

Final report dated June 30th , 2015¹ABSTRACT

“Electronic monitoring was originally designed as a system to facilitate the rehabilitation of young adult offenders. The concept was not well-received, and the first judicially sanctioned program was not initiated until 20 years later. Adoption of the technology then spread rapidly. The primary use of monitoring has evolved from being an adjunct for rehabilitation of low-risk probationers to a surveillance system for enforcing curfew and house arrest requirements. There are no replicated, well-designed studies showing that monitoring alone reduces recidivism after monitoring is terminated. The authors suggest that the goal of long-term public safety will be most likely achieved if the unique technical capabilities of electronic monitoring are used in conjunction with interventions based on social learning theory.”

This pilot explores the use of GPS electronic monitoring of medium to high risk offenders serving a community sentence probation order in conjunction with expedited treatment services and within the context of a fully coordinated criminal justice response to domestic violence on Red Deer City.

Acknowledgments

I wish to express my heartfelt thanks and appreciation to the key people that created this pilot and worked so diligently throughout the three year pilot. I thank the vision of former Premier Alison Redford for the courage to pioneer the path towards building safer communities with the tools and technologies available and developing in our communities.

I want to thank our oversight committee for the many hours and dedication to the quality of the pilot. in particular I wish to thank current Provincial Court Judge Gordon Yake, Assistant Chief Probation Officer Kim Fay and his team, Superintendent Brian Simpson Red Deer City RCMP (currently Deputy Chief of

¹ Burrell, William D, and Robert S Gable. "From BF Skinner to Spiderman to Martha Stewart: The past, present and future of electronic monitoring of offenders." *Journal of Offender Rehabilitation* 46.3-4 (2008): 101-118.

Edmonton Police Service) and Lloyd Wadel, Safe Communities GOA liaison. Finally I would like to acknowledge and thank our Premier Hancock and Justice Minister Denis for hearing the voices of victims and truly honouring their experience and responding to their request to extend the pilot for another six months.

The Purpose of the Pilot

This pilot project was designed to enhance the supervision of select persons subject to court orders related to serious criminal domestic violence offences through the use of ankle bracelet electronic monitoring (EM). The potential applications did not include those offenders requiring a custodial order and would be exclusive to offenders serving probation orders. The inclusion of EM was in orders that would prohibit the offender from contacting the victim, attending within specified geographic areas and or complying with other restrictions such as curfews etc., which can be monitored through EM technology. Community corrections identified and assessed offenders appropriate for the pilot through their regular standard risk assessment procedures. The pilot was designed for medium to high risk offenders. The long term goal of the pilot project was to increase compliance of offenders with protective orders and thereby enhance the safety of victims of serious criminal domestic violence. We anticipated an increase in breaches of court orders in the short term due to enhanced supervision of court orders. We anticipated this preventive strategy would increase the accountability of offenders by providing law enforcement and victims with real time alerts of non-compliance including that which prohibits the attendance of the offender near a victim or outside of a specific geographic area. We anticipated the proactive technological tool would reduce the evidentiary challenge to victim testimony and reduce the current requirement of victim 'incident' reporting with the potential decrease in need for victim testimony against the repeat offender, thus relieving the victim of potential harassment and threats from the offender. We expected to increase compliance with no contact and protection orders, to reduce further involvement with the criminal justice system, and to enhance victim safety. The project would also develop investigative and evidentiary standards and techniques in relation to this important public safety technology, and be capable of inclusion in any larger provincial EM program should that be deployed.

Research and Development of the pilot

A great deal of time was spent reviewing the current literature and the operating examples of GPS programs in Canada and the US. The empirical evidence indicated that GPS electronic monitoring of offenders is under researched² Burrell and Gable suggest the use of GPS technology must be used in conjunction with intervention based social learning theory³.

In addition to the literature we actually visited the longest running GPS monitoring program in Canada and met with Brian McDougall with the Nova Scotia Dept. of Justice. The Nova Scotia project has been actively monitoring various types of offenders since May 2006. Brian provided immeasurable information and support to the development of our pilot.

Findings and Learnings of the Pilot:

Probation reported the following learnings and takeaways

As regards the GPS Pilot my takeaways have been numerous. First and foremost, GPS has allowed us to gather an incredible amount of information regarding our clients who have been on the bracelet. We no longer have to rely on incomplete and often inaccurate information from client/collaterals/etc to have a very good picture of the clients' whereabouts, activities and comings and goings. GPS gives detailed information both regarding current and historic movements of our clients which we never previously had. From their movements, it is generally fairly easy to determine their activities and confirm/discount the validity of information regarding these offenders. While this information has enhanced our ability to supervise these clients, it has also resulted in at times "information overload", with increased knowledge of technical violations i.e. curfew, and increased necessity to review historic GPS movement to verify/discount subsequent information that has been obtain. As a result while supervision is certainly enhanced, PO's spend considerably more time/effort on GPS cases as a result of the significantly increased knowledge we have on these cases.

² Payne, Brian K, and Matthew DeMichele. "Sex offender policies: considering unanticipated consequences of GPS sex offender monitoring." *Aggression and Violent Behavior* 16.3 (2011): 177-187.

³ Burrell, William D, and Robert S Gable. "From BF Skinner to Spiderman to Martha Stewart: The past, present and future of electronic monitoring of offenders." *Journal of Offender Rehabilitation* 46.3-4 (2008): 101-118.

While GPS technology has improved significantly, there continues to be hardware, software and human errors with the technology which presented ongoing issues/concerns throughout the pilot. In my opinion, should GPS be utilized in the future by Corrections, I would recommend that monitoring of same be “in house” as opposed to contracted to a private vendor, as the monitoring centre did not have the expertise in our area to make significant judgment calls particularly after normal business hours for the PO supervisors.

