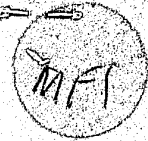


# Federal Probation



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# Federal Probation

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## This Issue in Brief

**The Development of a Juvenile Electronic Monitoring Program.**—Author Michael T. Charles reports on a research project concerning the juvenile electronic monitoring program undertaken by the Allen Superior Court Family Relations Division, Fort Wayne, Indiana. Reviewing the planning and implementation phase of the program, the author discusses (1) the preplanning and organization of the program; (2) the importance of administrative support; (3) the politics and managerial issues faced during program development, implementation, and management; and (4) the role and function of surveillance officers.

**Morrissey Revisited: The Probation and Parole Officer as Hearing Officer.**—Author Paul W. Brown discusses the Federal probation officer's role as hearing officer in the preliminary hearing stage of the parole revocation process. This role was largely created by the landmark Supreme Court case of *Morrissey v. Brewer* in which the Court indicated a parole officer could conduct the preliminary hearing of a two-step hearing process possibly leading to a parole revocation and return to prison. How this role was created in *Morrissey* and how it has been carried out by the Federal probation officer are examined.

**Defense Advocacy Under the Federal Sentencing Guidelines.**—This article sets forth the duties and responsibilities of defense counsel in effectively representing clients in all phases of the criminal process under Federal sentencing guidelines. Author Benson B. Weintraub offers practice-oriented tips on arguing for downward departures, avoiding upward departures, and negotiating plea agreements under the guidelines and discusses procedures to employ in connection with the presentence and sentencing stages of a Federal criminal case.

**Federal Bureau of Prisons Programming for Older Inmates.**—The "graying" of our society is creating a change in our prison populations. More sentenced offenders will be older when they enter

the institutions, and longer sentences will result in more geriatric inmates "behind the walls." Balancing the needs and costs of geriatric care is a critical issue to be addressed. In this article, authors Peter C. Kratcoski and George A. Pownall discuss various attributes of criminal behavior of older persons and the distribution of older offenders within the Federal Bureau of Prisons. They also discuss the complete health care programming that correctional systems must provide to meet legal mandates already established in case law. According to the authors, significant programming adaptations have taken place in the past several years at the Federal level; more are anticipated in the near future.

**Privatization of Corrections and the Constitutional Rights of Prisoners.**—Many in the legal and corrections community have presumed that "private" correctional facilities will be held to the same constitutional standards as those directly administered by the state itself. Author Harold J. Sullivan

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# The Development of a Juvenile Electronic Monitoring Program

BY MICHAEL T. CHARLES, PH.D.

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## Introduction

THE IDEA of using electronic devices to monitor individuals subject to the supervision of the courts or correctional facilities is not altogether new. In fact, in 1964, Ralph Schwitzgebel tested the first form of electronic monitoring on probationers, parolees, and mental patients (Gable, 1986). The technology for such supervision has, however, only recently been sufficiently developed to support such programs for offenders, thus encouraging the widespread use of electronic monitoring for adult criminals (Petersilia, 1988). Presently electronic monitoring is used in such settings as intensive supervision, pretrial release, early releases, aftercare programs, house arrest, and as an alternative to incarceration for drunken drivers (Vaughn, 1987; Friel et al., 1987; Armstrong et al., 1987; Rickards, 1987; Ball and Lilly, 1986; Ball et al., 1988).

Interest in the application of electronic monitoring to the field of corrections has been encouraged not only by the technological advancements making such programs possible, but perhaps even more importantly by the recent fiscal crisis facing city, state, and Federal budgets. This fiscal crisis, coupled with the rising number of offenders being sentenced to correctional facilities (Bureau of Justice Statistics, 1983) and the increasing costs of housing inmates (Funke, 1985; Zedlewski, 1987), has forced jurisdictions to aggressively seek less expensive alternatives to imprisonment (Schmidt and Curtis, 1987; Vaughn, 1987; Friel et al., 1987; Blomberg et al., 1987; Lilly et al., 1987).

