ELECTRONIC MONITORING ON SOCIAL WELFARE DEPENDENCE

Electronic Monitoring

It Is a Tool, Not a Silver Bullet

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High incarceration rates have become an engrained aspect of the American social landscape. The oft-cited figures show that the U.S. incarceration rate has grown from approximately 125 per 100,000 throughout much of the 20th century to more than 700 per 100,000. The effects of mass incarceration (Garland, 2001) have been felt unevenly as the poor, uneducated, and young experience the brunt of this growth (Western, 2006). The negative consequences of incarceration do not end after release from prison as a criminal conviction hinders many from participating in the central components of prosocial life, including employment (Pager, Western, and Sugie, 2009) and voting (Uggen and Manza, 2006). Community supervision with electronic monitoring is believed to be an alternative sanction to alleviate the high financial costs and social consequences associated with mass incarceration.

Comparative research has the potential to identify alternative strategies to address the negative consequences associated with high incarceration rates. Andersen and Andersen (2014, this issue) provide an intriguing analysis pointing to the potential for electronic monitoring as a less harmful punishment that reduced the dependency on social welfare among younger offenders in Denmark. Electronic monitoring is used in several countries including the United Kingdom (Nellis, 2005), Belgium (Maes and Mine, 2013), Sweden (Marklund and Holmberg, 2009), and Argentina (DiTella and Schargrodsky, 2013). Electronic monitoring was adopted in the United States in the 1980s and has spread to every state in the country (Button, DeMichele, and Payne, 2009), but there has been little rigorous research evaluating the impacts of electronic monitoring (Renzema and Mayo-Wilson, 2005). The lack of U.S. research leaves questions about the efficacy of community supervision with electronic monitoring. Looking to comparative scholarship can help U.S. policy

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makers and researchers better understand the potential for electronic monitoring and other correctional options.

In this essay, I hope to contribute to the public policy debate about how electronic monitoring can be integrated within a punishment approach that is effective and humane. First, I highlight some important contextual differences between the Scandinavian and U.S. systems. Second, I discuss how Andersen and Andersen's (2014) findings contribute to the electronic monitoring debate. Third, I shift the discussion to emphasize that electronic monitoring is a technology, not a solution. Electronic monitoring is a tool, and its effects cannot be separated from the officers and agencies monitoring these devices. To understand how to use electronic monitoring most effectively, there needs to be a rigorous research framework that incorporates front- and back-end sanctions, including randomized experiments and high-quality quasi-experiments using natural experiments. Such a research agenda would not only vary electronic monitoring as the treatment but also investigate how these technologies interact with different supervision practices.

Comparative Research for Policy Transfer

Comparative research can provide valuable insights about the differences in *how* justice and punishment are carried out among countries. All industrialized countries have professional services that arrest, prosecute, incarcerate, and supervise individuals in the community. But, there are important differences in how these functions are carried out that have profound impacts on the amount (DeMichele, 2013; Lacey, 2008; Nelkin, 2009) and type of punishment (Pratt and Eriksson, 2011; Whitman, 2003). In the Danish system, some people sentenced to prison are allowed to apply to serve their sentence in the community under electronic monitoring supervision. The general criteria for electronic monitoring are a permanent address and being employed, actively looking or training for employment, going to school, and serving a maximum sentence of 3 months.

For a U.S. audience, a 3-month maximum sentence is reserved for the least serious of offenders who are typically locked up in county jails and would have minimal impact on incarcerated populations or budgets. Andersen and Andersen (2014) point out that nearly two thirds of all sentences in Denmark are for less than 3 months. This statistic is in contrast to individuals sentenced to state prisons in the United States, where the average sentence lengths are more than 5 years (65 months; Bonczar, 2011). The United States is well known for giving offenders exceptionally long prison sentences, which speak to the differences in severity in punishment between countries. But, there are several differences in how punishment is carried out that are suggestive of an alternative conceptualization about criminal punishment between the U.S. and Scandinavian countries that have implications for incorporating electronic monitoring within community supervision (e.g., private vs. public vendors).

First, Scandinavian prisons operate under the philosophy of normalization in which the punishment is the removal of liberty; that is, incapacitation is the punishment (Pratt, 2008).

The incarceration experience should resemble normal life as closely as possible to prepare the individual for release. In the United States, being incarcerated is only one aspect of the punishment; the rough living conditions and treatment of the inmate are another. One legal historian, James Q. Whitman (2003), described the emergence of American correctional exceptionalism as our tolerance for increasingly degrading and inhumane treatment compared with similar societies. Tough U.S. prison conditions likely have effects on postrelease outcomes that typically go unobserved in electronic monitoring studies of parolees (e.g., releasing inmates from administrative segregation or solitary confinement).

