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This Issue in Brief

Are Probation and Parole Officers Liable for Injuries Caused by Probationers and Parolees?—The number of offenders on probation and parole has risen; inevitably some offenders will commit other crimes during their terms of supervision. A growing concern for probation and parole officers is whether they can be held civilly liable for injuries caused by probationers and parolees under their supervision. While case law in this area is still developing, there are enough cases to indicate when an officer might be held liable. Authors Richard D. Sluder and Rolando V. del Carmen provide a categorization of decided cases and sketch a broad outline of when officer liability might ensue.

The Influence of Probation Recommendations on Sentencing Decisions and Their Predictive Accuracy.—Using data on all serious cases concluded in 1 year in an Iowa judicial district, authors Curtis Campbell, Candace Mc-Coy, and Chimezie A.B. Osigweh, Yg. explore the disjuncture between sentencing recommendations made by the probation department and sentences actually imposed by judges. While probation personnel and the judiciary usually agreed on appropriate dispositions for first-time offenders, they strongly disagreed on recidivists' sentences. Probation officers recommended incarceration for recidivists almost twice as often as judges imposed it.

Home Confinement and the Use of Electronic Monitoring With Federal Parolees.— Authors James L. Beck, Jody Klein-Saffran, and Harold B. Wooten evaluate a recent Federal initiative examining the feasibility of electronically monitoring Federal parolees. Although technical problems were experienced with the equipment, the authors conclude that the project was an effective way of enforcing a curfew and supervising the offender in the community. The success of the project has served as a foundation for expansion of home confinement with electronic monitoring in 12 Federal districts.

Twelve Steps to Sobriety: Probation Officers "Working the Program."—Working with chemically dependent offenders is indisputably a challenge of the new decade. Addiction treatment is complex and, by its very nature, engenders phi-

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Home Confinement and the Use of Electronic Monitoring With Federal Parolees

BY JAMES L. BECK, PH.D., JODY KLEIN-SAFFRAN, AND HAROLD B. WOOTEN*

Introduction

N THE quest for cost-effective, practical, and appropriate alternatives to incarceration, policymakers have sought to implement a variety of intermediate sanctions. The overriding rationale for alternatives to incarceration is to alleviate prison crowding and the financial burden of incarceration that has led to today's "crisis in corrections." With the advent of this "crisis," there has been a renewed interest in the area of community corrections programs. However, unlike the community corrections programs of the past which had rehabilitation as a main goal, the primary goal of current community corrections programs is to provide punishment in a less expensive manner while, at the same time, emphasize public protection.

This search for community alternatives to incarceration has produced a wide variety of programs (Petersilia, 1987). Of these, home confinement programs (Hofer & Meierhoefer, 1987) have captured the most attention. This article focuses on research involving a particular type of home confinement program that includes the use of electronic monitoring. The research concerns the operational aspects of home confinement (e.g., who is likely to fail and why) and the evaluation of the electronic monitoring equipment itself.

Home confinement is a sentencing alternative available to eligible offenders who would ordinarily be incarcerated in an institution or placed in a halfway house. Home confinement is a general term and various authors refer to similar home confinement programs as home detention (Baumer & Mendelsohn, 1988; U.S. Sentencing Commission, 1989), house arrest (Petersilia, 1987), home incarceration (Lilly, Ball, & Wright, 1987), electronic monitoring (Berry, 1986), and electronic surveillance (Jolin, 1987). There are many types of home confinement programs ranging from imposition of late night curfew conditions to 24-hour-per-day continuous detention. Enforcement techniques vary as well, from random contacts by a supervising officer to continuous electronic monitoring (Hofer & Meierhoefer, 1987).

Home confinement is not an entirely new criminal sanction. Some of the earliest curfew programs were imposed on juvenile populations in the 1970's (Ball, Huff, & Lilly, 1988). In the early 1980's, several states such as Georgia, Florida, and New Jersey began to develop home confinement programs as a component of intensive supervision or as a judicial disposition. These programs originally did not involve the use of electronic monitors and required a great deal of staff effort to monitor compliance with the home confinement requirement.

The concept of electronically monitoring offenders dates back to 1964 when Ralph Schwitzgebel et al. described an electronic telemetry system in Behavioral Science (Schwitzgebel, Schwitzgebel, Pahnke, & Hurd, 1964). Two years later a discussion of the system appeared in Harvard Law Review (1966), and a patent was issued on the system in 1969 (Schwitzgebel & Kurd, 1969). Schwitzgebel proposed a new area of study called "behavior electronics" (Gable, 1986) which he described as the modification of behavior patterns through the use of electronic devices to reinforce acceptable behavior. From 1964 to 1970 the first electronic monitoring system was used to monitor the location of parolees, mental patients, and research volunteers in Boston, Massachusetts (Gable, 1986). The initial system was set up using multiple receivers to trace the participant's movements throughout the monitored location. The size of the monitored area depended upon the number of receivers used and the transmission characteristics of the environment. By the mid 1970's, Schwitzgebel and Bird (1973) designed a prototype system for two-way communication between the probation officer and the offender and monitoring which allowed the use of sensors for physiological monitoring (e.g., heart

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rate). Their work was primarily theoretical and focused on technical design and various system configurations necessary for monitoring in social environments.

