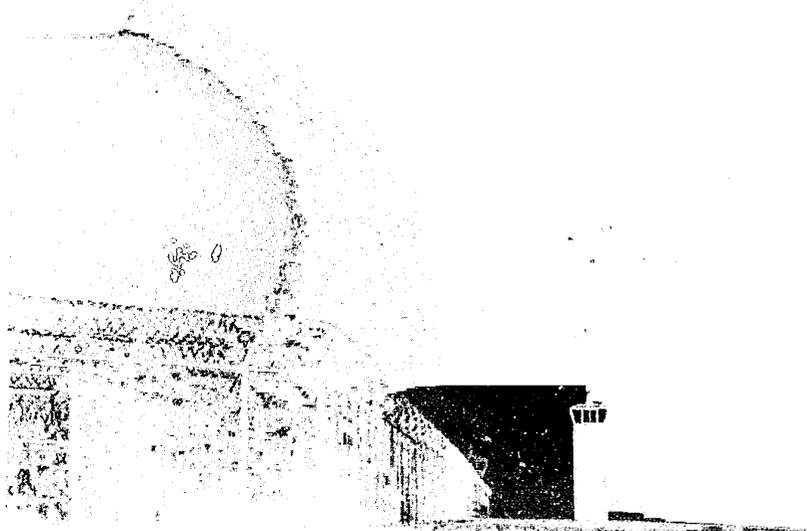


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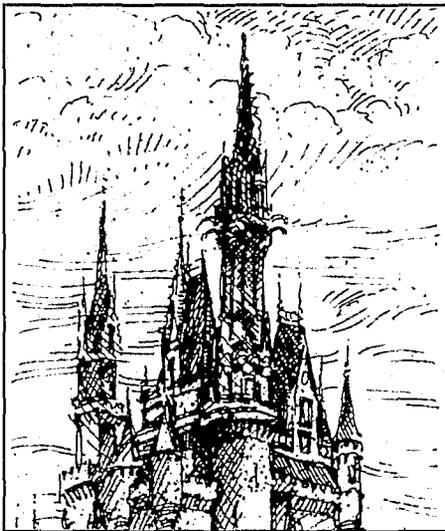
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# Home Confinement

The use of new technology in the Federal Bureau of Prisons

James L. Beck and Jody Klein-Saffran

*Authors' note: We would like to dedicate this article to the late Benjamin F. Baer, who was instrumental in developing the concepts discussed here.*

In the first issue of the *Federal Prisons Journal* in 1989, J. Michael Quinlan, Director of the Federal Bureau of Prisons, noted that "Information age technologies such as electronic monitoring and intensive use of satellites may make it possible for an increasingly large percentage of offenders to serve their sentences under conditions of home confinement—holding down jobs, keeping their families intact, and keeping off the streets."

In January 1988, the Bureau of Prisons, the U.S. Parole Commission, and the Federal Probation System initiated a pilot program—the Community Control Project—to test the feasibility of confining offenders in their homes, using electronic monitors to ensure that offenders do not leave the home except when authorized. The project is an extension of the Curfew Parole Program initiated by the Parole Commission in 1986. As with Curfew Parole, the Community Control Project allows offenders scheduled for release through a Community Corrections Center (CCC, or "halfway house") to be confined in their homes in lieu of a halfway house, provided the offender has an adequate residence and telephone service, and does not require the full range of transition services provided by a Community Corrections Center.