At present, research in the area of electronic monitoring is quite limited (Schmidt and Curtis, 1987), and major studies commissioned by the National Institute of Justice to evaluate adult programs are yet to be completed. In addition, only recently has the National Institute of Justice awarded a grant to study the incapacitating effect of electronic monitoring on juveniles that commit burglary (Baumer, 1988). In fact, few juvenile programs utilizing electronic monitoring exist at the present time (Charles, 1988; Rickards, 1987; Doss, 1988; Velleman, 1988; Dennis, 1988). Consequently, in the area of juvenile justice, almost no data exist on either program implemen-

tation or results of electronic monitoring with juveniles (Charles, 1988).

The purpose of this study, therefore, is to present one aspect of a multi-purpose research project designed to evaluate the Allen County, Indiana, Juvenile Electronic Monitoring Program Pilot Project. Emphasis here is on the planning and implementation phase of this program, which was begun in October 1987. Analysis of this process provides a case study of how an agency went about organizing and implementing a novel program designed to save tax dollars.

## Research Method

Throughout the research project both quantitative and qualitative methodologies were incorporated to collect needed data. Within this segment of the overall study, however, only qualitative techniques were used. The researcher served not only as an evaluator, but as a resource to the department. For example, the researcher observed a quasi full participant observer role throughout the planning and implementation stages of the pilot project. Specifically, the researcher was requested to provide input into the planning and implementation process by being placed on: (1) the Electronic Monitoring Committee, which served as the planning body, but was dissolved once planning had been completed and the program implemented; (2) the Electronic Monitoring Management Board, which oversaw the implementation of the program rules and procedures and authorized program changes during the pilot program; and (3) the Electronic Monitoring Program Screening Committee (as a non-voting member), which determined who was to be accepted into the program.

Questionnaires were utilized to discover the views of probation officers as were face-to-face interviews. Each surveillance officer was interviewed, and the researcher observed surveillance officers as they interacted with the juveniles. The researcher also attended pre-release meetings between the Electronic Monitoring Program (EMP) coordinator, the juvenile, and his or her parent(s) or guardian(s) where a final review of the conditions of the program oc-

curred. Interviews with senior probation officers and the chief juvenile probation officer were conducted. Finally, throughout the text the interviewees' and program participants' identities were protected.

### *Research Setting*

The 1980 census indicated that the city of Fort Wayne had a population of 172,196 and that Allen County was the third largest county, next to Marion and Lake Counties, in the state of Indiana, with a population of 294,335. The minority population for the county made up 12 percent of the local population.

Within the Allen Superior Court Family Relations Division, hereafter referred to as the Juvenile Probation Department, there were 25 probation officers during the study period. In 1987, the department handled 2,404 juveniles of which 34.19 percent were female. Juvenile crime spanned the spectrum from felonies to misdemeanors to status offenses.

In 1987, the Juvenile Probation Department's budget was in excess of \$1.5 million, and indications for 1988 were that the budget would be in excess of \$2 million if some action were not taken by the department and the county commissioners to control spiraling costs. In conjunction with the rising costs of juvenile care the county was laboring under a deficit budget, and the county commissioners had only recently lost in their attempt to have a County Optional Income Tax implemented in the county to provide sufficient funds for government operation. Consequently, during this time of lean budgets and increasing fiscal requests, county commissioners were receptive to innovative correctional programs that would save county funds.

Under these conditions the chief juvenile probation officer convinced the county commissioners to approve the development and implementation of an EMP for approved juveniles. The request was granted for two reasons: (1) The program would not be implemented after the pilot project unless it proved to be or could be a cost savings to the county; and (2) the Juvenile Probation Department obtained two grants totaling \$56,775 from the Indiana Criminal Justice Institute to fund the pilot project. Thus, the pilot project, instead of costing the county, would save the county funds because of the grant allocation (Charles, 1988).

It is important to understand that the only stated goal of the EMP program was financial savings to the county. During these austere times no program, regardless of its quality, would have been supported by the county if it were a further burden on the

budget. Consequently, decisions made by the Electronic Monitoring Committee and others had to take this goal into consideration—although humanistic concerns often outweighed the financial perspective. Specifically, while cost savings were the overriding reason for the implementation of the EMP, department personnel were hopeful that the program would have a positive influence on program participants. In fact, this "window of opportunity" proved to be the mechanism for which the chief juvenile probation officer had been waiting for several years, so that he could implement juvenile programs that he felt would reduce juvenile recidivism. Thus, the juvenile EMP was, in reality, expected to serve two major objectives: tax savings and improved juvenile services.