More recently, the concept of electronic monitoring has expanded to include programmed contact, continuous signaling, and "hybrid" systems. These systems are intended to monitor an offender's presence in a particular location. Programmed contact systems require the participant to wear a receiver which includes an "electronic key." When contacted by the computer, the participant responds as directed, usually by inserting the electronic key into a special telephone connection to verify that the offender is at the required location (e.g., the offender's home) Other programmed contact systems include voice verification which uses a computer to match voice patterns and visual verification by using television monitors.

Continuous signaling systems involve the use of a miniature transmitter worn by the participant. This device emits a continuous signal to a receiver, which is usually located in the participant's home. The receiver maintains contact with the central computer over the telephone lines and the computer monitors the signals and compares them with the participant's curfew schedule.

The "hybrid" systems have combined capabilities of both the programmed and continuous signaling technology. The "hybrid" designs minimize the limitations of the individual systems while maximizing their strengths. The "hybrid" systems can combine voice and/or visual verification to complement the continuously signaling technology.

The first of these new electronic monitors was developed in 1983 by Michael Goss for monitoring five offenders in Albuquerque, New Mexico (Gable, 1986). The National Institute of Justice (NIJ) evaluated the effort and concluded that the equipment operated successfully and that it was legally tenable and cost-effective as an alternative to incarceration (Ford & Schmidt, 1985). A second system was developed by Thomas Moody for use in Key Largo, Florida (Gable, 1986), where 12 offenders were monitored over a 6-month period. This program achieved similar success to that of New Mexico. By 1985, five states (Florida, Kentucky, Oregon, Utah, and Michigan) had implemented electronic monitoring. Just 2 years later in 1987, as part of an NIJ survey, 21 states had electronic monitoring programs (Schmidt, 1989). In 1988 the study was repeated and indicated an increase to 33 states using electronic monitoring. In 1989, an NIJ-sponsored study (Renzema & Skelton, 1990) indicated that 6,490 offenders were

being monitored on February 12, 1989—three times more than were being monitored a year earlier.

The rapid growth of electronic monitoring devices in the past few years is due to crowded prisons and relative cost-effectiveness of the technique. Much of the development in the use of electronic monitoring has occurred in absence of reliable information about the programs. Early program descriptions presented uncritical accounts of individual programs and most of the early academic literature focused on ethical and constitutional issues (del Carmen & Vaughn, 1986.) More recently, reliable empirical studies are being conducted that will facilitate an understanding of the theoretical and practical implications of such systems, thus enabling policymakers to make informed decisions based on research.

Project Background

The use of electronic monitoring for Federal offenders emerged out of an initial effort with an experimental "curfew" home confinement program. On March 3, 1986, the United States Parole Commission implemented this experimental program (termed the "Curfew Parole Program") to provide a substitute for community correction center residence for the 60-day period preceding the parole release date. The experimental program, a joint effort of the Federal Bureau of Prisons, the Federal Probation System, and the United States Parole Commission, is designed for prisoners who would otherwise qualify for community treatment center residence, but who have acceptable release plans and do not require the support services provided by the community treatment center. Under this program, qualified and approved prisoners have their release date advanced for up to 60 days on the condition that they remain at their place of residence between the hours of 9 p.m. and 6 a.m. every night unless they are given permission in advance by their supervising U.S. probation officer.

The Parole Commission implemented this program as a cost reduction procedure through which the Bureau of Prisons is being provided the opportunity to reduce the number and expense of inmates confined in community treatment centers. The program has met its cost-reduction goal—the Bureau of Prisons reports a savings of over \$4 million since 1986.

The Curfew Parole Project continues at the present time, and approximately 4,000 offenders have participated since its inception in 1986. At any one time, approximately 150 offenders are on curfew parole. The violation rate has been very low (less than 5 percent) which may be a function of the relatively low level of enforcement.

In establishing this program, the Parole Commission intended that the Probation Service provide "high-activity" supervision of the parolee during the Special Curfew Parole period, including at least weekly contact with the offender as well as monitoring compliance with the special condition that the offender be home at night by random, periodic telephone contacts.

A number of chief probation officers, however, expressed concern early in the program concerning the ability of a probation officer to adequately enforce a curfew through random telephone contacts initiated by the probation officer supervising the case. This was a particular concern given the lack of adequate resources and limited staff available for supervising parolees in a typical caseload without additional requirements.

The earlier Curfew Parole Project, without electronic monitoring, was not well received by field managers or practitioners. In a telephone survey of 10 chief probation officers, the following issues were raised: The beneficiary was the Federal Prison System, which was saved some of the expense of housing an inmate in a privately contracted halfway house, not the Probation System, which was required to assume more responsibilities. The project was conceived for reasons other than enhanced community supervision. Requiring offenders to remain in their homes between 9 p.m. and 6 a.m. in and of itself may have little effect on their conduct. Probation officers were tied down by the responsibility of conducting the curfew phone call late in the day or very early in the morning. The objectives of the project were not adequately explained to probation officers who must carry out the goals of the project.

In response, the Parole Commission invited selected chief U.S. probation officers to a meeting on October 23, 1986, to discuss alternatives to the Curfew Parole Program. As the result of the discussion, the chief probation officers from the Central District of California (Los Angeles) and the Southern District of Florida (Miami) agreed to experiment with electronic monitors as a means of enforcing a curfew. After additional meetings with the Bureau of Prisons, it was determined that the Probation System would select the electronic monitoring equipment and the cost would be reimbursed by the Bureau. In theory, the project would be funded out of savings generated by the Curfew Parole Program.

