



# Electronic Monitoring Technologies (RF and GPS) & Domestic Violence: Victim Perspectives

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# Today's discussion:

- Background of bilateral electronic monitoring (BEM).
  - Timely benefits.
- Aims, design, & DV victim perspectives from study using radio frequency (RF).
- Aims, design, & DV victim perspectives from study using global positioning systems (GPS).

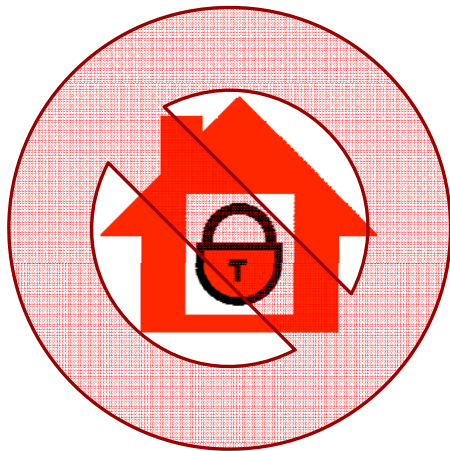


# Background - BEM



- Bilateral Electronic Monitoring (BEM)
  - What is BEM in practice?
    - Technology-based:
      - ✓ radio frequency (RF).
      - ✓ global positioning system (GPS).
    - Contain threat abusers pose to specific domestic violence (DV) victims.
    - Designed as a mechanism to monitor offender's (whether defendant or convict) compliance with court / probation orders / rules regarding no contact.
    - Commonly administered by community corrections or public safety departments.

# Background - BEM

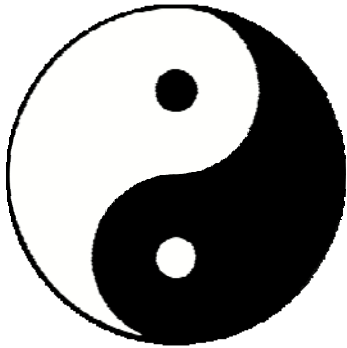


- What is BEM in theory?
  - Before BEM – the home as arena, the shelter as problematic refuge.
  - Message conveyed to women by justice system was that their safety in their own homes could not be guaranteed.

“Before, I was puttin’ boards in my kids’ windows, putting my couch in front of my door. I was pushing my entertainment center in front of my sliding glass door.”

“You go to a shelter – you have yourself, and that’s it ... Your identity is gone” (Erez and Ibarra, 2007).

# Background - BEM



- What is BEM in theory?
  - With BEM – From arena to shelter: the transformation of the home into a safe haven.
  - Shifting "culture of control" refocusing efforts on victims, rather than merely on offenders.

“I have so much confidence I can lay my head down at night and not lock my children’s doors in their bedroom. Not lock their windows. That’s how much confidence I have in it ... Now it’s like, ‘Oh, yeah, you guys can go ahead and play and Mommy doesn’t have to sit outside with you and watch you” (Erez and Ibarra 2007).

“So I put [the receiver] in my room ... (and) at night it did give me a sense of security. To hear that click is soothing.”

# Background - RF and GPS BEM

- How does it work?
  - Like in “home detention” or “house arrest” system, the *offender* (usually a defendant) is equipped with a tamper-resistant, ankle-worn transmitter.