Second, Scandinavian prisons have inmate-to-officer ratios that are close to 1:1 (Pratt, 2008), whereas comparable U.S. figures range between 5 and 10 for state and federal facilities, respectively (Stephan, 2008). Third, Pratt (2008) wrote about Scandinavian exceptionalism as a result of the reserved use of severe punishment and shows that between 20% and 30% of all inmates serve their time in open prisons. These institutions allow inmates to work or attend school/training, purchase groceries, cook meals, own a car, and participate in other aspects of normal life. Numerous differences exist between U.S. and Scandinavian criminal justice systems: Recruitment, training, and health care are provided in the community (not in the prisons); inmates have input in prison policies; there is limited violence; and inmates are given individual cells (Christie, 2000; Pratt, 2008). Essentially, then, many Scandinavian inmates are working toward reentry after their admission to prison, whereas in the United States, inmate reentry is just beginning to gain serious traction.

Comparative researchers can identify evidence-based practices as long as contextual factors are considered during any policy transfers (DeMichele, forthcoming). Identifying policy implications from Andersen and Andersen's (2014) study requires considering them within an agency's overall supervision framework to fit with agency missions, goals, resources, and staffing capacities.

Electronic Monitoring: Current State of Research

Electronic supervision was initially intended as a low-cost alternative to incarceration for relatively minor offenders to assist with rehabilitation and social reintegration (Gable, 1986). The spread of these systems through the 1990s brought criticisms of net widening, and research demonstrating their effectiveness was lacking. There is still surprisingly little research investigating the potential for electronic monitoring, with early research painting an equivocal picture and recent research being more optimistic. Some researchers found no difference between the use of jail and electronic monitoring for drunk drivers (Courtwright, Berg, and Mutchnick, 1997), others found mixed support for lower risk individuals (Gainey, Payne, and O'Toole, 2000), and yet others found significant differences between high-risk parolees in 1-year recidivism rates that disappeared by 3 years (Finn and Muirhead-Steves, 2002).

More recently, two notable National Institute of Justice studies showed positive results for electronic supervision. In Florida, Padgett, Bales, and Blomberg (2006) found that

offenders monitored with either radio-frequency or global positioning systems (GPS) had significantly lower rates of revocations for technical violations or new crimes as well as lower absconding rates. Bales et al. (2010) conducted a follow-up study in which they found that electronic supervision offenders had a 31% lower failure rate than comparable offenders not on electronic supervision. And, those monitored with GPS had a 6% lower failure rate than those on radio-frequency monitoring. Gies et al. (2012, 2013) found significant differences in arrests, reconvictions, and returns to prison among sex offenders in California, and similarly positive findings were found with a sample of released gang members. Both Bales et al. (2010) and Gies et al. (2012, 2013) took a step in the right direction by including matched comparison groups using propensity matching methods.

Each study focused on a measure of recidivism as the outcome. Andersen and Andersen (2014) do not test the efficacy of electronic supervision on criminal justice outcomes; instead, they find improvements in removal from unemployment benefits. This finding is, essentially, a proxy measure for unemployment, and it seems that younger people had lower welfare dependency rates when placed on electronic supervision, with no differences found among older people. Unemployment is tightly linked with crime outcomes, and electronic monitoring might reduce offending indirectly by improving alternative outcomes. This outcome is in line with research using Canadian samples in which electronic supervision did not have direct effects on recidivism, but effects were found on treatment completion and those that completed treatment had improved outcomes (Bonta, Wallace-Capretta, and Rooney, 2000).

Electronic Monitoring: How Can It Enhance Cognitive Transformation?

Something that needs to be stated clearly is that GPS, radio-frequency devices, and other forms of electronic monitoring are only tools that officers can use. So, asking questions such as "does electronic monitoring work?" are illogical. This would be similar to asking whether computers, cars, or other tools that officers use work. These tools are all dependent on humans and only work as well as the infrastructures supporting them and the people operating them. This, of course, is not to say that electronic monitoring cannot improve supervision, just that researchers and policy makers need to step away from treating these tools as programs or strategies. They are an additional tactic that can be helpful to provide officers with a sense of where offenders were at certain times (GPS) and whether they were at home when they were supposed to be (radio frequency). These devices do not make officers' jobs easier. Instead, they increase the workload and costs associated with supervision (DeMichele and Payne, 2009; Geis et al., 2013).

