

**MINISTRY OF JUSTICE
CORRECTIONS BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION Suzanne Anton, QC, Attorney General and Minister of Justice

ISSUE: Review of Electronic Supervision

SUMMARY:

- The Corrections Branch has reviewed the technology trends and program efficacy in the use of electronic supervision as a public safety measure in Canadian and American jurisdictions.
- There are currently 44 offenders being electronically monitored (EM) 24x7 by the BC Corrections Central Monitoring Unit (CMU) in Victoria. The average number of offenders on EM for 2013/14 was 75, down from 82 in 2012/13 and 119 in 2011/12.
- Offenders with a conditional sentence order (house arrest) have been the primary users of the technology. Recently there has been an upswing in the use of electronic monitoring for bail clients (32% of the current 44).
- Current BC technology employs radio frequency (RF) devices attached to phone lines that monitor the proximity of offenders wearing ankle bracelets for curfew or house arrest purposes.
- Serco is the current provider of electronic monitoring technology to BC, however, due to restructuring, they will not partake in the RFP process when their current contract expires in July 2015.
- The average annual cost for the Electronic Monitoring Program (EMP), exclusive of taxes and expenses, is \$463,637.50 per annum. This figure does not include staffing or facility costs for CMU.

BACKGROUND:

- The review outlined a number of ways modern digital technology can be applied to specialized programs that are designed to monitor and track high risk offenders or vulnerable populations. For example:
 - Alberta has two pilot EMP programs using GPS technology:
 - The Edmonton Police Services, Targeted Offenders Program is operated by eight police officers responsible for tracking four or five high risk offenders on 810 Peace Bonds
 - The Red Deer Domestic Violence Court Collaboration Program, which includes a women's shelter, Alberta Corrections, Alberta Crown and the RCMP, tracks high risk domestic offenders assessed as suitable for the program.

- Nova Scotia Correctional Services uses a number of distinct monitoring devices, including GPS, RF, RF with cellular and voice verification to support a variety of case management options to supervise offenders electronically. A significant training component is used to ensure program stability.
- Advances in the use of GPS in health services include GPS tracking devices in the shoes of Alzheimer patients and GPS watches for children with autism.
- Based on the review, BC Corrections is in the process of defining the scope and purpose of potential changes to the EM program by examining the following questions:
 - What do we want to use it for and to what end?
 - Do we have the resources and partnerships to do what we want to do?
 - Do we have the mandate or governance to achieve its vision?
- Evidence shows that the EM program will fail if an agency selects the technology first and implements before defining the purpose and ensures staffing and resources are available to support the program.
- The key reason to implement EM technology is to reduce the likelihood of failure while under community supervision and provide Community Corrections time to implement programming
- There are no statistically significant differences in recidivism after a bracelet is removed and if programming is not implemented.
- The costs of the technology have come down in the past few years. Pricing estimates provided by vendors are approximately \$16-22/day/unit (including monitoring) based on a rental or lease program, rather than purchasing. For the current 50 offenders on EM in BC, the leasing option equals \$365,000 plus taxes, including equipment and monitoring.
- A decision note identifying various options for changes to the EM program is expected by the end of March 2015. This in turn will inform the RFP process.
- BC Corrections will complete the RFP by April 30, 2015, to ensure smooth transition from Serco to the new service provider.

Prepared by:

Carmen Gress, Ph.D.
 Director
 Research, Planning & Offender Programs
 Corrections Branch
 250-387-5361

Approved by:

Brent Merchant
 Assistant Deputy Minister
 Corrections Branch
 s.17

Bill Young
 Director
 Strategic Technology & Corporate Projects
 Corrections Branch
 250-387-1563

Clarke, Melaina B JAG:EX

From: Pinto, Morningstar GCPE:EX
Sent: Tuesday, September 30, 2014 9:05 AM
To: Rose, Cindy JAG:EX
Cc: Lapsley, Amy JAG:EX; Turner, Caeli GCPE:EX
Subject: Sent to black press this a.m.