Before achieving either of the above objectives, however, the department had to design, implement, and properly administer a new model program, and the department was to do this with no past experience. In addition, there was little information available regarding electronic monitoring for adults and almost no data on the development or success of juvenile programs. However, the difficult and important task of structuring one of the first juvenile electronic monitoring programs was embarked upon by the Juvenile Probation Department.

### *Research Findings*

#### *The Electronic Monitoring Committee*

In an effort to develop an electronic monitoring program that would meet standards of community acceptance and needs, and function smoothly within the existing organizational structure of the Juvenile Probation Department, an Electronic Monitoring Committee was appointed by the chief probation officer. Committee membership included not only the chief probation officer and the newly appointed EMP coordinator, but representation from each functional area of the probation department (Administration, Intake, Field, and Detention). The committee consisted of senior probation officers; the supervisors of Field and Intake Services; the superintendent and assistant superintendent of Wood Youth Center, the department's pretrial detention facility; and the researcher. Representation from each division in the department was determined to be important for two major reasons: (1) Without the support of each division within the department the EMP would have a difficult time. Essentially, each division within the agency would in some way affect the program; consequently, without their support, coordination and

cooperation would be minimal. (2) If the program were not designed to fit into the existing organizational structure and procedures, the implementation and execution phases would be replete with both major and minor difficulties. The planning committee was, through its makeup, designed to avoid such programmatic difficulties by preparing a policies and procedures manual that would deal with potential procedural problems and thus provide for the smooth implementation of the EMP. This could only be accomplished if each division affected by the program provided input, had an understanding of the overall process and its role in the program, and were committed to the success of electronic monitoring in the department.

The committee's charge quite simply was to develop procedures, rules, and regulations that would allow for a safe and cost effective electronic monitoring program for juveniles. The major stipulation of the program was that the pool of candidates had to come from those juveniles who had been ordered removed from their home by the court and ordered committed to Indiana Boys or Girls School. If electronic monitoring were to be cost effective and net widening were to be avoided, then program participants had to be placement-bound.

#### *Program Familiarization*

Prior to the establishment of the Electronic Monitoring Committee several probation officers, administrators, and the researcher began the process of becoming familiar with other electronic monitoring programs, the available literature in the field, and the equipment to be used on the juveniles. This was important for several reasons, but three criteria stand out. First, by reviewing other programs and the literature on electronic monitoring it was possible to identify important issues and problems that had been encountered in other programs. This information provided some assistance in designing the program and helped the department avoid mistakes. Second, with regards to the equipment, it was essential that the program coordinator and staff be familiar with the computer and the programming functions before juveniles were admitted to the program. Third, it was important that personnel were familiar with the strengths and weakness of the equipment so that they could better integrate program design and equipment needs.

#### *Initial Issues*

At the outset of program development several immediate issues rose to the fore. To begin, while elec-

tronic monitoring has been shown to be cost effective in several instances when used with adults (Petersilia, 1986; Vaughn, 1986b), there are also data to suggest that electronic monitoring can increase correctional costs (Petersilia, 1988), especially if it becomes an additional condition of a probation program (Friel et al., 1987). In addition, if net widening, i.e., placing individuals on electronic monitoring who would not have received treatment had it not been for this program, occurred then the program could increase correctional costs (Ball and Lilly, 1986; Schmidt, 1986; Armstrong et al., 1987; Friel et al., 1987). The evidence thus suggested that cost-benefits are program specific (Vaughn, 1987); therefore, careful consideration regarding the structure and procedures of the Allen County Juvenile Probation Department were essential if cost reductions were to be realized.

An important issue to be resolved was that of program eligibility. This single factor would not only impact the cost-benefits of the program, but community safety as well. Equally distressing was the fact that little consensus existed regarding selection criteria (Schmidt and Curtis, 1987; Vaughn, 1987; Blomberg et al., 1987; Lilly et al., 1987). The two eligibility criteria most frequently utilized, however, were the exclusion of violent and sex offenders (Friel et al., 1987; Mendelsohn and Baumer, 1987; Armstrong et al., 1987). However, even sex offenders have been placed on electronic monitoring. As a consequence most jurisdictions place "safe" offenders on electronic monitoring to "protect" the community and to ensure program success. A major problem that can occur in certain jurisdictions, however, is that there are an insufficient number of low risk offenders to justify such a program from a cost-benefit perspective, and/or electronic monitoring competes for low risk offenders with other programs and is therefore unable to service a sufficient number of clients to justify such a program financially (Petersilia, 1987). Interestingly, despite stated program procedures, the Allen County program fell prey to the latter two failings.