The final decision to proceed with the program (now termed the "Community Control Project") was made in January 1987. Guardian, Inc. was selected as the vendor using equipment manufactured by BI, Inc. Later in the study, the electronic equipment was switched to equipment manufactured by Guardian. The first parolee entered the program on January 19, 1988, and the study will continue indefinitely.

Program Description

The purpose of the Community Control Project is to provide a period of close supervision in the community during the transition between institutionalization and freedom in the community for a selected group of releasees who do not require the full range of services provided by a halfway house.

This transition period could, it is hoped, be provided at a much lower cost (\$12 to \$15 per day for electronic monitoring compared to \$30 to \$35 per day for halfway houses) without jeopardizing public protection. The program is generally restricted to releasees who have a stable residence and reasonable employment prospects and who would otherwise be released to a halfway house to relieve prison overcrowding. Individuals selected into the program are paroled directly into the community between 60 and 180 days prior to their previously scheduled release date in place of release through the halfway house. During this period of early release, offenders abide by a curfew monitored through electronic surveillance.

The program was restricted initially to individuals paroled by the Commission, but was later expanded to include individuals who were originally denied parole but who were not classified as "poor" risks (as measured by the salient factor score) and had not committed a drug distribution offense rated as Category Six or higher (in accordance with the Commission's offense severity rating).

The project's operational design was developed by the two participating districts. The Parole Commission gave little specific direction to the Probation System on day-to-day supervision of the parolees. As the program developed, however, the curfew imposed was very stringent with a great deal of parolee accountability built into the system. When entering the program, participants are required to be at home at all times except for work and approved absences for treatment programs, religious services, and medical appointments. After a few weeks in the program, limited leave is granted for recreational purposes. This leave may be denied due to unemployment or for minor violations of curfew rules. The amount of recreational leave is gradually increased over time as long as the parolee is doing well. The program also includes increased contact between the parolees and their probation officers in addition to continuous electronic monitoring while the parolees are at their homes. A more thorough discussion of supervision procedures is included in a later section of this article.

Individuals who need halfway house resources either because they lack an acceptable release plan or their family refuses to permit the electronic monitoring equipment in the home or equipment could not be placed because all electronic monitors are in use, are not referred for placement into this project. A total of 437 releasees were in this category (202 in the Central District of California and 235 in the Southern District of Florida) at the time data were gathered for this report.

Research Questions

Responsibility for evaluating various aspects of the Community Control Project have been divided among the three agencies involved in the program. For the period covered in this report, the Parole Commission had general responsibility for evaluating operational aspects of home detention (e.g., who is likely to fail and why) and for evaluating the functioning of the electronic monitoring equipment itself. The Probation System shared responsibility for evaluating the equipment and also estimating the true costs, including personnel costs, of implementing a similar program nationwide. The Bureau of Prisons will be comparing Community Control Project participants with a sample of similar offenders released through a halfway house to compare relative violation rates and the impact of the program on economic measures such as employment rates.

To evaluate the impact of this program, for the purposes of this report all offenders who entered the program during the calendar years 1988 and 1989 (N=357) were studied. This article includes a general discussion of the type of offenders selected into the program and a preliminary evaluation of supervision practices, functioning of the equipment, failure rate for the earliest group of offenders to complete the program, and exit interviews with 45 offenders who were formerly in the program.

Description of Program Participants

A total of 357 parolees had entered the Com-

munity Control Project as of December 31, 1989, the majority in the Southern District of Florida. The original goal of the project was to have 50 participants at any one time in each district. It has not been possible to achieve this goal, particularly in the Central District of California.

Another 437 offenders met all the criteria for inclusion in the project but were not included for various reasons. In 40 cases, the offender was to share the residence with a parent or spouse who refused to allow the electronic monitoring equipment in the home. Another 376 offenders were judged to need the transition resources provided by a halfway house. Of these, 196 were unable to establish a suitable residence. In addition, 21 offenders were unable to participate in the project due to program capacity limits (i.e., all of the electronic monitors were in use). In other words, about half of those eligible for home confinement were not included because a judgment was made that placement in a community corrections center was necessary for the offender to make a successful transition into the community. None of the offenders referred for placement in the Community Control Project refused to participate. Refusal, however, would also have precluded placement in a halfway house as well, so there was a strong incentive for the offender to participate in the project.

As would be expected, program participants were overwhelmingly male and most tended to be older offenders. Participants were between the ages of 20 and 72, but approximately 80 percent were at least age 30 at the time of their release from prison. Approximately half of the parolees were either black or Hispanic, 69 percent were high school graduates, and 30 percent had attended college.

About two-thirds of the sample were classified as "very good" risks by the salient factor score, but all risk levels (including "poor" risks) are represented. While offenders in the project generally have limited prior records, the majority of the participants had committed relatively serious offenses. About 75 percent of the parolees committed offenses rated by the U.S. Parole Commission as Category Five (e.g., robbery) or higher.¹ As shown in the table below, about half were convicted of distributing drugs, mostly cocaine. Another 11 percent committed a robbery or serious assault, and 4 percent were reparoled technical violators. Only a minority of the participants would fit the profile of a "white collar" offender. Eleven percent of the participants had a history of opiate dependence.

