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Electronic Monitoring of Domestic Violence Cases—A Study of Two Bilateral Programs*

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THE CRIMINAL JUSTICE system has been using electronic monitoring (EM) for about twenty years (Conway, 2003), typically as a form of house arrest, as an alternative sanction or in the context of pretrial release. Offense categories for which EM is used tend to be at the "less serious" end of the offense continuum, including drunken driving, drug and property offenses, and less commonly for offenses against the person (Scott and Hale, 2002:2). In a time of overburdened budgets and facilities, EM is intended to control offenders at a cost that is lower than institutional confinement, while enabling them to continue working and supporting their families.

EM based on continuously signaling devices (Crowe et al., 2002) involves equipping an offender with a transmitter and a receiver that are synchronized to a monitoring center, which periodically registers his presence at or absence from home; and sends curfew violations trigger alerts to supervising officers, who then may investigate the basis for the alerts. We refer to such an approach as *unilateral* EM (UEM) because an offender alone is the object of ongoing supervision. Most evaluation studies of EM have been of the unilateral form, typically addressing the technology as a means of surveilling offenders and enforcing restrictions in the absence of traditional detention or incarceration (for reviews see Black and Smith, 2003; Crowe et al., 2002; and Vollum and Hale, 2002). Evaluation studies of UEM have focused on such topics as its effectiveness in reducing recidivism, its cost effectiveness relative to incarceration, and legal concerns associated with its application in different criminal justice phases.

There has been little systematic research ^[1] on the electronic monitoring of persons ^[2] charged with or convicted of domestic violence (DV) related offenses, where the technology is used not only for surveillance/control but also for victim protection. We refer to the latter use of EM as *bilateral*, because a second party is enrolled into a program of surveillance. ^[3] In the context of DV offenses, bilateral EM (BEM) extends the mandate of unilateral EM by protecting *specific* individuals ("victims"), ^[4] as opposed to being designed to address public safety interests in

general, or to prevent absconding while out on bail. Courts attach or impose this measure with the expectation that BEM will strengthen protection orders. The victim's participation and cooperation are necessary to the functioning of BEM programs for DV cases, introducing a variable absent from UEM. Treatment or rehabilitative issues are of inexplicit relevance to these mostly pretrial uses of BEM (Vollum and Hale, 2002).

This article addresses the gap in research on the use of EM for DV cases by examining two such programs. We begin by discussing the limitations of protection orders in DV cases that historically have warranted the use of BEM. We then report on two BEM programs, describing key aspects of their design and implementation. Results reported include the types and frequency of contact violations between victims and defendants who participated in the programs, and victims' reactions to and concerns about BEM.

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Domestic Violence and the Use of Protective Orders

Studies have found that victims of domestic violence typically report it only when they have reached the "enough is enough" tipping point (Fischer and Rose, 1995), after they may have been repeatedly subjected to various forms of abuse, ranging from intimidation to harassment, stalking, and physical assault (e.g., Stanko, 1990). However, taking action against domestic violence by reporting it to the police or attempting separation can place women at a higher risk of assault. "Separation assault" (Mahoney, 1991) is a well-known phenomenon in the dynamics of domestic violence, as are instances of stalking estranged partners in places where they are routinely present (e.g., workplace) or likely to visit (supermarket, church, etc.). According to a recently published study (Block, 2003), three-fourths of homicide victims and 85 percent of women who experienced severe but nonfatal violence had left or tried to leave their batterers in the past year.

Despite the danger faced by women when they want to leave abusive relationships or appeal for help to the justice system, protecting them (as well as their children and other family members) has been a difficult task. The context and dynamics of domestic violence render the legal protection of its victims a continuous challenge to the justice system, one fraught with logistical problems and contradictions (Worden, 2000). Courts have responded to the problem of securing the safety of women who have stepped forward as victims of abuse by issuing protection orders, often as an adjunct to an official proceeding brought by the state in response to the victim's complaint. These protection orders typically require that the named offending party refrain from contacting the victim and other family members, and/or move out of the house. Research on the effectiveness of protective orders indicates that they are generally associated with a decrease in subsequent physical and non-physical violence by batterers (e.g., Holt et al., 2002; Holt et al., 2003). However, several studies have found that such orders may not be as effective in keeping women safe when the defendant has a history of violent offenses (Buzawa and Buzawa, 1996; Erez and Belknap, 1998a; Fischer and Rose, 1995).