In the Community Control Project, selected offenders eligible for release on parole to the metropolitan areas of Miami (Southern District of Florida) and Los Angeles (Central District of California)

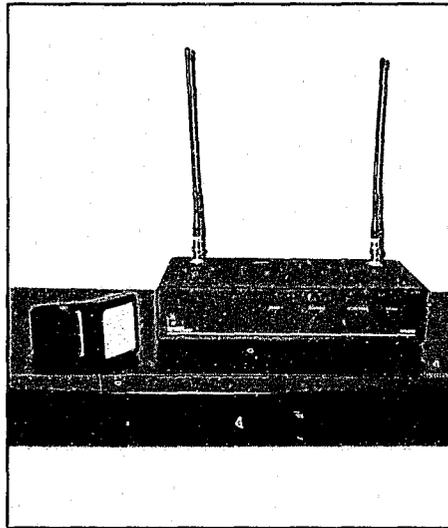


who are scheduled for release through a halfway house can have their release dates advanced by the Parole Commission. Participating offenders are confined to their homes as a condition of parole during the 60- to 180-day period they would have otherwise spent in a CCC.

During the period of home confinement, the offender is allowed to leave the residence with advance approval for purposes of employment, job search, essential shopping, medical treatment, or religious observance (upon request). If the offender does well in the program, he or she can earn a limited amount of curfew leave for "constructive leisure time," which can be taken away to sanction minor violations of program rules. Except for authorized leaves, the offender is confined in the home at all times, including weekends.

Compliance with home confinement is enforced using electronic monitors. The project uses a "continuous" system in which the offender wears a small radio transmitter attached to the ankle. A radio receiver is attached to the offender's telephone, which, in turn, is linked to a central computer. The transmitter has an extremely short range; if the offender leaves the residence, there is a break in the signal and the central computer is notified.

If the signal break occurs when the computer has been programmed to note that an absence from the residence is authorized (e.g., when the offender leaves for work), no violation notice is posted. If the break occurs when the offender is not authorized to leave the home or fails to return at the end of an authorized period of leave (i.e., the radio



signal is not reestablished), the probation officer is notified and personally verifies the offender's absence. If the offender attempts to remove the transmitter from the ankle, a "tamper" signal is sent and the probation officer is notified.

During the first year of operation, 169 offenders were placed in the Community Control Project in lieu of placement in a CCC. Another 173 offenders met the criteria for inclusion, but were not included for various reasons. In 15 cases, the offender was to share the residence with a parent or spouse who refused to allow the monitoring equipment in the home. Another 158 offenders were judged to need the transition resources provided by a CCC. Of these, 93 were unable to establish a suitable residence. In other words, about half of those eligible for home confinement were not included because a judgment was made that placement in a CCC 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



David Spogen

placement in a CCC, so there was a strong incentive for the offender to participate.

As would be expected, most program participants were male; they also tended to be older. About 80 percent were 30 years or older at the time of release from prison. Offenders ranged in age from 22 to 72 years. About half of the participants were black or Hispanic, two-thirds were high school graduates, and one-fourth had attended college.

Two-thirds of the sample were classified as "very good" risks by the salient factor score (a risk assessment device used by the Parole Commission), but all risk levels (including "poor" risks) were represented. While participants generally



*Above: David Spogen, U.S. Probation Officer, Southern District of Florida, who has worked with the project from the beginning. Far left: The receiver and transmitter. Left: Attaching the ankle bracelet. Inset: The bracelet is concealed during normal wear.*

had limited prior records, most had committed relatively serious offenses. About half were convicted of distributing drugs (mostly cocaine), another 13 percent committed a robbery or serious assault, and 6 percent were reprobated technical violators. Only a minority of the participants would fit the profile of a "white collar" offender. In addition, 10 percent had a history of opiate dependence.

Time in home confinement ranged from a minimum of 53 to a maximum of 184 days, with an average of 140 days. Offenders were seen in person by their probation officers an average of four

times per month. Three-fourths of these contacts occurred in the field and one-fourth in the probation office.

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 being the issuance of a parole violation warrant that 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 (time outside the home for recreation), or a written reprimand. The choice of sanction was determined by the seriousness of the violation and the offender's history.

A "program failure" was defined as a warrant issued by the Parole Commission for a violation of parole. Thirty-one parolees had such a warrant issued; these 31 had a lower salient factor score than those successfully completing the program. In addition, 6 of the 10 offenders who were incarcerated as parole violators prior to being placed on home confinement failed to complete the program.