TABLE 1. TYPE OF OFFENSE

Administrative:	N=15 (4%)	Distribute Cocaine:	N=110 (31%)		
Robbery/Assault:	N=38 (11%)	Distribute Marijuana	N=61 (17%)		
Property Offense:	N=83 (23%)	Distribute Other Drugs	(N=12) (3%)		
Distribute Heroin:	N=11 (3%)	Other Offenses:	N=27 (8%)		
TOTAL: N=357 (100%)					

Description of the Supervision Process

The selection process begins with a review of cases for community treatment center (CTC) placement by Bureau of Prisons community programs managers. Inmates who are eligible for CTC placement are referred to the probation office responsible for supervising the case. The probation officer then conducts a pre-release investigation. Once the probation officer approves the plan and determines that all other eligibility requirements are met, the case file is reviewed by the Chairman of the Parole Commission (or his designee). If the case is acceptable, the Chairman signs an order advancing the parole date and imposing the special condition of community control. In addition, other special conditions such as drug abuse testing, alcohol or mental health counseling, or financial disclosure may be imposed.

The first personal contact with the probation officer is made immediately upon the parolee's arrival in the district. A general orientation is given to all new parolees at the initial contact or when the electronic monitoring equipment is installed in the home. The probation officer provides the offender with a copy of the community control rules and regulations and discusses any special scheduling that might be needed (e.g., renewing driver's license).

The probation officer fits the transmitter on the offender's leg and calls Guardian to report the curfew information that is to be enforced (e.g., curfew hours). Home installation of the monitoring equipment requires 45 minutes to several hours depending on the electrical connections. Once the field monitoring device is connected, the probation officer calls Guardian's computer staff to verify proper installation. After the unit is installed, the probation officer explains how the unit works to the offender and his or her family. A copy of the program rules is left with the parolee who is instructed to call the probation officer if there are any questions.

Parolees participating in this project are restricted to their home except for necessary activities and curfew leave. They are allowed to leave their residence for specific activities with advance approval (e.g., employment, job search and training, essential shopping, medical appointments, counseling or treatment, and religious observance). Other activities may be allowed but must be reviewed on a case-by-case basis with the unit supervisor and approved in advance.

Curfew leave away from the residence is for constructive leisure time. This time is to be spent on the weekends with family or other individuals approved in advance by the probation officer. Participants must request curfew leave by the Wednesday prior to the weekend during which leave will be taken. The granting of curfew leave is contingent on adherence to the curfew restrictions, full-time employment or active job search, and other parole conditions. No curfew leave is allowed during the first 2 weeks, 4 hours of leave per week may be granted after 2 weeks in the program, 6 hours of leave per week may be granted after 6 weeks, and 8 hours of leave per week can be earned after 10 weeks in the program. Parolees are encouraged to take curfew leave as a single block of time.

For non-recurring, one-time schedule changes, Guardian monitoring staff are notified by telephone. Guardian maintains a written log to remind monitoring staff not to page the probation officer if the computer reports a curfew violation during the one-time change. In addition, the probation officer keeps a log of the authorized leave and every temporary schedule change. Permanent changes to the schedule (e.g., a change in working hours) are programmed into the computer.

At the beginning of the project, there was an inordinate amount of tamper signals, which are electronic signals designed to notify monitoring staff that a parolee is attempting to remove or otherwise modify the equipment. Almost all of these signals were "false" tamper signs due to equipment problems. To alleviate these false tampers, some parolees wore their socks over the transmitter. One parolee in particular decided that it would be best to wear his socks to bed to prevent these tamper signals which would result in the parolee being contacted in the middle of the night.

The transmitter is inspected regularly by the probation officer to check for proper fit and signs of tampering or irritation. More of the participants in the Southern District of Florida complained of irritation than those in the Central District of California, possibly due to climate differences and greater humidity in Florida.

Computer terminals in the district offices were provided by Guardian to obtain monitoring data from the central computer located in Cincinnati, Ohio. Information concerning all "enters" and "leaves" for all individuals, tamper signals, power losses, and losses of telephone service is available through the district office computer terminal. If there is a loss in power or telephone services, monitoring staff contact the probation officer within 15 minutes. If power is lost, the transmitter has a backup battery source which can work for 24 hours to record activity. When the power is reconnected, the computer provides a printout of leaves during the period of power loss.

There are several types of incidents that could indicate a possible violation of the community control rules or a compromise in the integrity of the system, including late arrivals, early leaves, unauthorized exits, missed callbacks, tamper signals, power loss, and loss of telephone service. When any one of these incidents occurs the monitoring staff tries to resolve the situation prior to calling the probation officer. In most cases if the monitoring staff fails to make contact with the parolee within 30 minutes the probation officer is called. Once the probation officer is called, the officer must promptly call the parolee's home to determine whether the parolee is absent and, if so, to obtain any other information regarding the whereabouts of the individual. For example, a probation officer observed three parolees who were consistently coming in a few minutes after curfew, taking short unauthorized leaves, and manipulating curfew schedules. These three parolees were suspected of drug use and a special drug condition was imposed. Two of the three parolees did complete their time on electronic monitoring after being warned without further incident, but the third received a violator's warrant and was returned to confinement after testing positive for the use of drugs.