The use of protective orders in the context of DV carries benefits for some victims but can be complicated to execute (Harrell, 1993; Buzawa and Buzawa, 1996; Wolf et al., 2000). Some offenders do not comply with the various terms of the protective orders (e.g., Erez and Belknap, 1998b; Worden, 2000). Moreover, some batterers, upon receiving the protective orders, are so angered that they seek out their victims for renewed assault (Erez and Belknap, 1998a). Another issue to consider is that many abused women, particularly those who have not reached the tipping point, may want to have (non-violent) contact with the offender in spite of the presence of a protective order. They are still emotionally or economically attached to the batterer, and often have children together. At times, therefore, they allow their abuser to contact them, seek him out at his place, or arrange a rendezvous. The police have been known at times to argue that they no longer had the responsibility for enforcing protective orders when the victim initiated a contact with the offending party named on a protective order *and* violence re-erupted between the once again estranged couple (Buzawa and Buzawa, 1996; Erez and Belknap, 1998a).

The intimate nature of these relationships means that the offender will be well versed in the victim's routines, and personal and social affiliations, such as family, friends, and membership in organizations. He knows when and where she works, the school where she waits to pick up the children, her telephone numbers, as well as her travel routes to reach home, work, or fulfill other responsibilities, needs or preferences. Such knowledge of her routines furnishes the abuser with numerous opportunities to harass, stalk, intimidate, assault or abuse the victim in violation of protective orders. An especially significant contact violation from the court's perspective involves offenders who seek out the complaining witness with requests that she retract the complaint. Victims are often frustrated when they report such protective order violations, however, because the issue can come down to a "he said, she said" situation in the absence of proof that the defendant made the contact alleged in their complaint or affidavit.

BEM is designed to address these various limitations associated with protective orders in DV cases. The major premise of BEM is that defendants under "no contact" orders, who know that they cannot approach a certain geographical area without detection, will be less likely to attempt to contact a victim, despite a history of violating such orders in the absence of BEM. Court officials argue that although some defendants will not be deterred in such circumstances, many others will conform to protective orders if they know they are monitored electronically when they approach the victim or her residence. One judge in our study stated:

I think (the program) drives the message home to the offender that there is to be no contact, that the no-contact order is going to be supervised and that there are repercussions if there is any contact. Likewise, I think it gives the victim some added sense of security. It puts some teeth into an oral order: 'stay away and have no contact'. You can tell somebody that, but if you actually have a device or system in place that's really going to measure it and make sure that there isn't contact, that helps across the board. It enhances a temporary protection order; it puts some teeth into it.

The results of our research generally support this view, indicating that defendants in a program of BEM by and large refrain from attempting to contact the victim, while participating victims generally feel an increased sense of safety during their involvement with the program.

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Methodology

Data were collected at two sites using the following methods: First, official records kept by the probation departments administering the programs ^[5] were used to document such information as defendants' demographic characteristics, offense history, EM status and details (e.g., how long under supervision), protection order violations and offenses during and after BEM enrollment. Second, in-depth interviews were conducted with victims (30); defendants and convicted offenders (27); criminal justice personnel (34), including police, prosecutors, judges, probation officers; and victim assistance professionals (8) based both inside and outside the justice system. Interviews were either with focus groups or individuals. Third, field observations were made (at one site) of how the equipment was installed at participants' residences, how the program was explained to defendants and victims, how supervisory personnel visited with defendants at the office and in the field, and how the court handled cases involving BEM during different court phases. The following results are drawn from the data collected through these methods.

