

Developing an Effective Location Monitoring Program

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IN JUNE OF 2008 members of the National Location Monitoring Program Working Group, which was formed to collaborate with the Office of Probation and Pretrial Services (OPPS) in providing guidance on federal location monitoring practices, developed “Strategies for an Effective Location Monitoring Program.” These strategies were developed to assist U.S. probation and pretrial services offices in implementing the revised *Monograph 113* (The Federal Location Monitoring Program for Defendants and Offenders) and to assist in newly introduced technologies, concepts, and principles. This article will delve further into these eight strategies to assist officers, managers, and administrators in seeing the full benefits of a properly designed program.

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Develop Local Policy

Although *Monograph 113* sets the framework for program considerations, each district has its own set of circumstances that may differ from other districts. However, it is important to develop local policy so that the location monitoring program runs proficiently and meets the needs of the court. The district should take into consideration training, how staff responds to program violations, managing caseloads, backup policy, discretionary leave, and educating other stake holders. For example, if an officer receives a key alert after hours on an offender, how should the officer respond? There are things to consider, such as the geographic area the district covers. If the key alert is a GPS exclusion zone entry on a sex offender, would the officer be able to respond effectively if he or she were 150 miles from the exclusion zone? Developing a

close working relationship with local police departments may assist in investigating and responding to this type of alert. The district should be practical in its expectations of officers when developing policy for responding to program violations. One major point to remember is that simply receiving a key alert does not constitute a violation. Receiving the key alert is a starting point. When developing response policy, one should keep in mind the principle that officer investigation is paramount. Developing a response policy that is clear and revolves around a thorough and timely investigation will lead to a successful program and enhance program integrity.

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Implementing Alert Response Protocol

Location monitoring requires responses to key alerts 24 hours per day, 7 days per week. Developing alert response protocol should first begin with more than one officer. The key alert should be sent to a district designated primary officer for investigation. If the primary officer does not respond to the alert within 30 minutes, a second alert will result, typically directed to the backup officer (preferably a supervisory probation or pretrial services officer). This process will continue until someone responds to the alert. Districts may want to consider a rotation of primary and backup officers to lessen officer burnout. Outside of the guidance provided by *Monograph 113*, districts should develop protocol for investigating alerts. For example, should officers conduct fieldwork in pairs or with the assistance of other law enforcement? Should officers staff the case with a supervisor prior to completing fieldwork, so that officer safety is taken into consideration? Should local law enforcement be contacted to assist in expedient resolution of an alert? Another consideration is what to do after-hours, when, after investigation, an officer determines that an alert is a violation. It is best for the district to collaborate with the court, U.S. Marshals Service, and U.S. Attorneys Office to develop policy if a petition for revocation or an immediate warrant is needed during non-business hours, particularly in instances where there is an identified third-party risk. The memo dated October 21, 2008 from OPPS provides specific guidance on establishing alert notification protocols.¹

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Educating Court and Staff

Unfortunately, most people's knowledge of location monitoring comes from Hollywood, which has portrayed a less than accurate account of how this technology actually works. Besides staff and the court, other stakeholders that would benefit from knowing the benefits and limitations of location monitoring include the U.S. Attorneys Office, Federal Public Defenders Office, and state, local, and federal law enforcement, as well as the general public as a whole. Since location monitoring is a specialized technology that is generally only well known by agencies actually using the equipment, it is best to provide this information. Districts should develop educational programs detailing the technology used in the district, its limitations, and benefits. The district can also provide a demonstration of GPS software, alert procedures, and typical response procedures for key alerts. Educating the court on location monitoring technologies helps ensure that expectations are realistic and attainable.

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Recognizing Benefits and Limitations of Location Monitoring Technology

Most districts must assess new technology or methods of using current technology. No particular form of location monitoring technology (voice recognition, radio frequency, passive GPS, or Active GPS) is perfect. Each has limitations and benefits. When selecting or recommending location monitoring technology, the district should consider the desired outcome, and weigh that against limitations. For instance, placing a low-risk offender on active GPS may not be as beneficial as using location monitoring technology that is more cost effective and less demanding on staff. Similarly, using location monitoring technology that solely depends on

cellular service in a geographical location that has poor cellular service will not be beneficial to the supervision of the offender. There is no *cookie cutter* approach to selecting a type of location monitoring technology; technologies should be considered on a case-by-case basis.