Hi Cindy,

Here is where we landed with this one. Stu is going to have a chat with the reporter to let him know that this info is as much as we're allowed to provide.

Reporter: Jeff Nagel, 604-575-5334, (cell) 604-349-7611, jnagel@blackpress.ca

Topic: Section 810 orders

Background: The reporter has asked for stats on background regarding high-risk offenders and electronic monitoring. He is following up on his coverage of the Vermeersch murder and Raymond Caissie. The information below was provided to other outlets last week.

Questions:

Is there a regional or municipal breakdown available of offenders under 810 orders?

- BC Corrections can provide a general, regional breakdown of where individuals under 810.1 or 810.2 orders reside as follows:
 - Metro Vancouver region – 12
 - Vancouver Island, Interior and North regions –19
- It is important to note, unless there is a specific order in place to determine where someone under supervision must live, offenders are free to choose where they reside.

Provide on Sept. 29:

How many offenders are under 810 orders?

- There are currently 31 offenders assessed as high risk to reoffend with 810.1 and 810.2 orders in B.C.
- The High-Risk Recognizance Advisory Committee recommends whether an 810 application by the Criminal Justice Branch is needed.
- An 810 order imposed by the Court places supervisory terms and conditions on offenders who have completed their sentence and who continue to present a risk to the community after their release.

Can you provide the number offenders subject to electronic monitoring? I heard the number is going down, why is that?

- In fiscal year 2013/14, there was a daily average of 75 clients being monitored electronically in B.C.
- Electronic monitoring systems are used to monitor offenders' compliance with court ordered curfew or house arrest conditions.
- It's important to understand that electronic monitoring isn't foolproof, and it cannot stop someone who is intent on committing a crime.

- Speaking generally, the court imposes conditions that are considered relevant to identifiable risks presented by a specific accused, and that are responsive to such risks.
- For example a curfew would be an appropriate condition to seek if the offending pattern of the accused was related to night-time offences.
- BC Corrections has not conducted any studies in the causes of declining numbers of Electronic Monitoring cases. However, this may be due to a variety of reasons such as changes to the Criminal Code relating to Conditional Sentence Orders, Judicial sentencing practices and the decline in the number of people who have been sentenced to a period of community supervision. That said, there have been no changes to the program's availability over this time period.

How many high-risk offenders are subject to electronic monitoring?

- Today, there are ten offenders on electronic monitoring that have been assessed by BC Corrections as a high-risk to reoffend. Of that ten, two of them are on 810.1 or 810.2 orders.
- BC Corrections manages high-risk individuals using modes of supervision and a variety of interventions, including:
 - conducting risk and needs assessments,
 - delivering or referring offenders to programming designed to change the individual's thinking and behaviour
 - conducting home visits and attendance in programs
 - working with police and other collateral contacts to monitor compliance with court ordered conditions, including curfew checks
 - issuing public notifications
 - monitoring of clinical treatment plans and progress.

Clarke, Melaina B JAG:EX

From: Lapsley, Amy JAG:EX
Sent: Friday, September 26, 2014 3:37 PM
To: Turner, Caeli GCPE:EX
Subject: FW: Media Request - Global - Electronic monitoring

Good to go. Call to discuss last question.

Date/Time: 26/Sept/12:50 p.m.

Deadline @ 4:30 p.m.

Media: Global BC

Reporter: Rumina Daya, rumina.daya@globalnews.ca

Topic: Electronic monitoring

Background: Reporter following up on her request yesterday and looking for information on background regarding electronic monitoring.

Questions:

Are the current EM devices currently being used RFI (radio frequency) or GPS?

- BC Corrections uses proven technologies to monitor offenders when the courts have made electronic monitoring a condition of the court order. For security reasons, we cannot provide details on those monitors.

Regarding the numbers you sent the other day, how many of the current offenders wearing the EM device are high risk offenders?