After reviewing records of several parolees, it has been noted that on occasion contact has been broken several times in one evening. When this occurs the monitoring staff calls the offender to make sure that he or she did not leave the premises. On one specific occasion, this incident occurred two Sundays in a row at the exact same time. When the probation officer called the offender's home and asked what he was doing he stated that he was watching television. It was eventually determined that the parolee had a

metal and rock coffee table in the television room that blocked the transmitter signal. Thus it was determined that to watch television, the parolee had to sit in such a way that the foot to which the transmitter was attached was not under the coffee table.

There were some differences in the way the program was implemented in the two districts during the time of this study-for example, in the scheduling of leave within the first 2 weeks of the program. In the Central District of California, the parolee, if unemployed, was allowed to leave the residence between the hours of 8 a.m. and 2 p.m. to search for employment. During this time, the participant was expected to actively seek employment and/or job search counseling. If after 2 weeks the participant had not obtained employment, the number of days scheduled out of the residence might be reduced. For example, if after 2 weeks the participant had not been able to obtain a job, his time for job search may be limited to 3 days per week instead of 5 days per week. During this time out of the residence, the participant informally told the probation officer where he will be during the day.

In the Southern District of Florida, the participant lacked this flexibility for job searching. If parolees did not have employment and were searching for a job, they had to provide the probation officer with an approved itinerary before leaving the house. Hence, the probation officer in the Southern District of Florida was more likely to know where to locate the parolee away from home.

Another major difference between the two districts was reflected in their drug testing policies. Since 1984, the Southern District of Florida has conducted periodic drug testing on all parolees. More intensive drug testing is initiated if the parolee has a special condition of drug aftercare or provides a positive urinalysis. This policy was established to deter drug use during parole supervision. In an effort to emulate the halfway house conditions, community control participants were routinely drug tested by the probation officer. In the Central District of California, however, drug testing was conducted only if there is a drug aftercare condition or if the probation officer suspects drug use.

Evaluation of the Supervision Process

In order to evaluate supervision under the Community Control Project for this report, a cohort of 357 cases entering the program between January 1988 and December 1989 was studied. Scheduled time on community control ranged from a minimum of 45 days to a maximum of 184 days with a median of 126 days. Parolees were seen in person on the average four times per month, three times in the field and once in the probation office. This was more than twice the number of personal contacts that occur on curfew parole (U.S. Parole Commission, 1988).

The significance of this contact frequency can be fully appreciated when compared to "typical" personal contact rates. In 1986 and 1987 the Probation Division of the Administrative Office of the U.S. Courts conducted a descriptive study on contemporary supervision practices (Maher, Reynolds, & Wooten, 1988; Meierhoefer, 1988). The Division was concerned that supervision efforts on the part of probation officers may have diminished in light of shrinking resources and requirements of newly established sentencing guidelines. The study examined 600 active cases in eight districts over three time segments from 1984 to 1986. The study found that the average personal contact for the highest risk offenders was 1.3 per month. Additionally, one-third of the high risk offenders were seen less than once a month, and after the first year 60 percent of the high risk cases were seen below the minimum standard of one personal contact per month. Ten percent of the offenders had a history of violent offenses. Clearly, the Community Control Project is by far the most intensive supervision effort in the Federal Probation System.

The violation rate was also examined. As might be expected, not all offenders were able to successfully adjust to home confinement. When violations occurred, there were several available sanctions. The most extreme sanction was the issuance of a parole violation warrant which could result in the revocation of parole. Less extreme measures included the modifications of parole conditions (e.g., a requirement that the offender submit to drug testing), loss of curfew leave time (i.e., time outside the home for recreation), or a written reprimand. The choice of sanction was determined by two factors: the seriousness of the violation and the individual history of the offender committing the violation.

For purpose of this report, a program "failure" is defined as a warrant issued by the Parole Commission for a violation of parole. A total of 54 parolees had a warrant issued. These 54 parolees had a significantly lower salient factor score (and were therefore more likely to recidivate) than those successfully completing the program. In addition, 9 of the 15 offenders who were incar-

cerated as parole violators prior to being placed on home confinement failed to complete the program. Out of the 54 program failures, 45 had parole revoked, 1 remains in absconder status, 1 was placed in a drug treatment program in lieu of revocation, 6 were reinstated to parole after the warrants were withdrawn, and 1 is pending revocation. Of the 54 warrants, 32 were issued for substance abuse (sometimes in conjunction with other technical violations), and 19 warrants were issued solely for curfew and tampering violations or absconding. Three warrants were issued for new criminal conduct involving forgery, simple possession of cocaine, and rape. The average amount of time these individuals were in the program before the issuance of a warrant was 75 days (see the appendix).

In addition to the 54 individuals for whom warrants were issued, six participants had their parole conditions modified in lieu of a warrant request. Three of the parole modifications were to impose a drug aftercare condition and three were for placement into a residential drug treatment center. Four of the six individuals eventually completed the program successfully.

During the first year, there were 21 violations (out of 169 participants) sanctioned informally and reported in the supervision files maintained by the probation officer. The majority of these were curfew violations which resulted in the loss of curfew recreation time. These curfew violations usually were due to the client's late return from work or other approved activities. Three of the violations were due to continued unemployment. (Employment is a condition of parole and of this program.) In these cases, the probation officer rescinded curfew recreation time until the offender was employed. Another potential response was a written reprimand. Once a written reprimand was issued, the next violation would result in a warrant. These data were not collected for cases entering the program in 1989.