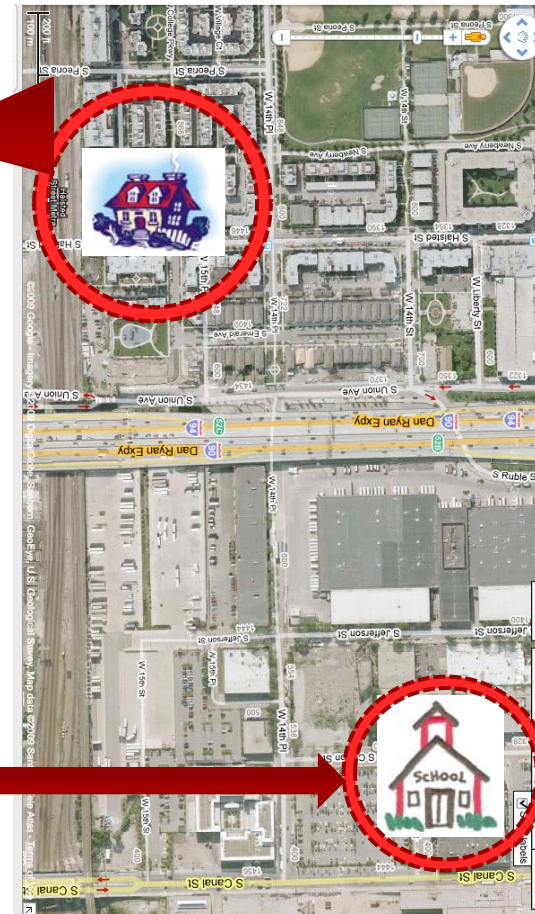
# Background – RF and GPS BEM

- How does it work?
  - A receiver in the *offender's* residence confirms his/her presence during court-ordered curfew hours.



# Background – RF BEM

- How does it work?
  - A receiver in the *victim's* home will detect the presence of the offender when s/he enters a defined geographical radius.
  - Radius penetration at *victim's* address results in immediate call to law enforcement.
  - Can also be placed at other locations frequently visited by the *victim*, e.g., a school.





# Background –RF BEM

- How does it work?
  - In addition to receiver, *victims* receive: Duress pendant, sometimes pagers and cellular phones pre-programmed to call the police, and with some systems, a “proximity device” used to alert them to the presence of the offender when they are away from the home receiver.



Left image: [http://www.basshome.com/images\\_products/fa223d\\_double\\_button\\_water\\_resistant\\_pendant\\_home\\_security\\_83159big.jpg](http://www.basshome.com/images_products/fa223d_double_button_water_resistant_pendant_home_security_83159big.jpg) (accessed 4/4/09).

Right image: [http://www.safetechalarms.com/images/residential/img\\_medical\\_offer2.jpg](http://www.safetechalarms.com/images/residential/img_medical_offer2.jpg) (accessed 4/4/09).

# Background – RF and GPS BEM

- How does it work?
  - Both receivers can be monitored 24/7 by a commercial monitoring company via normal phone lines.



# Background - BEM

- Recent changes to BEM:
  - From RF to GPS.
  - In earlier versions of BEM just described, *victims* had RF receiver in their house.
    - Liability issues.
      - ✓ Now, instead of *victim* getting RF receiver, *offender* tracked with GPS, with several exclusion zones, and *victim* may get cell phone to alert her to violations.
      - ✓ Highlights importance of government investment in this technology, to avoid having businesses divest due to lawsuits.



# Background - BEM

- The future with BEM in light of current economic crisis:
  - Swelling prison populations can't grow forever.
  - BEM is a cheaper and more victim-centric alternative to mass incarceration.
    - ✓ This does not minimize plight of DV victims.
    - ✓ Punitive system has largely failed offenders, victims, and society alike (at least in U.S.).
    - ✓ Need to be realistic and willing to implement evidence-based change.
  - Re-empowers law enforcement to conduct active preventative policing.



“I was told, ‘well maybe you shouldn’t live here, maybe you should go live with your parents or maybe you should go live with a friend that he doesn’t know of.’ Those were the comments of the police officers” (Erez and Ibarra, 2007).

# Today's discussion:

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  - Timely benefits.
- Aims, design, & DV victim perspectives from study using radio frequency (RF):
- Aims, design, & DV victim perspectives from study using global positioning systems (GPS).



# Aims – RF Study

- Themes and variations approach to analyzing:
  - Interviews with participants.
  - Observations of staff and courtrooms.
  
- Comparison of two (2) sites:
  - Rural.
  - Urban.
  
- Similarities and differences in:
  - The implementation of the technologies.
  - Definitions of target populations.
  - Offenses, and circumstances surrounding offenses.
  - Experiences of offenders and victims on programs.
  - Criminal justice personnel views and concerns about program.



# Design – RF Study

- Two (2) comparison groups:

Hook-ups vs. non-hook-ups

- No hook ups occur when:

- The *victim* does not want the equipment.
- Either *victim* or *offender* do not have a telephone.
- The *offender* cannot find a separate residence.
- The *offender* cannot post bond/pay fees associated with program.