- Today, there are ten offenders on electronic monitoring that have been assessed by BC Corrections as a high-risk to reoffend. Of that ten, two of them are on 810.1 or 810.2.
- BC Corrections manages high-risk individuals using modes of supervision and a variety of interventions, including:
 - conducting risk and needs assessments,
 - delivering or referring offenders to programming designed to change the individual's thinking and behaviour
 - conducting home visits and attendance in programs
 - working with police and other collateral contacts to monitor compliance with court ordered conditions, including curfew checks
 - issuing public notifications
 - and monitoring of clinical treatment plans and progress.

What did the Minister mean by this: "Should there be electronic monitoring? I do think that that is something that probably should be considered," said Minister of Justice and Attorney General Suzanne Anton Wednesday. Is she talking about expanding the program? Mandatory requirement after release?

- (GCPE will be discussing this response with the MO on how they want this response framed).

- The Minister **did say a review of our monitoring procedures should be considered** to ensure that best practices were followed and to discuss this matter with the RCMP and her federal counterparts.
- At this point, these discussions are still in the early stages and it is too soon to provide further comment.

Provided yesterday:

Was Caissie on electronic monitoring? If not, why not? If he was given dangerous offender status, how would this have changed the conditions or date of his release?

- Due to privacy laws, the ministry is unable to discuss the specifics of Mr. Caissie's case.

Who gets EM? How does it work? How many inmates in BC are subject to EM? I read the numbers have dropped year after year. If so, why?

- Electronic monitoring systems are used to monitor offenders' compliance with court ordered curfew or house arrest conditions.
- Speaking generally, the court imposes conditions that are considered relevant to identifiable risks presented by a specific accused, and that are responsive to such risks.
- For example a curfew would be an appropriate condition to seek if the offending pattern of the accused was related to night-time offences.
- It's important to understand that electronic monitoring isn't foolproof, and it cannot stop someone who is intent on committing a crime.
- BC Corrections has not conducted any studies in the causes of declining numbers of Electronic Monitoring cases. However, this may be due to a variety of reasons such as changes to the Criminal Code relating to Conditional Sentence Orders, Judicial sentencing practices and the decline in the number of people who have been sentenced to a period of community supervision. That said, there have been no changes to the program's availability over this time period.
- Please refer to the table below, which provides the average daily number of clients in BC on electronic monitoring over the past five fiscal years:

Fiscal Year	EM Clients Daily Average/Fiscal
FY2009/2010	172
FY2010/2011	146
FY2011/2012	119
FY2012/2013	82
FY2013/2014	75

How much does it cost, on average, to do electronic monitoring on an inmate?

- The estimated annual cost of the Electronic Monitoring program is approximately \$1 million per year.

Why did the BC government decide not to move forward with a GPS monitoring bracelet from Safe Tracks?

- BC Corrections uses proven technologies to monitor offenders when the courts have made electronic monitoring a condition of the court order. For security reasons, we cannot provide details on those monitors.

Clarke, Melaina B JAG:EX

From: Lapsley, Amy JAG:EX
Sent: Thursday, September 25, 2014 4:04 PM
To: Pinto, Morningstar GCPE:EX
Cc: Turner, Caeli GCPE:EX; Rose, Cindy JAG:EX
Subject: Re: Media Request - Globe and Mail - Electronic monitoring interview

Yes good to go

Sent from my iPhone

On Sep 25, 2014, at 4:00 PM, "Pinto, Morningstar GCPE:EX" <Morningstar.Pinto@gov.bc.ca> wrote:

You okay with me copying the answer from the van sun request for this one?

Deadline @ 4 p.m.

Media: Globe and Mail

Reporter: Ian Bailey, 604-631-6652, ibailey@globeandmail.com

Topic: Electronic monitoring

Background: Reporter would like to have a short interview with MSA about the decrease in the number of individuals being electronically monitored from 172 in 09/10 to 75 in 13/14. If an interview is absolutely not possible, he will take an attributable statement.