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Results

Technology, program design and implementation

The BEM programs we studied are in two Midwestern states: one is run by the River County (a large metropolitan urban area) Probation Department; the other is administered by the Lakefront (a small city in a mostly rural county) Probation Department. ^[6] Defendants are ordered to

remain at a particular distance from the victim's residence, which may be anywhere from 1,000 feet to one mile. Both sites utilize radio frequency (RF) based technologies that operate on similar principles and require similar equipment, with some exceptions. ⁷

RF based EM programs for DV generally work as follows: the defendant is equipped with a tamper-resistant, ankle-worn transmitter. A receiver in the defendant's residence confirms his presence during court-ordered curfew hours. A receiver in the victim's home will detect the presence of a defendant when he enters a defined geographical radius of up to 500 feet. Radius penetration of a victim's home region results in an immediate call to law enforcement. Receivers are ordinarily monitored 24/7 by a commercial monitoring company via normal phone lines. In addition, the victim may be given a pager to receive messages from the monitoring center, a duress pendant, and/or a cellular phone pre-programmed to notify authorities. The victim may also carry a field-monitoring device to alert her to the approach of the defendant while she is away from her home receiver. The defendant is not tracked while away from home, as is the case with GPSbased systems. It is important to note that the equipment does *not* provide physical protection of the victim. It will simply provide a warning (and notification to the police) when the defendant is nearby, as long as the ankle transmitter is worn. Thus the equipment will not prevent someone who is determined to hurt a "protected" party and is not concerned about the consequences to himself. ⁸ We observed that personnel emphasize this technological limitation to victims during the installation.

Most participants are referred at the pretrial stage and remain on the program until their cases are disposed (90 percent or more of the offender caseloads ⁹ at both sites is comprised of defendants). The rationale cited by River County court personnel and program staff for using EM mostly for pretrial cases was that the pretrial phase was "the most volatile period" in domestic violence cases, because some batterers are prone to further abuse, manipulate, or intimidate the prosecuting witness.

The victim's consent is required in order to proceed with the installation of the equipment in her home; withdrawal of the victim's ongoing consent at any point during the program's tenure will result in the removal of her equipment, at which point the defendant might be transferred to a UEM program for the duration of the case, as deemed appropriate by a judge. EM installation requires that the victim (and defendant) give up certain telephone features, such as call-waiting, call forwarding, and telephone-based internet access; unwillingness to surrender access to such features is a reason victims at both sites gave for not wanting to participate in the program. ¹⁰ River County defendants are not expected to pay for the cost of the program, the rationale being that as defendants, they have not been found guilty of any charges. Lakefront's defendants have to pay for the cost of the program regardless of their status in the case. Neither program requires victims to pay program costs.

Most referrals to both programs originated in lower level rather than higher level courts, where the offenses handled are more serious and bond requirements are more onerous. River County often offered BEM to defendants in lieu of posting a cash bond, or discounted bond amounts where defendants agreed to participate in BEM; Lakefront made participation in BEM a condition of release from jail on bond. The programs also differed in terms of who initiated the request for BEM. River County's referrals were heavily victim initiated, as a representative of a victim support organization was present at arraignment and would advise *all* DV victims present about the BEM option. Prosecutors and judges usually initiated Lakefront's referrals; a court-based victim advocate ¹¹ or prosecutor ordinarily advised the victims of the program only after she indicated intense fear of the defendant.

Different definitions about who is a suitable candidate for EM were observed at the two sites. River County considered as appropriate for their program defendants in every relationship phase; thus, candidates were drawn from couples who hoped to reunite at some later date, couples who were in the midst of separating, as well as parties who had formally separated and who had no desire to reconcile. By contrast, Lakefront candidates deemed suitable for enrollment were drawn strictly from cases in which victims were judged to have no further relations with the accused, as evidenced by some form of permanent separation such as divorce, a new boyfriend or husband,

or if one of the parties had moved out. In other words, because the woman was unequivocally estranged from the defendant, the problems of "back pedaling" by victims, or of witness tampering by defendants, were less likely to occur, and less likely to be cited as rationales for the existence of Lakefront's program. A cost that is borne by some River County defendants is finding a new residence in which to live, as they cannot inhabit the same premises as the protected victim. This is generally not an issue in Lakefront, given that the couple had usually already separated. Due to these different definitions of who was suitable for BEM, the most common charge faced by River County defendants was domestic violence, while in Lakefront it was stalking or invasion of privacy.

