

Nov. 2, 2015

Joint Committee on Correction and Juvenile Justice Oversight

RE: Electronic monitoring as an alternative

Good Afternoon Chairman and members of the committee, my name is Kevin Barone and I represent a group of people that are in support of Alternative forms of Corrections. This includes, Alcohol related monitoring devices, GPS Electronic monitoring (“EM”) technology used to track the location of offenders under surveillance and with restricted movement. EM programs may include home monitoring devices, wrist bracelets, ankle bracelets, field monitoring devices (GPS), alcohol testing devices, and voice verification systems. Usually we are talking about the

Courts or the Dept of Corrections may assign either passive or active EM systems. In a passive EM system, the offender is typically required answer a telephone call from a case officer or using a transmitter to verify his or her presence. In an active system, the transmitter emits a continuous signal that is tracked. If the offender moves out of range, the EM alerts the central monitoring center.

Courts typically assign offenders to an alternative corrections program during post-commitment and pre-adjudication stages. Courts ascribe predetermined rules to the offender. If offender violates those rules, based on a predetermined discussion, the EM company notifies whomever of the violation, which can lead to an arrest and/or termination from the EM program. Violations may include but are not limited to tampering with equipment, deviations from the predetermined schedule, possession or consumption of drugs or alcohol, loss of power to equipment, an excessive busy signal on phone line, tampering with the equipment, and/or loss of phone service.

Communities’ Financial Savings

Electronic monitoring can save tax-payers, detention facilities, and families money. For instance, EM programs help reduce the number of offenders who are placed in residential facilities. Financially, this makes a considerable difference as EM programs can range anywhere from \$10 to \$15 per day whereas detention centers can range as high as \$80 per day. The medical cost associated with the offender can be a big addition to the expense when in a residential facility, whereas on a EM program, the offender can be accountable for that cost. After adopting an EM program in one Florida county, the number of offenders in detention centers decreased from 94 per day in 2012 to 45 per day in 2013 – a 53% decrease. Moreover, the public’s tax burden is reduced as offenders are allowed to work and subsequently pay for the EM costs. EM programs can keep families together and working, by allowing an offender to live with the family, continue to work and be a productive part of society.

Decreased Recidivism

Research has shown that EM programs generally improve the chances of a successful rehabilitation for youths and non-violent/ non-person adult felons by allowing them to

remain at home with family and continue attending school for juveniles or work for adults. In Tarrant County, Texas, 242 offenders utilized the EM program with an 85% success rate in 2010. A 2010 report shows that 75% of offenders who were released from the EM program were considered successful in North Carolina. Using the current LSIR scoring system in Kansas, there are roughly 2800 people incarcerated that have a LSIR score of 24 or less, including about 700 with a score of less than 16.

Monitoring and Pinpointing Offenders' Locations

Monitoring and pinpointing offenders locations in Real Time EM programs utilizing GPS can pinpoint the offender's location in real time, which allows law enforcement to ensure offenders are adhering to the terms and conditions of their release. Moreover, pinpointing an offender's location helps to establish an alibi if the offender is accused of an additional crime or offer evidence if the offender was located at the crime scene. It can provide notification for victims of an offense regarding when the offender is placed on the EM program, the date the EM program was changed with greater or less monitoring capabilities, and the date the offender was removed from the EM program. The system is setup to notify the proper people if the offender has physically gone somewhere they are not allowed. In addition, the monitoring of the offender allows him or her to receive crisis intervention services around the clock if needed, giving additional help to those where mental health issue persist. This also allows for law enforcement to be able to have access to all kinds of valuable data.

States now use electronic monitoring in a wide variety of settings, such as a pretrial supervision alternative to jail, an alternative to imprisonment for some offenders, and a mandated supervision requirement for some felons released from prison. Some states now mandate electronic monitoring for released sex offenders. More than 5 million offenders in the United States are under some form of offender supervision, according to the Bureau of Justice Statistics. Electronic monitoring has increase over time as states seek less expensive alternatives to imprisonment, while still protecting the safety of the public. The cost of imprisonment is about six times higher than the cost of electronic monitoring.

In a time where the state is looking for ways to save money alternative programs can still allow the Dept of Corrections to be tough on crime, yet be cost effective and still ensure the public safety. In many states there is various legislation looking at lowering sentences and trying to find areas to allow offenders out of the corrections area to save money, this is a great opportunity to have the best of all worlds, toughness on crime, cost effectiveness, safety of the public and the ability to keep families together and offenders to be a contributing part of society.

Between the powers that be, Dept of Corrections, Ks Sentencing Commission, Ks Prisoner review board, the ability to have a strong, safe EM program is very real. I hope today's demo and the information given, can help the consideration for a program that would be an alternative to prisons or a way to allow some offenders out early for those non-violent/non-person felons currently in the system. Thank you for your time, and I will stand for questions.

Kevin Barone
Kansas Alternative Corrections Association