#### *The Equipment*

The electronic monitoring system chosen by the Juvenile Probation Department was selected by the chief probation officer after carefully reviewing several options. The programmed contact or active Hitek On Guard System was finally selected largely because of its field reliability. With this system the operator programmed a computer to randomly call offenders during the hours of the day that they were

being monitored. A wristlet, which is a black plastic module, was affixed to the juvenile's wrist with a plastic-like band secured with two grommets. Attempts to remove the wristlet could be detected through visual inspection. When the juvenile received a phone call from the computer he or she was required to place the wristlet into a verifier box that was attached to the telephone. The juvenile had to first give his or her name and the time of the call. Each contact was recorded by the computer, and printouts were made for visual inspection by EMP staff. Also, the juvenile's voice was taped to provide added assurance that it was the juvenile him/herself responding to the call.

A planned period of equipment familiarization, approximately 4 months, proved quite beneficial. As a consequence of this lengthy field testing and familiarization period, few difficulties were encountered once juveniles were placed on the system. Officers were familiar with equipment operation, and the program coordinator was, by that time, well versed in programming and equipment needs. In addition, probation staff who helped test the equipment by wearing the wristlet and being subjected to computer calls, understood just how confining and difficult such a program could be. They also discovered the sensitivity of the system when the wristlet was not placed in the verifier properly—a situation which resulted in a technical violation and a condition that could have resulted in the juvenile's revocation from the program.

### ***Program Organization***

#### ***Program Structure***

The Electronic Monitoring Committee conducted its work over a 2½-month period. The committee met for approximately 4 hours once per week, and specific individuals undertook the responsibility of preparing procedures that would be discussed at following meetings, altered, and finally voted upon by the committee. At the completion of the committee's task the committee submitted a policies and procedures manual which was approved by the juvenile court judges and the chief probation officer. The manual was approximately 35 pages in length and included selection criteria and considerations, various program procedures, supervision issues, participant accountability, violation procedures, job descriptions, staffing, evaluation procedures, and the forms to be utilized in the program.

Upon acceptance of the rules and procedures manual the committee was dissolved and a new com-

mittee, the Electronic Monitoring Management Board, the overseeing body of the program, was appointed as well as the EMP Screening Committee, i.e., the committee responsible for placing juveniles in the program. In reality the membership of each—the Management Board and the Screening Committee—were identical, and many of the members of the Electronic Monitoring Committee were among the membership of these newly established bodies. This configuration allowed for decisions to be made quickly, and the membership was quite familiar with the program and the issues to be resolved due to their past and frequent contact with the program itself. Within the Allen County Juvenile Probation Department this arrangement proved quite advantageous.

#### ***Program Eligibility***

With the above conditions in mind, two specific criteria and seven general considerations for eligibility were agreed to by the Electronic Monitoring Committee. The specific criteria were: (1) There must be a working telephone in the home; and (2) the court must have ordered the juvenile from the home and committed to Indiana Boys or Girls School. In the pilot study there were no funds in the grant to pay for the installation or service of a telephone; consequently, if the parents were either unwilling or unable to provide a phone in the residence, the juvenile would be sent to Indiana Boys or Girls School. When this issue was discussed with the juvenile judges, they were of the opinion that since the project was a pilot program, constitutional issues were not at issue. This does not, however, answer the question of equity or provide an explanation of why the county was not willing to pay for phone installation and monthly costs when projections indicated that this would be much less expensive than the alternative. It does, however, indicate practical conditions which had to be addressed by program planners. The explanation given the researcher was that the county was not, nor would it become, in the practice of providing phone service for delinquents.

The seven general considerations were to be considered as guidelines that could be violated if the EMP Screening Committee and the court found mitigating circumstances that would justify such an action. The seven general considerations included: (1) The juvenile could have no prior commitments; (2) the juvenile could not have committed a violent offense; (3) the child must be a resident of Allen County; (4) the youth must be enrolled in an edu-



cational program, be employed, or receiving employment training; (5) the juvenile and his or her parent(s) or guardian(s) must voluntarily agree to the program and its conditions; (6) individuals with mental or physical disabilities which would interfere with the program were to be excluded; and (7) there must be an available opening in the program.