# Design – RF Study

## Data collected in the jurisdictions studied:

- Quantitative data – records from:
  - Probation.
  - Court.
- Qualitative data – interviews and/or observations of all those involved in the electronic monitoring:
  - *Offenders, victims, criminal justice professionals, and victim advocates.*



# Design – RF Study

## Similarities between the programs:

- Both are run by the probation department.
- Mostly used in pre-trial cases (“the most volatile period”).
- Both programs require *victim’s* consent/participation.
- Technologies operate on similar principals and have similar equipment, with a couple of exceptions.
- *Victims* do not have to pay fees.
- Both programs require *offenders* to abide by curfew restrictions.
- Most referrals originate in lower-level rather than higher-level courts (where there are higher bond requirements).
- Absconding is exceedingly rare.

# Design – RF Study

## Differences between the programs:

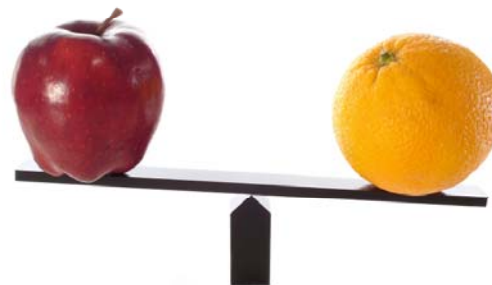
- Available *victim* and support services.
  - Both within and independent of the justice system.
- Extent to which referrals are *victim* initiated rather than prosecutor/judge initiated.

	Urban Site	Rural Site
Definitions of appropriate clients	Pre-separation, separation, and post-separation phases	Post-separation phase
How EM is used	Inducement	Additional requirement
Bond	Bond reduction	No bond reduction
\$\$\$	No program cost	Program cost

# Design – RF Study

**Differences between the programs:**

	<b>Urban Site</b>	<b>Rural Site</b>
<b>Referral rate (per year)</b>	360/612	0-2
<b>Hookup rate</b>	32%	50%
<b>Caseload</b>	12-43	0-2
<b>Extent of supervision and restrictions</b>	High; emphasis on “trigger control”	Relatively low; emphasis on enforcing separation.



## RF – The victims: Positive views & experiences

- Time without contact or pressure from batterer allows them to rethink their relationship and past actions.
  - Alleviates their fear; able to sleep.
  - Provides a sense of safety; peace of mind.
  - Opportunity to reassert a sense of control over their lives and plan their futures
- On their own terms:
  - Some victims described talking to the batterers on their own terms.

# RF – The victims: Positive views & experiences



- Attention from police:
  - When police are called to their homes, victims are impressed by the speed with which they arrive.
  - For Site 2 *victims* the criminal justice system is transformed by virtue of the program's personal responsiveness (24/7 availability).
  
- Equipment:
  - Sensitivity is often impressive (e.g., the microphone's accuracy; the proximity device's warning system).

# RF – The victims: Concerns & complaints

## Equipment:

- False alarms because of misreading, malfunction, power or telephone outages.
- Special telephone features must be disabled.
- Not childproof.
- Devices worn on body can be bulky.
- It can be difficult to remember to keep pertinent equipment handy at all times.
- In a panic, *victims* can forget instructions and codes (e.g., what numerical pages mean).
- Monitoring equipment can interfere with phone calls while it “checks the line.”
- Absence of a “guide” or “handbook” can keep *victims* mystified about program details.

# RF – The victims: Concerns & complaints

- False sense of security.
  - *Victims* can be caught off guard.
- A support group made up of other “women who have been through this” would be helpful.
- The equipment is abruptly removed in pre-trial cases, leaving some *victims* feeling vulnerable afterwards.
- *Victims* in sentencing cases know the end date of the program.

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# Aims – GPS Study

- Determine how GPS-based programs alter the frequency and nature of batterers' recidivism.
  - In short term, during the pretrial/predisposition period.
  - In the long term, post-adjudication.
- Examine impact of GPS use in DV cases on criminal justice system outcomes, and women's self-help behavior in subsequent offenses, as measured by conviction and dismissal rates and victim-initiated calls to the police.



# Aims – GPS Study

- Examine patterns of:
  - Recidivism in relationship to agency attributes, e.g.:
    - Agency use of supplemental forms of treatment.
    - Criteria for program inclusion.
    - Intensity of supervision.
  - Recidivism in relationship to offender attributes, e.g.:
    - Demographics, participation in supplementary treatment programs, severity of violence in the instant offense, legal status, and duration of program involvement.
  - Offender compliance with program rules, as evidenced by:
    - Absconding, or violations of no-contact orders, exclusion zone boundaries, curfew strictures, or substance abuse prohibitions.