GPS appeared to have the desired effect of enhancing victim safety, as when the victim was cooperative we had very limited contact/violation of no contact provisions by offenders on GPS supervision, and what contact that did occur resulted in timely and expedient police intervention/breach action which served to enhance victim safety significantly. Also the GPS data regarding exclusion zone violations reduced/eliminated victims being required to testify in most cases. Additionally, our DV counselling provider is of the opinion that the GPS appeared to have a motivational factor for offenders on the bracelet to address their DV issues in counselling compared to many other/or even the same offender who had previously been in counselling without the benefit of being on the bracelet.

Finally, the pilot had some spin off benefits which we had not anticipated prior. In one instance, a client on GPS called his supervising PO in a highly suicidal state, and due to his GPS unit we were able to have police dispatched to his exact location while still on the phone thereby preventing a potential fatality. In another instance, police were concerned regarding possible criminal activity by another GPS client. However a review of historic GPS data on the case confirmed he was not in the area where the criminal activity had occurred, clearing him of further police suspicion in regards to that particular case. (Kim Fay Asst. Chief Probation Officer)

Red Deer City RCMP Review of the GPS High Risk Domestic Violence Project.

Over the course of the domestic violence project Red Deer Municipal detachment was provided good information in relation to the abilities of the technology, the offender’s behavior’s and several learning opportunities were presented.

We noted a reduced number of partner contact breaches being reported due to the monitoring system. When a breach report was received it provided an immediate notification of where the offender was and an investigational tool to apprehend and corroborate the evidence of the breach. There were several breaches of bracelet maintenance, curfew violations and other probation conditions the members responded to. Initially the member’s response to the call did not always follow the

established protocols that had been set up and it was recognized early there was a need for further more in depth training.

The additional training and mock scenarios provided a better understanding the project, the tracking system, and the protocols, members and staff responsibilities. The one to one training with each of the Watch Clerks made them more confident to work within the system. It also highlighted the need to have further offender and victim data contained in the Safe Track system to eliminate the Clerk having to seek the information in other data systems or hard copy files when responding to a breach call. The Watch Clerks were able to give the member timely information to appropriately respond to the call. It was noted the violation calls were dispatched quicker and the information flowed more smoothly as everyone became more familiar with the tracking system. Through the project period no court testimony in relation to a breach charge was required which equated to a savings in resources and overtime costs.

In the department there has been a significant change in personnel over the project period. Through the changes there was a constant need for ongoing education of the project protocols and training with new staff. This is an area that had an impact on the resources to keep up with the ongoing training.

The detachment is grateful it had the opportunity to participate in the project and can see the benefits of GPS tracking not only with high risk domestic violence offenders but where this technology can have a tremendous impact in crime reduction.

Insp. Karen Simon
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Red Deer Municipal Det.

Central Alberta Women's Emergency Shelter

Our interest in this pilot centered on enhancing the protection of victims of domestic violence. Prior to the pilot we utilized the tools and remedies available under criminal and civil law (probation orders, restraining orders and EPO's). Almost daily we hear from victims that the protection orders are violated on a regular basis and that reporting to police rarely leads to any further criminal justice action or enhanced protection. Our hope was the increased monitoring would increase accountability and compliance by the offender with his conditions, particularly his no contact order. During the project 23 offenders were monitored with 21

corresponding victims. The pilot provided a very small sample and no statistically valid conclusions can be drawn for our results.

In addition we viewed the opportunity to enhance our collaborative work with the key partners in the criminal justice system, the RCMP, Probation and the Crown. Building strong relationships with our criminal justice partners enhances services to victims all the way round.

Central Alberta Women's Emergency Shelter (CAWES) is very pleased with the learnings and results of the pilot. It was near the end of the pilot that we fully understood the impact the monitoring of offenders was having for at least some victims. Not all victims were as deeply impacted by the GPS pilot and some even did not want to participate. I actually expected more uptakes from victims. I think the limited scope of the pilot played a role in the number of victims that wanted to be involved in the pilot.

Those that chose to work with us during the pilot had the opportunity to do enhanced safety planning and counselling. Our outreach worker reported very good outcomes for the clients she worked with during the pilot. In fact our outreach was very concerned for victim safety when the pilot came to end back in March.

There were several learnings throughout the pilot. The greatest learning was the ongoing need for training. We invested a great deal in ongoing training for police especially. The technology worked to a very high satisfaction level and the police and probation responses were excellent. While we know that this technology alone does not ensure the victims safety we do feel there is promise in the technology to enhance victim's safety and peace of mind. Several women reported that the continued breach of no contact orders and drive by's did stop for the first time in their entire ordeal.

Conclusion

In conclusion the pilot was a success by all accounts. The operationalization of the project was a success. The technology worked to very high degree of satisfaction. The victims were mixed with some very satisfied and wanting the program to continue and others not interested at all in the pilot. There was a high rate of compliance by the offenders with their probation conditions.

Scaling up this pilot would require a commitment from community corrections and the police. If the government is interested in scaling up the pilot they would be wise

June 30th , 2015

RED DEER DOMESTIC VIOLENCE OFFENDER GPS PROJECT

to do so in the near future. Even if six months or a year pass the efforts to train and educate the partners will have been lost.

In closing I would like to thank the partners and the Government of Alberta for the funding and opportunity to pilot and pioneer the use of technology in monitoring domestic violence offenders.

Respectfully submitted,

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Executive Director

CAWES