Interviews with Participants and Probation Officers

Interviews were conducted with 45 participants who completed the program and agreed to be interviewed (34 in the Southern District of Florida and 11 in the Central District of California). Of these cases, 44 successfully completed the electronic monitoring program, and one was revoked and later re-released to parole supervision. Participants in the interviews were not randomly selected, and their views are not necessarily representative of the opinions of all offenders in the project. Nevertheless, the interviews, which lasted approximately 45 minutes, do offer some insights into the perceptions of the program participants.

Approximately half of the interviewees thought electronic monitoring was more punitive than being in a halfway house. Those living with their spouses generally preferred home confinement to residing in a halfway house while those living alone or with individuals other than a spouse preferred halfway house placement. It should be noted, however, that most of the respondents had never been in a halfway house and most of their knowledge of halfway house living conditions and restrictions came from other inmates.

Most of those interviewed stated that the most stressful part of the program was the time restrictions. For example, some participants stated that it was sometimes difficult getting home from work on time when traffic was heavy. Others complained about telephone calls from the contractor to check the equipment and about having personal telephone calls interrupted by the computer. To avoid interruptions, about half of the parolees got a second telephone line at their own expense specifically designated for the electronic monitoring computer.

Concerning the equipment itself, most reported that they expected the electronic device to be smaller. Several of the parolees indicated that at first wearing the electronic monitoring device was annoying, but eventually they became accustomed to it. None of the parolees complained of the device being painfully tight, although 11 parolees reported skin irritation. Some of the parolees indicated that they were embarrassed by the device. When asked by strangers about the device, the majority told the truth, while other parolees stated that it was a heart monitor, pager, battery charger for a video camera, or a fish caller.

Currently, the parolee is not charged for the electronic monitoring equipment. Although electronic monitoring has been estimated to cost far less per day than CTC's, there are still substantial costs associated with supervising this population. With this in mind, the survey included a question regarding equipment and supervision fees. Two-thirds stated that they would pay equipment fees providing they were affordable.

In addition to the exit interviews, several of the program participants were informally interviewed concerning the project. Most of the parolees on electronic monitoring indicated that they originally found the program to be very restrictive, but they indicated it was not as onerous as prison. Some indicated that they did not feel it was necessary to be under such close supervision. One parolee in particular complained bitterly about the project. He indicated that he is unable to make enough money to live. His original job was to drive a taxi, but since he was placed into electronic monitoring he is unable to work this type of job. He stated that while he was in prison he had more freedom than he does now, particularly in the area of exercise. The probation officer indicated that a regular exercise plan could be scheduled.

In conclusion, while most of the parolees participating in this project found the program to be very restrictive, many indicated that it was good to be home with their families.

Interviews with probation officers working on the Community Control Project indicated that they generally found the program to be successful. They felt that several components were necessary for program success: reliable equipment, administrative support, dedicated employees, and a mechanism to rapidly sanction a violation of the release conditions.

Because of the reliance placed on electronic monitoring equipment probation officers found it to be crucial for the equipment to be reliable and function properly. Although overtime work was routine, the officers did not report being burned out or tired of the program. The probation officers attributed part of the program's success to the support they received from their supervising officers. Probation officers also commented that a critical factor in the success of the project was the responsiveness of the U.S. Parole Commission to their requests for warrant applications and parole modifications. This support provided program integrity for all of the agencies involved in the implementation of the project.

Equipment Evaluation

The performance of the equipment early in the program was somewhat mixed. However, the problems may have been at least partially created by unique factors related to this project rather than inherent unreliability of the equipment. Under the terms of the contract, the vendor used equipment produced by another manufacturer, but did not have a service agreement for equipment repair. When equipment did fail, it was often difficult to receive replacement equipment in a reasonable time frame. The situation was exacerbated by the fact that the vendor relocated to another part of the country which led to a turnover in staff.

Nevertheless, some of the equipment problems appear to be manufacturing defects. For example, early in the project several of the field monitoring units shorted out. Another problem (particularly in Florida) was water leaking into the battery. In addition, some of the batteries became corroded due to too much adhesive on the transmitter. Spurious tamper signals have also caused the probation officers to spend an inordinate amount of time responding to "nuisance calls." After several months of wear, the straps attaching the transmitter onto the parolee often stretched, split, or became limber. Finally, many of the units were not programmed correctly; therefore, the receiver was not dialing the correct number to the main computer. Most of these problems were corrected by the manufacturer shipping new units to both locations. In addition, the contractor has added more experienced staff to the project which has eliminated some of the problems caused by the relocation. A more recent equipment problem was with the straps. It has been reported that one monitoring band, which a parolee was wearing, stretched from 8½ inches to 9¼ inches. This potentially gave the parolee enough room to take off the band without triggering a tamper signal, but this could be easily discovered by visually inspecting the equipment. Later in the study, the vendor provided each site with units which they manufacture.

Conclusion

Based on the experience gained in this project, the following conclusions can be drawn:

• Using electronic monitoring equipment, it is possible to confine offenders in their residences with a reasonable degree of assurance that any unauthorized absence from the home will be immediately discovered. The monitoring equipment itself, while not flawless, did not malfunction to the extent that there were any serious breaches in the integrity of the system.

• It appears that home confinement can be cost-effective. Excluding any reimbursement by the offender, the Probation System has estimated the cost of home confinement enforced through electronic monitoring to be approximately \$15 per day. This figure includes the cost of equipment as well as all other costs of supervision.