# Design – GPS Study

The study is comprised of three parts:

1. Analysis of records of alleged batterers who are on GPS compared to those who were not in the program (both groups were referred to GPS).

# Design – GPS Study

The study is comprised of three parts:

2. Survey of a sample of programs that offer GPS monitoring technologies to protect DV victims about their programs. Questions will address the history of instituting such program, its parameters for participation, problems in its implementation, and experience in its ability to deter recidivism.

# Design – GPS Study

The study is comprised of three parts:

3. In-depth interviews examining “learning curve” and experiences associated with implementing or using GPS technology in DV cases, including:
  - Victims, abusers, and professionals inside (agency and court staff) and outside (vendors, manufacturers, monitoring facility employees) the criminal justice system.

# First Site of GPS Study

- Three types of GPS most commonly used in US:
  - Autonomous GPS (aka 'Passive').
  - Assisted GPS (A-GPS) (aka 'Active').
  - Advanced Forward Link Trilateration (AFLT) (aka Newest Technology).
- Our study site employs Assisted (Active) GPS, and it combines use of cellular technology, GPS technology, and radio frequencies.
  - Agency monitors its own EM cases through an internal server located in office.
  - Vendor provides backup services including data and monitoring backup.
  - Private sector has very little involvement in processes, with exception of information gathering during investigations.

# GPS – The Practitioners: Views & experiences

- Zone violations as dynamic occurrences handled on individual basis, with many contributing factors, e.g.:
  - “GPS drift.”
  - Intentional violations.
  - Unintentional violations.
  
- When violation occurs, these constituents are notified:
  - Local police,
  - *Victim*,
  - Supervising officer,
  - *Offender*,
  - Back-up officer,
  - Supervisor.

# GPS – The victims: Views & experiences

- Based on preliminary analysis, confusion abounds.
  - How does it work?
  - GPS
  - Radius
  - Notification
  - Phone
- Victims suggested possible areas for improvement.





# GPS – The victims: Views & experiences

- Confusion about how it works; GPS.

I: So when did you learn that this was GPS?

Victim 1: This was probably, jeez, this happened in May so, probably like October.

I: So after you were off the program basically?

V1: Within a nutshell 'cuz we were off this in September so.

# GPS – The victims: Views & experiences

- Confusion about how it works; GPS.

I: Nobody told you how this juris works?

V1: When it was explained to me originally I was under the impression that there was going to be something at my home to let me know if he came within that x amount of feet that that would be tripped off, but that's not what I ended up getting, so I didn't ... But I guess I was trying to figure out how do they monitor him when he's out. That's what I didn't understand.

I: So you didn't understand this then to be a GPS program?

V1: No, not at all

# GPS – The victims: Views & experiences

- Confusion about how it works; GPS.

Interviewee: Did you understand about the GPS aspect of this? What did you know about the GPS?

Victim 2: No, I'm not, I'm still, I'm not sure.

# GPS – The victims: Views & experiences

- Confusion about the radius.

V2: I know that the restraining order that I had in place was 500 feet, but it must have been more than that for the monitor because he was further away from that when it went off, but I don't know what the exact...

I: Ok, now you had this one zone, the zone around your house. The actual perimeter by the way is 2 miles.

V2: Ok.

# GPS – The victims: Views & experiences

## ■ Confusion about the radius; notification.

I: Now, on your end, what was your understanding of what was supposed to happen if he breached the perimeter of your residence, the 2 mile radius, or whatever you understood it to be? What was your understanding of how you would be notified or how you would know about this? Would he just sort of pop up in your window or would you receive warning or?

V2: Well, I was under, I can't say that anyone told me or that I saw it on paper because I can't remember. But I was just, in my mind, somethin' just tells me that, somebody said that I would be notified. I don't know if it was the police station, or the sheriff's office, or the judge, or somebody, but it seems like I remember someone tellin' me that if he was in that radius I would be notified.

# GPS – The victims: Views & experiences

## ■ Confusion about phone; notification.

I: Do you know how you would be notified?

V2: I think telephone.

I: Regular landline or cell phone?