Shelly Baker

Of the 31 program failures, 28 had parole revoked, one was placed in a drug treatment program in lieu of revocation, and in two cases the warrant was withdrawn and the offender was reinstated to parole. Of the 31 warrants, 20 were issued for substance abuse (sometimes in conjunction with other technical violations), and 10 were issued solely for curfew and tampering violations or for absconding. One warrant was issued for new criminal conduct involving forgery. The average time these individuals were in the program before a warrant was issued was 67 days.

In addition to the 31 individuals for whom warrants were issued, four had their parole conditions modified in lieu of a warrant request. Three of the modifications were to impose a drug aftercare condition; one was for placement in a residential drug treatment center. Two of the four individuals eventually completed the program successfully.

There were also 21 violations sanctioned informally and reported in the supervision files maintained by the probation officer. Most of these were curfew violations that resulted in the loss of curfew recreation time. These violations usually were due to late return from work or other approved activities. An additional three 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.

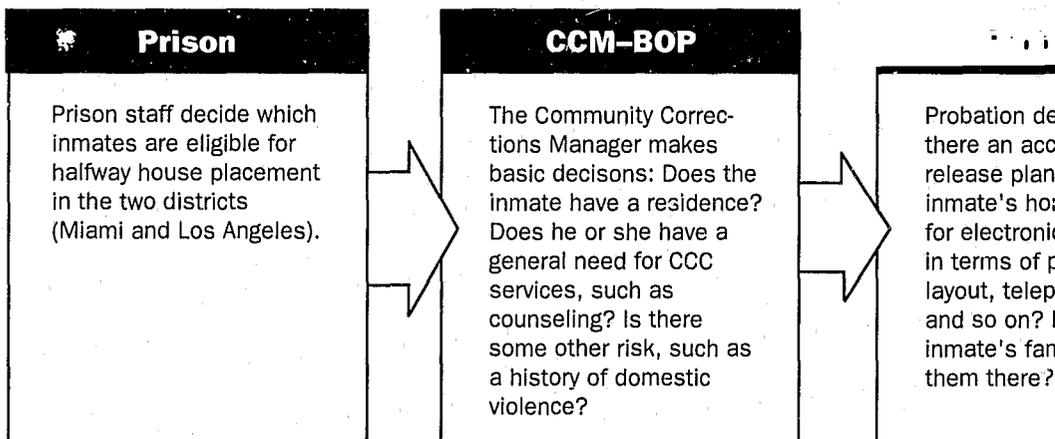
## How the equipment worked

The performance of the electronic monitoring equipment early in the program was mixed. However, the problems may have been at least partially created by unique factors related to this project rather than any 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 replacements within a reasonable time—exacerbated by the fact that the vendor relocated to another part of the country.

Nevertheless, some of the equipment problems appeared to be manufacturing defects. Early in the project, several of the field monitoring units shorted out. Another problem (particularly in Florida) was water leaking into the battery. Some of the batteries became corroded due to too much adhesive on the transmitter. Spurious tamper signals 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 units were not programmed correctly; the receiver was not dialing the correct number to the main computer.

Most of these problems were corrected as the manufacturer shipped new units to both locations. In addition, the contractor added more experienced staff to the project, eliminating some of the problems caused by relocation.

A later equipment problem was with the straps. It was reported that one monitoring band stretched from 8 1/2 to 9 1/4



inches, potentially giving the parolee enough room to take it off without triggering a tamper signal, but this could be easily discovered by visual inspection.

## Participants' reactions

Forty-five participants 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. Interviewees were not randomly selected and their views are not necessarily representative of all offenders in the project. Nevertheless, the interviews, which lasted approximately 45 minutes, do offer insights into how the participants perceived the program.