With these specific criteria and general considerations candidate selection should have been quite easy, especially when the overriding goal of the program was cost savings to the county. In essence the decision was to be based on practical matters that ensured community safety. The EMP Screening Committee was to fill the program as quickly as possible and keep the maximum number of juveniles, which was eight, on electronic monitoring. In reality, however, the process of candidate selection became as much involved, if not more so, with concerns for the juvenile and the programmatic needs of the youth as with the established criteria and considerations. In reviewing notes taken during EMP Screening Committee meetings, numerous discussions regarding treatment issues were discovered. In fact, within the procedures manual the field team was required to be present during the EMP Screening Committee juvenile selection process. This meant that the juvenile's probation officer would present case information concerning the juvenile, his or her family, and other details considered pertinent by the probation officer, and address program needs for the youth. If the specific criteria and general considerations were followed, there was not need for treatment recommendations, since they were not an issue of the pilot program.

Frequently during Screening Committee staffing meetings the researcher or another member of the committee would point out that the purpose of the program was to place those juveniles meeting program criteria and general considerations on the program, so that the county could save money. Members would agree and then immediately return to their discussion of juvenile needs, or upon review of the next case again begin dealing with the issue of the juvenile's welfare. Certainly, it can be argued that concern for the needs of the juvenile are an important consideration; however, they were not planned for in the policies and procedures manual since the goal of the program was cost savings.

Two important practical issues surface at this point: (1) Due to the fact that the department wanted to include only "safe" risk juveniles in the program, and considering the fact that the department care-

fully screened juveniles out of the system, or at least from incarceration at every opportunity, few juveniles were available that could be considered "safe" risks. In addition, many of those juveniles that would be considered "safe" risks were sentenced by the court to help them escape family abuse—sexual and/or physical. The former juveniles did not meet the criteria or considerations, and the latter, while meeting the criteria and considerations, would not be sent to their home on electronic monitoring by probation officers. Consequently, only six juveniles were sentenced to electronic monitoring during the pilot project and two of these juveniles violated conditions of the program and were sent to Boys School. Those returned to Boys School served only the 6-month sentence originally imposed by the Juvenile Court. To impose an additional sentence for escape would have increased the expense to the county.

It is not surprising, despite its efforts to the contrary, that programmatic needs became an important consideration for the Screening Committee. Every member of the committee was a probation officer who had spent his or her career attempting to protect children and meet the needs of the juvenile in an effort to keep the child from being delinquent. To base their decision on objective criteria that did not consider the welfare of the juvenile went against everything they had been taught and believed in. Consequently, these factors should have been included in the policies and procedures manual, but with the stated goal of financial savings it was not felt that such criteria could be stated—they simply were not a consideration of the program.

This situation lead to a system of double standards. There were the stated policies and procedures to be followed, i.e., the specific criteria and general considerations for program admission, and then there was the reality of the decision-making process of the EMP Screening Committee, which affected the lives of juveniles. And so, the guarded game of politics proceeded with the official documentation used to the extent possible, but with variations which better protected the juveniles. In this manner the stated goal of financial savings, which was the sole reason county officials accepted the pilot project, could still be achieved, but to a lesser extent than could have been the case if every eligible juvenile had been placed on the program. Simply stated, department personnel were not willing to risk either the safety of the juvenile or to make recommendations which they felt were professionally incorrect simply to save tax dollars.



### *Placement*

After reviewing the cases of juveniles adjudicated guilty and ordered to placement, the EMP Screening Committee decided, by majority vote of its membership, on whether to recommend a juvenile for the EMP. If the juvenile were recommended for the EMP, the EMP coordinator would contact the parent(s) or guardian(s) to explain the program and to determine if they were willing to supervise their son or daughter on the program and pay a one-time \$50 user fee. Due to the dependent nature of the juveniles on their parents and the fact that they are required to attend school, and/or because they make a low income, no additional financial requirements were established for the juveniles. If a positive response was obtained from the parent(s) or guardian(s), the juvenile was contacted at Wood Youth Center and informed of the program and the conditions to which the youth must agree. If the youth indicated his willingness to participate in the program, the court was requested to suspend the commitment and place the juvenile on the EMP program in conjunction with intensive supervision. Under intensive supervision juveniles were subject to the rules and regulations of that program, which included two visits per week with their probation officer. Special restrictions were also placed on juveniles, such as random urine testing, if the case history indicated such a need.