The two sites require participants' agreement to varying liberty restrictions and levels of supervision. For instance, River County requires defendants to make weekly office visits during which urine screens are administered, and submit to surprise home visits (at an average of two per month). Lakefront does not have such rules and policies in place, deeming them too intrusive or burdensome for non-convicted persons. Similarly, River County more strictly limits "out hours" to work and travel time, and requires advance notice of up to one week for deviations from agreed upon schedules. Lakefront is more flexible in setting curfews and has a "hands off" attitude toward defendants' whereabouts while not working provided that they return home before 11 pm. River County's greater emphasis on supervision grew out of a proactive concern with "trigger control"—a focus on monitoring defendants for risk factors associated with domestic violence (e.g., use of alcohol, substance abuse, weapons in the house) in relationships that have not permanently ended. River County's more proactive approach to supervision is also probably related to the higher proportion of their caseload that is high degree felony (36 percent versus 3 percent in Lakefront). Program resources were much more plentiful in River County than in Lakefront, also enabling a higher degree of supervision over enrolled cases. ¹²

As a result of the different definitions of suitable candidates for referrals, and of the different processes through which BEM requests were initiated, the River County site had far more eligibility assessments for BEM. Over a three-year period, River County referred 1,711 cases, 32 percent of which were "hooked up" to BEM. By contrast, Lakefront's program referred 71 persons for eligibility assessments over the nine years of its existence, with a 55 percent hook up rate. The differential partially reflects the fact that BEM was not a condition of release on bond in River County but rather an inducement to a lower cash or "Own Recognizance" bond.

River County defendants/offenders averaged 48 days on BEM, with a median of 32 days; Lakefront defendants/offenders spent an average of 72 days on BEM. ¹³ The shorter mean time that River County participants spent on BEM may be in part a reflection of the tighter supervision to which they are subject and the more extensive rules by which they have to abide; in other words, they are likelier to be "violated out" of the program.

Violations of the Victim's Home Radius

The main purpose of BEM is to keep defendants away from victims' homes, and there were very few instances in which the victim's home radius was penetrated, as reported by the monitoring centers. River County's logs reported eleven "radius penetrations" committed by seven persons over a two-year period, most of which were classified by staff as "informational violations." These were essentially "drive-by penetrations"; the defendants were curious about whether the woman had a male guest at her home, or the defendant was testing the sensitivity of the monitoring equipment. These violations were often observed to have been committed while the defendant was intoxicated. Only one of the eleven cases could be classified as overtly hostile. In this case, a "jealous husband" was upset that his wife had a boyfriend at her apartment, for which the husband was still paying rent. After cutting off his ankle without being detected, he showed up at the apartment, broke down the locked door, and threatened to do lethal harm to both the woman and himself. The victim alerted authorities to her partner's presence through the use of her duress pendant, and police in turn responded rapidly. At Lakefront, over a nine-year period there were no "intentional" violations of the victim's home radius. "Incidental" penetrations were not considered intentional violations unless they formed part of a pattern, and the staff discerned no such patterns.

Other Contacts and Contact Violations

Certain kinds of contacts are not registered by the monitoring centers. For example, encounters at court, telephone calls, contacts by proxy, chance meetings on the street, sent flowers and mail, etc. Although victims were known to make complaints about these contacts to the program staff, it is not known whether victims who participate in BEM programs report them at a higher rate than non-participating victims. However, it seems likely that victims with BEM programs who do report such contacts will find a more receptive ear, considering that they have already established relationships with program staff, whose duties include offering them support services.

