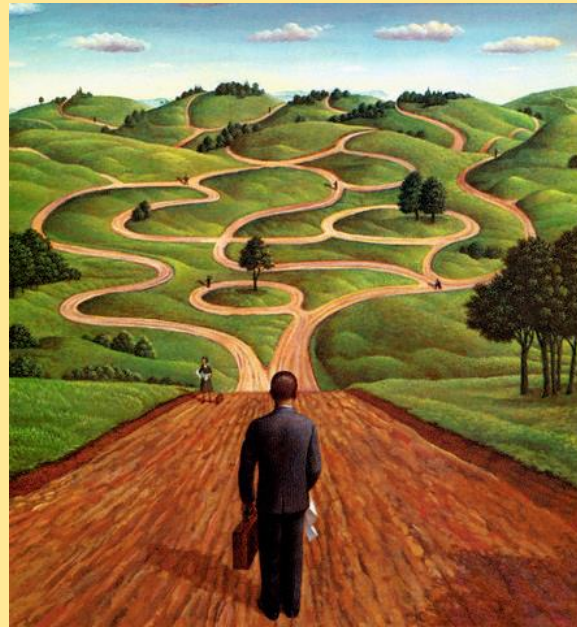
Structure of Presentation

- Outline of my research journey
- Preliminary Conclusions
- Research Agenda Items



Outline of My Research Journey

- Personal experience on the monitor
- Initial questions: the paranoid phase
- Next phase:
 - My routine
 - Low points
 - Mother
 - Satellite loss



Preliminary Conclusions

- Need to add the voice of the monitored
- Need to contextualize EM: mass incarceration, punishment paradigm
- Need to understand the industry

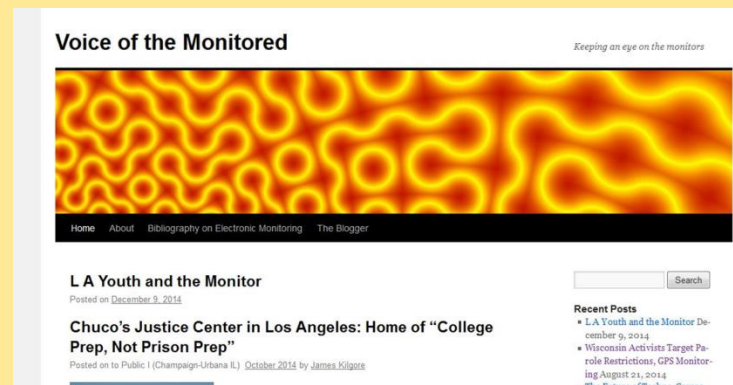


Research Agenda Items

1) The Voice and Rights of the Monitored

Interview material-

a. The “Feel” of the Monitor: Listening to Experience



b. Rights and Entitlements of “the monitored”

Voice of the Monitored-1

- Shawn Harris:

“all you did was switch from a prison setting to a housing setting which is now your new cell...you’re not really free when you got the monitoring system”



Voice of the Monitored- 2

- Jean-Pierre Shackelford:

The monitor is:

“21st century slavery, electronic style”



Voice of the Monitored-3

- Ernest Shepard:
- “I could imagine how slaves would be on a slave ship ...I feel like a chattel slave and I say, ‘if I don’t rebel’ what kinda dude am I?”



Voice of the Monitored – 4

- Stigma
- Technical problems
 - Lost satellite connections
 - Battery discharge
 - False reports



Movement Restrictions

- Lack of transparency
- Lockdown
- Job flexibility



Pressure on Family

- Dustin Tirado
- Terry Rodriguez
- Marissa Garcia



Financial pressure

- Daily fees \$5 to \$40
- Setup fees up to \$200
- Replacement costs- \$1200
- Other criminal justice fees and fines



2) Profile of the Industry

- Lack of precise information
- 160,000 devices
- 50,000 alcohol monitors
- 300,000 people per year
- Six major firms: BI, Securus/STOP, 3M, Numerex/Omnalink, Track Group/Secure Alert and Sentinel Services
- Rough estimate: \$200 million a year income



Growth of EM Is Slow

- Market more about mergers, acquisitions and internal competition than growing EM
(note role of BI and Securus)
- Lack of active advocacy
- Legislation not always enabling
- Bad publicity
 - Crimes committed-Evan Ebel, e.g.
 - Technical issues- meltdown, Los Angeles, Wisconsin



3) Legal Framework

- Deprivation of Liberty-not defined
- Pre-Trial usages
- No measure of “punishment” equivalency
- Criminal charges in many states for tampering or removing- charged as “escape”
- Exclusion zones-right to the city



4) Race and Class

- Racial bias in US criminal justice system:
 - Police stops, charging, bail, plea bargaining, sentencing
 - No work on EM
 - Is it a privilege-? -e.g. DUIs, Hollywood stars
 - Is it an extra punishment for poor people of color?



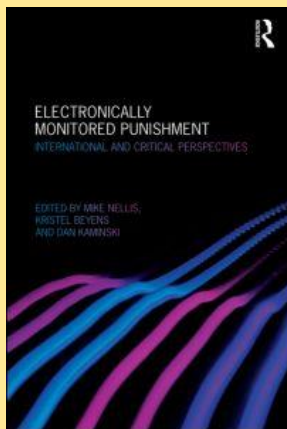
5) The Future

- Tony Fabelo: “techno-corrections”
 - Threats from three technologies
 - Location monitoring
 - Risk assessment/data bases
 - Pharmaceuticals
- Snowden factor
- Youth predictions on embedded chips



6) International Experience

- No American exceptionalism
- *Electronically Monitored Punishment: International and Critical Perspectives* (2012)
M. Nellis, M.K. Beyens and D. Kaminski
- Recommendations in February of this year



My own guidelines for people on parole:

- - Defining rights and entitlements
 - Transparency in regimes
 - Not punitive financially
 - Respect for family members