If the court agreed to suspend commitment a meeting was arranged at Wood Youth Center with the parent(s) or guardian(s), the juvenile, the EMP coordinator, the surveillance officer, and the researcher. At this meeting the juvenile was once again informed of the conditions of the program as was his parent(s) or guardian(s). In addition, appropriate forms were signed, the researcher interviewed the juvenile and the parent(s) or guardian(s) present, individually and in private, and the juvenile had his wristlet attached. The surveillance officer transported the juvenile to his home, connected the equipment to the telephone, and the juvenile was given instructions on how to operate the equipment properly. At that point the youth began his 6-month sentence on the EMP.

During the first 30 days of the program juveniles were to be in their homes at all times unless they were traveling to or present at approved activities. Those approved activities were school, employment, probation appointments, or attending church. In addition, the juveniles were placed on the most restrictive surveillance level, which meant that they received 18 calls per day, the maximum number of calls al-

lowed in a 24-hour time period. Only after completing 30 days under this stringent program were juveniles allowed to request social time. In addition, if their behavior warranted, their surveillance level would be reduced throughout the program.

### *EMP Staff*

The EMP staff consisted of one EMP coordinator and three part-time surveillance officers. The EMP coordinator had responsibility for the administration of the program and for ensuring that all policies and procedures were adhered to. The coordinator was also responsible for on-call surveillance from 8 a.m. until 6 p.m. on judicial calendar work days; however, he was to contact the juvenile's probation officer and have the probation officer make the home visit. If the EMP coordinator could not contact the probation officer he was required to make the verification visit. The coordinator was responsible to the Electronic Monitoring Management Board and was a full-time probation officer with the department.

Surveillance officers were probation officers within the department that applied for the position. These officers were paid an additional salary of \$35 per judicial calendar day and \$48 per non-judicial calendar day. Their work period began at 6 p.m. and ended at 8 a.m. on judicial calendar days; however, they were required to work 24-hour shifts on non-judicial work days (holidays and weekends). Only one surveillance officer was on duty at any given time, and his work schedule was 2 days on and 4 days off. He was required to work for a minimum of 3 hours on all work days and be on call for the remaining period of his schedule.

Although not required within the policies and procedures manual, surveillance officers began the practice of daily visits to each EMP participant. This practice was begun by the officers for essentially two reasons: (1) They were required to work 3 hours and, due to the small number of juveniles on the program, there was little to do if they did not check the program participants each evening; and (2) the officers felt that their visits helped to support the program by providing psychological support to the juvenile and his family and by impressing on the juvenile that he was being watched carefully and that he would be caught if violations occurred. Interestingly, in discussions with the juveniles on the EMP, it became obvious that daily surveillance officer visits, combined with their immediate on-site response to system violations, did in fact impress on the juvenile's mind that he was being carefully watched by computer and probation staff alike.

The surveillance officer visits were for the purpose of checking the wristlet and the verifier and therefore took only minutes to complete. Interestingly, for the safety of the officer, radio procedures were developed. Before entering any home the surveillance officer was required to contact the base station located at Wood Youth Center and verify a time of entry into the home and upon leaving request a departure time. These times were entered in the officer's log book. In addition, if the officer did not request a time out within 5 minutes the base station was to contact the surveillance officer. If the surveillance officer either did not respond or did not reply properly the police were to be called immediately. Throughout the pilot project no officer was physically threatened; however, one male officer was accused of entering the bedroom of a woman who said that she was "partially dressed." Among other factors that substantiated the surveillance officer's statement that the allegations were untrue was the fact that the log indicated that he had been in the house for only 1 minute.

Surveillance officers carried pagers which would be activated by the computer whenever a juvenile did not answer a verification call or when the youth responded improperly, e.g., when the adolescent improperly inserted his wristlet in the verifier. The pager would show the telephone number of the violator and the surveillance officer would immediately go to the home for a visual inspection. Typically the problem was either that the juvenile did not wake up when called early in the morning, or he was somnolent and therefore did not have the coordination to respond properly to the computer call.