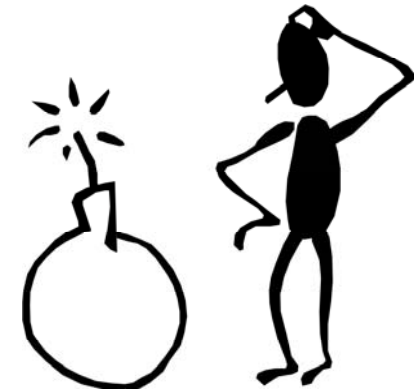
V2: I don't remember. I can't say.

I: Did you have a cell phone when you were on the program?

V2: Yes.

I: So the notification, could it happen either by voice message or by text message or?

V2: I'd be lyin' if I tried to tell you which 'cuz I just don't remember.



# GPS – The victims: Views & experiences

- How program could be improved – how it works; GPS.

I: What do you think would have improved the program for you, what would have made it a better program?

V1: Probably, I'll say if I would have been more aware of, as you were saying, the technology of it, just knowing that it was GPS, knowing that they could pinpoint where he was at, not just thinking that he could just roam wherever between his working hours. That would have been a plus for me.

# GPS – The victims: Views & experiences

- How program could be improved – how it works; radius.

V1: But I know like with, I don't know if it's a, I guess maybe it's the EMU unit or somethin,' where the victim actually has something in their home and he also has something on him. That, I knew how that worked, but that's, that's not what I had. He just had something on him.

I: So you were not clear that there was a system of monitoring of his movements relative to your residence, is that what you're saying?

V1: Right, I didn't, I didn't know that, in the event that he came in the vicinity of me I would be the only person that would know that, especially if it was within the time that he was allotted out to be at work.



# GPS – The victims: Views & experiences

- How program could be improved – radius; notification.

I: How do you think this program could have been improved based upon your experience, what would you recommend that agencies that are thinking about implementing this for domestic violence, what do you think that they should add to what you've seen or what you've encountered or subtract from what you've seen or encountered?

V2: I think that the ability to use that radius in more than one places ... It would have been nice if I'd been notified when he was off of probation, and although I was [notified] through his family members, but had I been somebody who wasn't close to the family ... It would just been nice to know, 'ok, that's over with' ...

# GPS – The victims: Views & experiences

- How program could be improved – phone; notification.

I: Is there anything in terms of the kinds of equipment that they give you or the kinds of contact that they maintain with you that would have been beneficial?

V1: For me I think that, even with them doing the GPS, I think probably something that I would have been able to see or that being contacted on, either that was at home, something, like maybe cell phone, pager, something that would have been kept with me. Because let's just hypothetically say what if something went wrong with my cell phone or something and they couldn't contact me to tell me or something to that effect, something other than just relying on.

# Closing Thoughts

Practical and theoretical limitations of GPS and/or RF:

- Irony.
- Contradiction.
- False sense of safety.
- Questions going forward.



# Closing Thoughts

- Irony.
  - *Victims* being more safe with GPS but feeling more safe with RF BEM, as it provides the *victim* with something tangible to look at (e.g., the receiver in their home with the green lights), thus seeing evidence that the state is protecting them.



# Closing Thoughts

- Contradiction.

- Can't give too much information about how exactly the EM works (i.e., exactly where the boundary is that the *offender* has to cross), and this helps with the deterrent effect, but at the same time *victims* themselves may not know exactly how it works.

- Does this again put concerns regarding *offenders* before concerns regarding *victims*?

- ✓ e.g., want to have greater deterrent effect on *offenders*, so *victims* can't be told as much either.



# Closing Thoughts

- False sense of safety?
  - Both RF and GPS technologies need to be empirically tested to assure they are actually providing the theoretical benefits we think they should.
    - e.g., reduce recidivism, increase compliance with legal sanctions.
  - Last thing we want is for victims to have a false sense of security and to let their guard down because of this technological "advancement."
    - Importance of the active observer when dealing with an opportunistic offender.

# GPS – The victims: Views & experiences

- Questions moving forward:
  1. Synergistic use of GPS and RF together?
  2. Whose responsibility / role should it be to make victims aware of these technologies?
    - Who has the responsibility, and who should have the responsibility, to increase efficacy?

# Today's discussion:

## Thank you!

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