Face-to-face contact violations were the most common type of non-home-based violations reported by River County victims. There were few serious face-to-face violations reported by victims or program staff. One incident, at Lakefront, involved a "deranged" defendant (charged with stalking) showing up at the work place of an unrequited former high school crush. Most face-to-face violations were the result of chance meetings in public places, during which the defendant might make a provocative comment to the victim. A common way in which defendants communicated face to face, albeit at a distance, was in the courtroom or in the court's hallway. Such communications were usually non-verbal gestures, and in some cases they were done right under the noses of unaware judges.

Defendants also spoke about having been contacted and sometimes harassed by the victims, typically by telephone, and some mentioned that the women drove by their homes repeatedly, as if to taunt them. Some women admitted driving by the defendants' homes, claiming that they wanted assurance that he was where he was supposed to be; others admitted to driving past his home to check whether their field-monitoring devices were operational. Some defendants claimed that the victims made conjugal visits to their homes, which the victims denied. However, in two instances a probation officer, during a surprise home visit, found a protected victim hiding in a defendant's shower, which led to the arrest of the defendant for violating the no contact order. Finally, some victims stated that they initiated telephone calls to the defendant, but only for some practical reason, such as to make arrangements for a child to be picked up or dropped off. According to these women, an intermediary, such as a friend, family member or program support staff usually placed the call on their behalf.

Victims' Experiences, Concerns and Complaints

Overall, victims reported being pleased with their BEM experience and the time free of contact from the defendant it offered, allowing them to reassess their relationship and past actions. They claimed that BEM afforded them an opportunity to reassert a sense of control over their lives and re-imagine and plan their futures. The women also spoke about how their fears were alleviated and their sense of safety was enhanced, giving them and their children peace of mind and restful sleep for the first time in memory. One woman stated:

It was really good for my daughter. She was there when all this happened to me. She was in the same boat for almost three hours, (held) by a cross bow and a ninemillimeter. She witnessed everything. It made her feel better knowing that if he comes around us he'll get caught. Before I had (BEM) she would be scared that he would slip through the bars or break out of jail, but with the box at home she's fine now. She can sleep.

Thus, many of the women's experiences with the program led to a reappraisal of the justice system. One woman stated, "while the system sometimes lets us women down, at least we have a little bit of comfort knowing we have a box that will go off if he comes into the area where he doesn't belong." Some victims "tested" the equipment by pushing the "help buttons" on their base receivers in order to gauge the rapidity of police response. They reported quicker responses than they received following prior incidents when they had called 9-1-1; this added to their comfort. The test also bolstered their confidence in the system's capacity to protect them.

Victims at both sites expressed concerns and had complaints, however. Some felt that the

technology could create a false sense of security, leading them to become "too relaxed" about the risks in resuming "normal" activities, like washing the car or mowing the lawn alone, without a human sentry at their side. Others worried about whether they might become too reliant on their duress pendants in their daily life. For example, one woman stated, "I never walked out my front door without it. If I worked in my yard, I took it with me. If I went to the mail box I took my hand-held unit with me." Another woman added, "I don't even go into the basement without it." This theme was reiterated when they spoke about how difficult it was for them (and their children) to have the equipment removed from their homes following adjudication. One woman was asked how her life changed after the equipment was removed from her house. She replied, "It's horrible. I'm back to being totally one hundred percent paranoid every time I walk out of the house." She went on to describe how she resumed her old ways of protecting herself:

I went back to leaving all the lights on in the house, sleeping with the lights on,
checking the car before I enter it, looking up and down the street when I back out.
I haven't mowed the lawn in two weeks or been out in the yard for fear of him.