Three issues of concern must be raised at this point. First, within the policies and procedures manual the rules indicated that juveniles were to be terminated from the program, which meant that they would be sent to either Boys or Girls School, once the juvenile committed a second system violation, i.e., an improper response to a computer call. However, it became clear early in the pilot project that juveniles were having several system violations, which could not be helped. If the rules and regulations were followed explicitly the juveniles would have to be terminated because there were no other official alternatives to utilize as punishment. Consequently, unless a system violation was flagrant, and none were, the juvenile was not terminated nor were other penalties incorporated.

This situation was frustrating to surveillance officers and others because: (1) It was felt that some of the violations were done out of carelessness; (2) the

surveillance officers had to respond to the juvenile's home and complete the needed paper work on the violation; and (3) the juvenile received no consequence for his lack of action. The final criterion was perhaps the most legitimate concern expressed. The reason for attaching importance to the final issue was the fact that these juveniles had, at least in part, continued to commit crimes and probation violations, because they frequently found that they were not held responsible for their actions. In interviewing each of the juveniles prior to their starting of the EMP the validity of the above statement was demonstrated several times. The juveniles simply did not believe that they would be caught when they were on intensive or regular probation. It was felt by many probation officers that perpetuating this idea was counterproductive to the juvenile and to the program. Consequently, it was suggested that a step-wise scheme of penalties for system violations should be developed by the probation department, e.g., loss of free time, and implemented after the completion of the pilot project.

The second problem centered around the officers' hand-held radios. The surveillance officers frequently found it difficult to contact the base station at Wood Youth Center. Since the radio was the only link the officers had to request help (neither probation officers nor surveillance officers carried weapons in Allen County), information, etc., it was suggested that efforts should be extended to alleviate this problem. In addition, the pager system malfunctioned frequently. The malfunction was that the telephone numbers of the violators would not be displayed in their entirety. While this posed no problem in discovering who the violator was, because a partial number could be compared with the telephone numbers of the juveniles on the program, it could be a problem in the future if juveniles had similar numbers.

The use of part-time surveillance officers privately contracting their services with the agency outside their regular work responsibilities with the probation department worked extremely well. Consideration was given early in the development of the EMP to hire individuals outside the department; however, the decision was made to give Allen County juvenile probation officers the opportunity to apply for the three surveillance officer positions. This decision was agreed to for two major reasons: (1) It gave Allen County juvenile probation officers the opportunity to earn extra income; and (2) in-house staff would be experienced probation officers, and thus, they would be familiar with the probation depart-

ment, case loads, procedures, one another, and the administration. Having probation officers serve as surveillance officers made program implementation quite easy, and their knowledge and experience in working with juveniles served them and the program well.

The smooth implementation and management of the pilot program was due to the skill and dedication of the surveillance officers and the EMP coordinator. Equally important and complementing factors leading to the success of the pilot program were the probation officers who worked with the juveniles, the commitment of the administrative staff to the program, appropriate resource allocation, the pre-planning of the Electronic Monitoring Committee, the time spent learning how to properly use the computer, and the testing of the equipment itself. While two of six juveniles attempted an escape, one turned himself in and the other was arrested by the Indiana State Police. Overall, however, the program proceeded with little organizational or equipment difficulties. When problems surfaced the program structure allowed for appropriate changes to be made immediately if necessary.

#### *Probation Officers*

Prior to the implementation of the program a survey was distributed to all probation officers in the department to determine their knowledge of the program as well as their attitudes toward this novel approach to juvenile detention. Of the nine surveys returned, the results indicated that most officers had been appraised of the program and that the majority of the officers supported the department's effort from both a philosophical and practical level. In fact, several officers reported on the survey form and in interviews with the researcher that they saw great potential in a program of this type. While the probation officers indicated that the pilot program would create more work for them since juveniles who would normally be placed in Indiana Boys School or Indiana Girls School would now be placed on their intensive supervision case load, they were willing to perform the extra work. The officers displayed a concern for juveniles that overcame the inconvenience and extra workload that they would be subjected to.