• Forty-six of the 357 offenders in the program (13 percent) were returned to prison as the result of a parole revocation or absconding from supervision. This does not appear to be a high-

er violation rate than might be expected in a halfway house but there is no conclusive evidence of this because of the lack of an adequate comparison group.

• Electronic monitors alone are insufficient to enforce a viable home confinement program. There also needs to be personal involvement with the offender on the part of a supervising agent (e.g., a probation officer) to ensure that the offender is working, the living arrangement remains stable, and the offender is not engaging in prohibited behavior such as substance abuse. To achieve the goals of offender accountability and public protection, the supervising agent should be responsible for no more than 25 offenders.

• If a home confinement program is developed for selected offenders in lieu of placement in a halfway house, there still appears to be a substantial portion of offenders nearing release who will need the transitional services offered by a Community Corrections Center. In the experimental project involving releasees to Miami and Los Angeles, approximately half of the offenders eligible for home confinement were referred to a halfway house because of offender need.

Overall, the Community Control Project was judged to be a success by the agencies involved. Moreover, practitioners without hesitation commented that while curfew parole has often not been received well, the Community Control Project is highly regarded as an intensive supervision model. Offenders placed in home confinement are restricted in their access to the community at least to the same extent as are halfway house residents. At the same time, greater emphasis is placed on personal responsibility for offenders confined in their residences. A number of offenders in the project stated that the time restrictions were the most stressful part of the program. As noted earlier, getting home from work on time in heavy traffic was a continual source of worry for many offenders. Boredom was also a problem, although offenders living with their families had fewer problems in this regard. In addition, approximately half of a sample of program participants interviewed by research staff thought home confinement was more punitive than being in a halfway house.

The results of the project have been encouraging. The Criminal Law and Probation Administration Committee of the Judicial Conference of the United States, which has oversight over probation system matters, has approved expansion of the Community Control Project. Twelve more districts will pilot home confinement with electronic monitoring services. The project, like the Community Control Project, is a joint venture between the U.S. Parole Commission, Federal Bureau of Prisons, and the Administrative Office of the U.S. Courts. Of particular importance is that the expanded project will allow the participation of offenders other than those eligible for parole. The expanded home confinement model is scheduled to be implemented in the fall of 1990.

Since the expanded pilot may include higher risk offenders, it can be expected that intensive supervision practices will, by necessity, need to focus on correctional treatment issues, such as drug abuse, detoxification from substance abuse, employment stability, health, and family stability. Indeed, restricting an offender to the same family conditions which were in place at the time of previous criminal activities may surface unresolved tensions and conflict. Probation officers will need support in working with these difficult cases and training on understanding how to effectively manage the dynamics of the offender's family. The Community Control Project has offered unprecedented information on activities of offenders. Changing offenders' behavior away from criminal activities must be at the heart of probation officers' actions if officers are to go beyond simply monitoring offenders' movement.

NOTE

¹The U.S. Parole Commission rates offenses from Category One (the least serious) to Category Eight (the most serious). Category Five and higher include offenses such as robbery and the large scale distribution of illegal drugs.

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APPENDIX

1. A warrant was issued after 28 days on the program for absconding from supervision. Parole was revoked. (Los Angeles)

2. A warrant was issued after 74 days on the program for testing positive for the use of cocaine. Parole was revoked. (Miami)

3. A warrant was issued after 6 days on the program for violating the curfew by failing to return home at the scheduled time. Parole was revoked. (Los Angeles)

4. A warrant was issued after 85 days on the program for testing positive for the use of cocaine. Parole was revoked. (Miami)

5. A warrant was issued after 47 days on the program for testing positive for the use of cocaine. Parole was revoked. (Miami)

6. A warrant was issued after 7 days on the program for testing positive for the use of marijuana. Parole was revoked. (Los Angeles)

7. A warrant was issued after 146 days on the program for violating the curfew by failing to return home at the scheduled time and excessive use of alcohol. Parole was revoked. (Miami)

8. A warrant was issued after 51 days on the program for testing positive for the use of cocaine. Parole was revoked. (Miami)

9. A warrant was issued after 106 days on the program for testing positive for the use of cocaine and for absconding from supervision. Parole was revoked. (Miami)

10. A warrant was issued after 75 deys on the program for testing positive for the use of cocaine. Parole was revoked. (Los Angeles)

11. A warrant was issued after 44 days on the program for testing positive for the use of cocaine. Parole was revoked. (Los Angeles)

12. A warrant was issued after 31 days on the program for testing positive for the use of cocaine. Parole was revoked. (Los Angeles)

13. A warrant was issued after 49 days on the program for testing positive for the use of morphine. Warrant was held in abeyance and the parolee was placed in a residential drug treatment center. (Los Angeles)

14. A warrant was issued after 139 days on the program for violating the curfew by not working at designated job-site. Parolee was reinstated prior to revocation hearing. (Miami)

15. A warrant was issued after 131 days an the program for testing positive for the use of cocaine. Parole was revoked. (Miami)

16. A warrant was issued after 105 days on the program for violating the curfew by returning home late on five occasions and for admitted use of marijuana. Parole was revoked. (Los Angeles)

17. A warrant was issued after 51 days on the program for violating the curfew by not reporting to work on a scheduled work day. Parole was revoked. (Miami)