False alarms could also be troublesome, especially at Lakefront, where the monitoring center's practice was to notify the victims whenever the defendant had not gotten home by curfew, or when there was a power failure, with the aim of preparing the victim for a possible breach of her "geo-zone." Although no danger ever came to the women as a result of these curfew violations, Lakefront victims spoke about the disruptiveness of these calls, causing them fear at first, and later, when they became routine, irritation. Telephone outages, which rendered them without electronic cover, were a concern for the women, as were the occasional equipment malfunctions that resulted in loud beeps falsely warning them of a breach of their perimeter. River County's victims were notified of possible breaches by a pager. Some victims stated that it could be difficult to remember what the numerical pager code meant, exacerbating the panicked state of mind brought on by the pager in the first place.

Although the women felt that the equipment was often impressive (e.g., the base receiver's microphone was praised for its pinpoint accuracy) and useful (e.g., the field monitoring device's warning system was appreciated for the protection it provided away from home), they were worried that the equipment is not "childproof." Children were often attracted by the flashing lights on the base receivers and played with the buttons and triggered false alarms. They also complained that the pieces of equipment were bulky and difficult to carry. The women were bothered by the fact that the monitoring equipment can interfere with phone calls while it "checks the line." The requirement that certain special telephone features be disabled, including call-waiting, call-forwarding, and an Internet connection, was the subject of many complaints. Women who had a second telephone line, however, did not encounter any of these problems.

The women offered some suggestions for improving the program. They would have appreciated a guide or handbook that detailed how the equipment worked, important instructions to follow, the program rules that defendants must observe, and the legal procedures that pertained to their cases. They stated that it was often difficult to keep all of these things clear. The women also stated that a support group made up of other "women who have been through this" would be very helpful. They often felt that they were alone in going through this experience, and they enjoyed the opportunity to discuss the issues in the context of a focus group. Many of them exchanged phone numbers at the end of these interviews, with promises to stay in touch and offer assistance to one another.

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Conclusion

The program in which EM is anchored shapes its application, and the two BEM sites we studied adopted varying approaches to designing programs for enforcing protective orders in domestic violence cases. These differences included their identification of suitable candidates, the extent of liberty restrictions to which defendants were expected to comply, the approach taken to bearing the costs of the program, and the use of BEM as a choice or as a prerequisite to release

from jail. More broadly, the program in River County is one that is more responsive to research about the "cycle of violence" in intimate relationships, that identifies "triggers" associated with violence and considers how increasing victim safety may bolster criminal justice prosecutorial goals. By contrast, the program in Lakefront, which intervenes with BEM only after the relationships are over (or never existed in the first place), takes its mission primarily as one of enforcing a court's order that a defendant remain clear of a named party.

These different conceptions of the purpose of BEM, coupled with the variable programs in which the technology was anchored, raise questions about applying uniform criteria to assess the effectiveness of BEM technology across programs or jurisdictions (cf. Tonry, 1999). Despite these differences, however, it was apparent that victims perceived the programs as useful enhancements to their safety. Jurisdictions interested in addressing victim safety might therefore give serious consideration to adopting such programs in appropriate cases.

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[Electronic Monitoring of Domestic Violence Cases—A Study of Two Bilateral Programs](#)

[The Imposition of Economic Sanctions in Philadelphia: Costs, Fines, and Restitution](#)

Electronic Monitoring of Domestic Violence Cases—A Study of Two Bilateral Programs

¹ Where research has been done on the use of EM in DV cases (e.g., a Michigan study), such work has been largely conducted by the agencies themselves, and has not been made easily available to other practitioners or the scholarly community.

² The vast majority (90 percent) of persons who were under liberty restrictions in the programs studied were not convicted of domestic violence at the time of their enrollment; therefore we will refer to them throughout as "defendants."

³ The victim is enrolled into a program of electronic surveillance in at least one sense, and possibly two senses: First, because she is kept abreast of the approach of another party to her home perimeter by electronic means; second, because the victim's own movements in and out of her home are monitored if her duress pendant is a transmitter that sends signals to a base receiver in communication with a monitoring center, as is the case in one of the two study sites.

⁴ Although we use the term "victim" throughout this paper, in most cases the victims are "alleged," since the bulk of the cases monitored by these programs await adjudication. Because most domestic violence victims who come to official attention are women, we refer to the victims in the female form. Furthermore, female victims are far likelier to request, or be provided with, BEM.