Not all officers were, however, convinced that such a program was beneficial to the juvenile or that it would in fact save tax dollars. These individuals displayed a "wait and see" attitude in which they wanted the program to succeed, but were restrained and cautious in giving total commitment to the idea. Consequently, while some officers reported that they were

excited and supportive of the pilot program and the potential use of electronic monitoring as a cost saving and rehabilitative device, others were not as convinced. The importance of this situation is that officers on the department, whether they were highly supportive or reserved about the program, wanted it to succeed. Perhaps a surveillance officer stated the general feeling among the staff when he or she stated, "We were going to do everything we could to make sure that the program was a success." Certainly, with staff commitment such as that displayed by the Allen County juvenile probation officers, program implementation and the potential for success was greatly enhanced.

At the conclusion of the pilot program probation officers, surveillance officers, and other program staff reported a high degree of satisfaction with the program in personal interviews with the researcher. In fact, some probation officers indicated that while they spent more time working with the EMP juveniles compared to other juveniles on their case load, they liked having the monitor on the youth. When the juveniles were on the program the probation officer did not have to check up on the youth, nor did the officer have to worry about the juvenile being in at his or her designated curfew time.

#### *Conclusion*

Overall, the planning and implementation process utilized by the Allen County Juvenile Probation Department was relatively smooth. The department reviewed electronic monitoring programs with adults and juveniles, the available literature, and the various equipment vendors before implementing its program. The department also established various planning and administrative committees with membership including representation from the various divisions of the department. Equally important was the fact that not only did administrative heads support the program, but line probation officers were at least cautiously supportive of the pilot program. And, perhaps most importantly, the program was designed to complement existing departmental procedures. Certainly, this effort alone saved considerable implementation and execution problems for the staff and the department.

The overriding goal of the program was cost savings for the county. However, members of the EMP Screening Committee would not admit juveniles to the program, even when they met program criteria and considerations, if they did not feel that the program was in the best interest of the juvenile. This

situation coupled with the low number of "safe" risk juveniles eligible for the program kept the program very small. In addition, this situation demonstrated that despite stated goals, alterations to those goals can occur, and a form of political gamesmanship can result. Specifically, program documentation supplied to decision-makers responsible for authorizing such a program can include criteria established in good faith by program participants, but these conditions will be altered as needed to meet the professional and practical needs of a program.

Four additional factors were imperative to the planning and organization of the pilot project: First, the equipment chosen for the program functioned extremely well. Few problems were encountered and when problems arose factory representatives responded quickly to assure system reliability. In fact, the company could assume program monitoring on its system while it repaired the on-site equipment. Second, certainly, the great care taken in selecting candidates for the pilot project increased the probability of success. The obvious problem that this selection process presented, however, was that the system was not tested on less stable juvenile offenders.

Third, the EMP coordinator's efforts at explaining the program carefully to the juvenile and his or her parent(s) or guardian(s) avoided confusion and subsequent technical violations. In addition, the fact that the surveillance officers and the coordinator demonstrated the equipment carefully and allowed the juvenile to practice with the wristlet and the monitor until he or she was able to perform the needed tasks without error helped to limit program problems. Fourth, without doubt, the daily visits of the surveillance officers had a profound psychological impact on the juveniles themselves and their parent(s) or guardian(s). These visits demonstrated the seriousness of the program, the fact that the juvenile was being watched carefully, and thus enhanced the belief of the juvenile that he or she would be caught if he or she violated either the law or conditions of the program. Equally important was the fact that whenever a violation occurred, a surveillance officer was at the home of the juvenile, generally within minutes of the violation.

Perhaps most surprising to everyone was the lack of problems encountered during the pilot program. There were no serious violations committed by program participants; although, two juveniles escaped, they did not commit additional crimes. The juveniles simply removed the wristlet and left it in their home before they ran, and they were caught shortly after

they absconded. It must be remembered, however, that while the department was fortunate that no serious crimes were committed, this factor was at least partially a result of program design. Juveniles that had committed crimes of violence were not allowed on the program. Also, by including the juvenile's probation officer in the decision to place a juvenile on the program, it was unlikely that a juvenile with a propensity to commit a serious crime would be placed on the pilot program. In reality, the pilot project was designed for success. It was not until the pilot program was successfully completed and had proven its value that more serious offenders were placed on the program.

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