18. A warrant was issued after 63 days on the program for violating curfew by returning home late from curfew leave and for the use of cocaine. Parole was revoked. (Miami)

19. A warrant was issued after 30 days on the program for testing positive for the use of cocaine. Parole was revoked. (Miami)

20. A warrant was issued after 70 days on the program for testing positive for the use of morphine and cutting the transmitter strap. Parole was revoked. (Los Angeles)

21. A warrant was issued after 4 days on the program for absconding from supervision. Parole was revoked. (Los Angeles)

22. A warrant was issued after 26 days on the program for testing positive for the use of heroin and violating curfew by returning home late from curfew leave. Parole was revoked. (Los Angeles)

23. A warrant was issued after 97 days on the program for testing positive for the use of cocaine. Parole was revoked. (Los Angeles)

24. A warrant was issued after 98 days on the program for a new offense of forgery. Parole was revoked. (Los Angeles)

25. A warrant was issued after 69 days on the program for testing positive for the use of cocaine and violating curfew by two unauthorized home departures. Parole was revoked. (Los Angeles)

26. A warrant was issued after 95 days on the program for tampering with the transmitter. Parole was revoked. (Los Angeles)

27. A warrant was issued after 56 days on the program for testing positive for cocaine. Parole was reinstated. (Los Angeles)

28. A warrant was issued after 164 days on the program for violating curfew by engaging in unapproved activity. Parole was revoked. (Miami)

29. A warrant was issued after 13 days on the program for testing positive for the use of cocaine and violating curfew by returning home 5 hours late. Parole was revoked. (Los Angeles)

30. A warrant was issued after 45 days on the program for tampering with the transmitter by removing the locking grips. Parole was revoked. (Los Angeles)

31. A warrant was issued after 77 days on the program for testing positive for the use of cocaine. Parole was revoked. (Miami)

32. A warrant was issued after 119 days on the program for possession of 1 gram of rock cocaine and falsely reporting place of employment. Parole was revoked. (Los Angeles)

33. A warrant was issued after 51 days on the program for violating curfew by an unauthorized home departure. Parole was revoked. (Miami)

34. A warrant was issued after 26 days on the program for violating curfew by three unauthorized home departures and failing to attend drug testing and counseling. Parole was revoked. (Los Angeles).

35. A warrant was issued after 166 days on the program for violating the curfew by three unauthorized home departures. Parole was revoked. (Los Angeles)

36. A warrant was issued after 180 days on the program for rape, violating the curfew, and violating special condition of drug aftercare. Parole was revoked. (Los Angeles)

37. A warrant was issued after 111 days on the program for testing positive for the use of cocaine and for violating curfew by two unauthorized home departures. Parole was revoked. (Los Angeles)

38. A warrant was issued after 93 days on the program for violating the curfew by five unauthorized home departures. Parole was revoked. (Los Angeles)

39. A warrant was issued after 64 days on the program for testing positive for the use of cocaine. Parole was revoked. (Los Angeles)

40. A warrant was issued after 34 days on the program for testing positive for codeine and morphine and for violating the curfew by failing to return home at the scheduled time on three occasions and violating curfew by three unauthorized home departures. Parole was revoked. (Los Angeles)

41. A warrant was issued after 14 days on the program for violating the curfew by one unauthorized home departure and for failing to return home at the scheduled time. Parole was revoked. (Los Angeles)

42. A warrant was issued after 45 days on the program for violating the curfew by three unauthorized home departures. Parolee was reinstated at revocation hearing. (Los Angeles)

43. A warrant was issued after 59 days on the program for drug use. Parolee was reinstated contingent upon placement in a community corrections center. (Los Angeles)

44. A warrant was issued after 38 days on the program for testing positive for the use of heroin and violating the curfew by failing to return home at the scheduled time, failing to report change in residence, and theft. Parole was revoked. (Los Angeles)

45. A warrant was issued after 52 days on the program for testing positive for the use of cocaine and for violating curfew by one unauthorized home departure. Parole was revoked. (Los Angeles)

46. A warrant was issued after 97 days on the program for failing to keep scheduled appointments for drug testing, for failing to report change in employment, and for violating curfew by failing to return home at a scheduled time. Parolee was reinstated contingent upon placement in a CCC. (Los Angeles) 47. A warrant was issued after 56 days on the program for violating the curfew by failing to return home at the scheduled time. Parole was revoked. (Los Angeles)

48. A warrant was issued after 92 days on the program for testing positive for the use of cocaine and marijuana and for failing to return home at the scheduled time. Parole was revoked. (Miami)

49. A warrant was issued after 119 days on the program for violating the curfew by failing to return home at the scheduled time. The warrant was withdrawn. (Miami)

50. A warrant was issued after 50 days on the program for testing positive for the use of cocaine. Parole was revoked. (Miami)

51. A warrant was issued after 134 days on the program for violating the curfew by failing to return home at the scheduled time on three occasions. Parole revocation hearing pending. (Miami)

52. A warrant was issued after 153 days on the program for violating the curfew by failing to return home at the scheduled time and for various other violations. Parole was revoked. (Miami)

53. A warrant was issued after 147 days on the program for testing positive for the use of cocaine. Parole was revoked. (Miami)

54. A warrant was issued after completion of the program for testing positive for the use of cocaine while participating in the program. Parolee is in absconder status. (Los Angeles)