⁵ The two departments had varying degrees of records to consult; in River County the data were quite extensive, while Lakefront's data were sparse.

⁶ Lakefront and River County are pseudonyms.

⁷ Lakefront equips victims with a field monitoring device, but River County does not; River County's equipment can detect the victim's entrance and exit from home (assuming she carries her duress pendant), but Lakefront's equipment cannot; and River County's equipment transmits whatever sounds occur at the victim's home when the base unit has been activated.

⁸ During our research, a proxy of a participating defendant murdered a River County victim protected by BEM. The proxy murdered her the night before she was to testify against her ex-partner. He claimed he was acting as a "Good Samaritan," trying to save the children of the

couple, out of fear that the victim's ex-partner would kill both the woman and her children. In this case, EM logs provided evidence that it was not the defendant on BEM who committed the murder, since records showed he never left his home on the night of the slaying.

⁹ Caseload size varied considerably between the two programs. The number of enrolled defendants at any point ranged from 12 to 43 in River County and averaged 25 during the study period. The range at Lakefront was approximately 0 to 2, with an average of 0 or 1.

¹⁰ Our research (Erez, Ibarra, and Lurie, forthcoming) has found that victims or defendants referred to a BEM program may not participate for reasons such as limited economic means, inability to secure a separate residence or installation of a land-based telephone line, unwillingness to disable certain telephone features (e.g., call waiting, internet access), and limited or blocked radio frequency transmission/ reception in area of residence.

¹¹ The programs had different levels of victim support services. River County assigned a special officer to deal with victims' issues, 24/7. This officer handled all concerns related to victim participation in the program, including the installation of the equipment, notification of court appointments, explanation of court proceedings, and provision of various forms of troubleshooting. This officer also offered counseling and court escort as needed. At Lakefront, the same officer handled both offender and victim issues, and had little contact with victims by comparison.

¹² Elsewhere (Erez, Ibarra, and Lurie, forthcoming) we discuss how defendants perceive the punitive dimension of their respective program. River County defendants were especially concerned about the liberty restrictions and heightened level of supervision; Lakefront defendants were more concerned about the costs involved in participating in the program.

¹³ The data provided by Lakefront were incomplete in this respect, so the average is a rough estimate.

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The Imposition of Economic Sanctions in Philadelphia: Costs, Fines, and Restitution

¹ These crimes were robbery (14,494), aggravated assault (13,718), theft by unlawful taking (9,610), retail theft (7,616), burglary (7,384), receiving stolen property (6,491), simple assault (5,895), public assistance act violations (5,294), forgery (2,643), murder (1,733), unauthorized use of an automobile (1,307), attempted theft by unlawful taking (1189), recklessly endangering another person (1,149), criminal trespass (956), harassment (801), terroristic threats (784), first degree murder (624), attempted burglary (381), theft by deception (365), arson (351), intimidation of witness or victim (327), stalking (228), causing or risking catastrophe (110), homicide by vehicle while DUI (71), involuntary manslaughter (105), attempted theft by deception (105), robbery of motor vehicle (77), copying through recording devices (76), aggravated assault by vehicle while DUI (67), voluntary manslaughter (66), insurance fraud (61), ethnic intimidation (57), and buying or exchanging federal food stamps (50).

² As a methodological note, the increase in restitution ordered for crimes against private individuals and businesses was significant, but not as large as appeared in data from the Pennsylvania Commission on Sentencing. Using that data, imposition rates were more than twice as high as those obtained using data from the Philadelphia computer files. The difference is probably due to underreporting of cases to the Commission. For example, the Commission does not receive Philadelphia Municipal Court cases.

³ This test likely underestimates the difference between the judges in Philadelphia and the judges in the rest of the state, in that there are almost certainly some Philadelphia judges who did not identify their county and whose responses are therefore included with the non-Philadelphia sample.