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Identifying Appropriate Defendant/Offender Location Restrictions (Program Components)

There are three components to location monitoring: curfew, home detention, and home incarceration. The officer should use the component that will allow for appropriate supervision of risks and establish accountability. Curfew and home detention will permit employment and participation in other programs, while home incarceration will not. It is important to tailor supervision to the program component most suitable, rather than simply placing all location monitoring cases on home detention. A sex offender may require a different level of accountability than an offender/defendant with a history of fraud. Therefore, the type of program component recommended should primarily revolve around the offender/defendant's risk level.

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Ensuring Manageable Caseloads

As noted previously, location monitoring cases require 24 hours a day, 7 days a week supervision and response to key alerts. If an officer is so inundated with alerts that he or she cannot respond and investigate each alert in a timely and thorough manner, program integrity is diminished. Managing schedules, verifying activities, inputting chronological records, installing equipment, reviewing GPS tracking, and responding to key alerts is time consuming. The district should develop standards for caseload size and ensure that those standards are not compromised. Districts should also take into consideration that some technology can be more time consuming to use than others. For example, installation, developing zones, inputting schedules, and reviewing GPS tracking is typically more time consuming than managing a typical radio frequency case. Due to this, each district should develop caseload standards based on the technology used and the risk of each offender or defendant. The memo dated June 2, 2009 from OPPS provides recommendations and considerations for location monitoring caseload sizes.²

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Establish Clear Roles within Location Monitoring Program

The effective running of the location monitoring program does not rest solely on the shoulders of the location monitoring specialist. Many hands may be involved with ensuring that the program runs efficiently. Support staff may be used for verifying activities, reconciling billing, or ordering equipment and supplies. Supervisors should be involved with the general oversight of the program. This includes having an advanced working knowledge of the technology used, software of the vendor, and timely responses to key alerts. Roles should be developed and the supervisor should make certain that those playing a part in the location monitoring program properly fulfill their roles and that location monitoring information and key alerts are handled appropriately.

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Ensure Training

Over the past several years perhaps the most obvious thing to notice in the field of location monitoring is the advancement of technology. More and more districts are using multiple forms of technology, which have their own nuances. It is important to provide yearly training to staff in the particular forms of technology that the district uses. Even staff not associated with or

involved in the location monitoring program should have a general idea of what each technology provides. For those who are involved with the location monitoring program, more advanced training should be required.

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Conclusion

Location monitoring is distinctive in that various technologies may be utilized for various purposes, depending on the circumstances of each case and the court's intent regarding the use of the technology. It is important to recognize that the technology simply provides officers with information to assess, and that it is only the officer's skills and instincts that influence supervision outcomes. These strategies were developed to enhance location monitoring program integrity, which in turn will result in a program that adds value to effective supervision.

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Electronic Supervision and the Importance of Evidence-Based Practices

1. An earlier version of this article was printed in DeMichele and Payne (2009), *Offender Supervision with Electronic Technology: Community Corrections Resource*, second edition. Supported under Award number 2005-WP-BX-K177 from the Office of Justice Programs, Bureau of Justice Assistance, Department of Justice. Findings and conclusions of the research reported here are those of the authors and do not reflect the official position or policies of the U.S. Department of Justice.
2. In fact, it is highly likely that electronic monitoring through its increased element of surveillance of an offender may uncover more technical violations and new crimes, but this has yet to be empirically verified.

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1. http://jnet.ao.dcn/Probation_and_Pretrial_Services/Memos/2008_Archive/ppspad00109.html
2. http://jnet.ao.dcn/Probation_and_Pretrial_Services/Memos/2009_Archive/ppspad01009.html

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