When thinking of electronic monitoring as a tool, we can understand that these tools have the potential for both positive and negative effects. They have the potential to break, fail to report correctly, and increase officer stress and workload. Electronic monitoring tools do not have intrinsic supervisory powers; they provide some indication of a person's location, but they tell us nothing about what people are doing. A prime example involves

a California case in which Phillip Garrido and his wife kidnapped and held a young girl captive for nearly 18 years. During part of this time, Mr. Garrido was on parole supervision with GPS tracking, but it went undetected that he had a kidnapped girl (and the two young children he fathered with her) in tents in the backyard. His GPS revealed that he was exactly where he was supposed to be—at his home and in his backyard. Parole officers failed to conduct regular in-depth searches of the home or even walk through to the backyard. This example shows how reifying these tools can allow officers to place too much faith in them as though they are a "silver bullet."

Currently, there is a push for community supervision to alleviate the negative consequences associated with mass incarceration (i.e., overcrowding) by releasing inmates early and/or sentencing more people to probation instead of incarceration. This push, at first glance, is a good idea. But the problem is that probation and parole have grown from 500 to 1,500 and from 100 to 260 per 100,000, respectively, since 1980 (DeMichele, 2014). This growth has stretched officer workloads to unrealistic levels for them to engage effectively in evidence-based practices (e.g., cognitive behavioral interventions and motivational interviewing). Instead, officers spend 5–15 minutes each month with most individuals on supervised release, and electronic monitoring takes more officer time; it does not free up time to allow officers to interact directly with probationers or parolees. The Tennessee Board of Probation and Parole (2007) process evaluation showed that officers have to sift through millions of data points per offender annually to identify noncompliance. These data points can include numerous alerts that are difficult for officers to respond to. A recent tragic case in Colorado points to problems related to response protocols in which an open strap warning went ignored for 5 days because officers were inundated with alerts, and some went unnoticed. By time the alert was reacted to, Evan Ebel had shot and killed two men, including the Director of the Colorado Department of Corrections, and eventually he was killed in a shootout with Texas police.

The point here is not to draw on sensational cases to suggest that electronic supervision is ineffective. Rather, I suggest that treating electronic supervision as a program has the potential to result in various unanticipated negative consequences that will set up many agencies for failure. Electronic supervision is expensive and requires a lot of officer time, and jurisdictions that cannot dedicate ample resources in time and money should avoid incorporating these technologies. They are not a silver bullet or panacea. Instead, if electronic monitoring is going to be used, then policies and research should identify how this component is embedded within larger supervision goals and missions.

Policy-relevant research should be focused toward understanding the potential for supervision with electronic monitoring to improve long-term outcomes. A lot of rhetoric suggests that community supervision should foster prosocial behavioral change in the form of cognitive transformation. However, research has not investigated this potential. The research, to date, has suggested that offenders supervised with electronic monitoring have lower recidivism rates (and may have higher treatment completion and employment) while

they are on supervision. Such findings are important to understand the intermittency effects during a spell of electronic monitoring, but future research should consider the potential to promote cognitive transformations with community supervision. I am unaware of any research that measures changes in cognitive transformations for adults related to supervision with electronic monitoring.[1] Instead, recidivism is used as a proxy for cognitive transformation, but recent desistance literature has demonstrated that recidivism and cognitive transformation are not the same (Maruna, 2001; Paternoster and Bushway, 2009).

Future research should study electronic monitoring as one element of a community supervision plan to determine how it contributes to cognitive transformations. This research agenda is difficult. Experimental and quasi-experimental techniques could be used to vary the electronic monitoring component (and other supervision elements) to conduct regular cognitive testing of individuals. Simply, cognitive transformations take time and might move in a more zigzag, nonlinear fashion in which we need to make baseline and periodic measures of attitudes and self-perception to understand how the supervision process and electronic monitoring is contributing to transformation.[2] Currently, what little we know about the lived experience of supervision is negative; individuals dodge supervision officers, are harassed by law enforcement, and have little hope for their future (Goffman, 2009). The intentions here are not to sound the "nothing works" bell; I am suggesting that we cannot put all of our hope into one tool to determine whether it works. Future research should focus on how electronic monitoring contributes to overall cognitive transformations to shape prosocial life trajectories.

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1. For something related, see the Pathways to Desistance study (pathwaysstudy.pitt.edu/).

2. I thank Kelle Barrick and Pamela Lattimore for contributing to these ideas on cognitive transformations during private conversations.

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