About half of the interviewees thought electronic monitoring was *more* punitive than being in a halfway house. Those living with 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 respondents had never been in a halfway house; most of their knowledge of



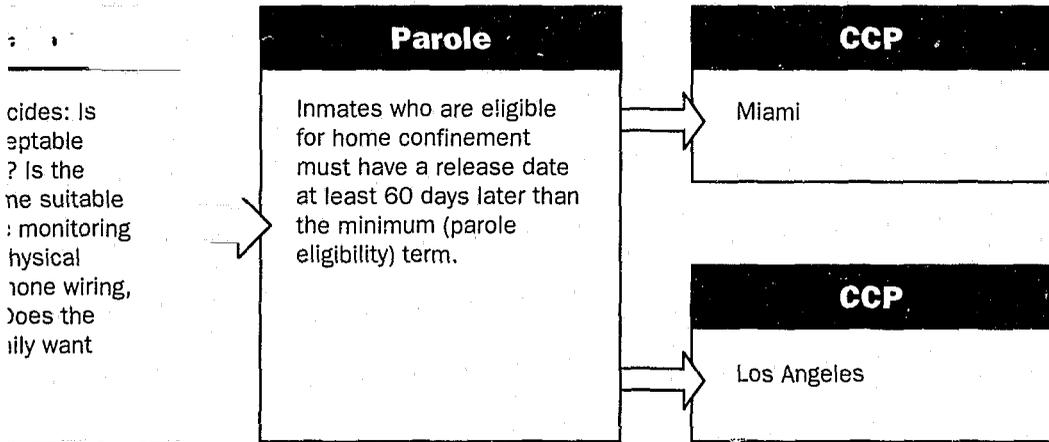
*Vivian McCleary, Bureau of Prisons Community Corrections Manager, with U.S. Probation Officer Jim Allen, Santa Fe Springs, California.*

Gordon Pitman

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, it was sometimes difficult getting home from work on time when traffic was heavy.

Concerning the equipment itself, most reported that they expected the electronic device to be smaller. Several parolees indicated that wearing the electronic monitoring device was annoying at first, but they became used to it.



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 Community Corrections Center, there still appears to be a substantial number of offenders nearing release who need the transitional services offered by a CCC. In the project, about half of the offenders eligible for home confinement were referred to a CCC for transitional services.

Overall, the Community Control Project was judged to be a success by the agencies involved. Offenders placed in home confinement are restricted in their access to the community at least to the same extent as are CCC residents. At the same time, greater emphasis is placed on personal responsibility when offenders are confined in their residences.

As a result of the early experience with home confinement, the project in Miami and Los Angeles has been extended and home confinement in lieu of CCC placement for selected offenders has been expanded to 12 additional judicial districts. The results of the project have been encouraging to this point and a broader application of the technology appears to be feasible. ■

*James L. Beck, Ph.D., is Assistant Administrator, Community Corrections Branch, Correctional Programs Division, Federal Bureau of Prisons. Jody Klein-Saffran is an analyst with the Office of Research and Evaluation, Federal Bureau of Prisons. A fuller discussion of the programs mentioned in this article appears in the December 1990 issue of Federal Probation.*



*The late Benjamin F. Baer, former head of the U.S. Parole Commission, who was instrumental in developing the home confinement concept.*

Some parolees were embarrassed by the device. When asked about it by strangers, most told the truth, while other parolees said it was a heart monitor, pager, battery charger for a video camera, or a fish caller.

**Implications for monitoring programs**

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 unauthor-

ized 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 about \$15 per day, which includes the cost of equipment as well as all other costs of supervision.

■ The lower per diem costs of home confinement compared to CCC placement are offset somewhat by those returning to prison as a result of a revocation. Twenty-eight of the 169 offenders in the program (17 percent) returned to prison as the result of a parole revocation.

■ Electronic monitors alone are insufficient to enforce a viable home confinement program. There needs to be personal involvement with the offender on the part of a supervising agent (e.g., a probation officer or correctional employee) to ensure that the offender is working, the living arrangement remains stable, and the offender is not engaging in prohibited behavior. To achieve the