Questions:

Why has the number of individuals being electronically monitored dropped so significantly?

- BC Corrections has not conducted any studies in the causes of declining numbers of Electronic Monitoring cases. However we suspect this is likely due to a variety of reasons such as changes to the Criminal Code relating to Conditional Sentence Orders, Judicial sentencing practices and the decline in the number of people who have been sentenced to a period of community supervision. That said, there have been no changes to the program's availability over this time period.

Provided to the reporter yesterday:

I've been told by a defense lawyer that there has been a decrease in the use of electronic monitoring. Can the province confirm this is true? If it is, why and how was that decision reached?

- BC Corrections uses proven technologies to monitor offenders when the courts have made electronic monitoring a condition of the court order. For security reasons, we cannot provide details on those monitors.
- Electronic monitoring systems are used to monitor offender's compliance with court-ordered curfew or house arrest conditions.
- Ultimately, the court determines whether an individual will be subject to electronic monitoring, having taken into account the circumstances of a case, the submissions of counsel, the background of an accused, and any other relevant information provided to the court.
- BC Corrections monitors all electronically monitored clients in BC 24/7, and has a protocol in place to attend to reported violations.
- Please refer to the table below, which provides the average daily number of clients in BC on electronic monitoring over the past five fiscal years:

Fiscal Year	EM Clients Daily Average/Fiscal
FY2009/2010	172

FY2010/2011	146
FY2011/2012	119
FY2012/2013	82
FY2013/2014	75

Stuart Bertrand | Public Affairs Officer

Ministry of Justice | Solicitor General Communications Office

Phone: 250-356-6538 | Cell: s.17 | Media line: 250-213-3602

Clarke, Melaina B JAG:EX

From: Lapsley, Amy JAG:EX
Sent: Friday, September 26, 2014 3:38 PM
To: Rose, Cindy JAG:EX
Subject: FW: Media Request - CBC TV - HRRAC/high risk offenders

Here you go....

From: Lapsley, Amy JAG:EX
Sent: Thursday, September 25, 2014 4:06 PM
To: Turner, Caeli GCPE:EX; Pinto, Morningstar GCPE:EX
Subject: FW: Media Request - CBC TV - HRRAC/high risk offenders

Good to go

From: Clark, Elenore JAG:EX
Sent: Thursday, September 25, 2014 3:46 PM
To: Lapsley, Amy JAG:EX
Subject: RE: Media Request - CBC TV - HRRAC/high risk offenders

From: Lapsley, Amy JAG:EX
Sent: Thursday, September 25, 2014 3:02 PM
To: Clark, Elenore JAG:EX
Subject: Fwd: Media Request - CBC TV - HRRAC/high risk offenders

Sent from my iPhone

Begin forwarded message:

From: "Lapsley, Amy JAG:EX" <Amy.Lapsley@gov.bc.ca>
Date: September 25, 2014 at 2:36:45 PM PDT
To: "Small, Bill R JAG:EX" <Bill.Small@gov.bc.ca>, "Rose, Cindy JAG:EX" <Cindy.Rose@gov.bc.ca>
Subject: FW: Media Request - CBC TV - HRRAC/high risk offenders

Ready to review – except for last question. Cindy – I'm awaiting your guidance on that.

Deadline @ 4 pm (for interview, or background asap)

Media: CBC TV

Reporter: Yvette Brend, yvette.brend@cbc.ca, 604-662-6838

Topic: High Risk Recognizance Advisory Committee

Background: Reporter would like to interview someone in Vancouver who can talk about the High Risk Recognizance Advisory Committee and explain what it is and what it does. If an interview is not possible, she is willing to take background.

- **The High-Risk Recognizance Advisory Committee recommends whether an 810 application by the Criminal Justice Branch is needed.**
- **An 810 order imposed by the Court places supervisory terms and conditions on offenders who have completed their sentence and who continue to present a risk to the community after their release.**

Questions:

How many high risk offenders are there in BC? How many reside in BC?

- **There are currently 31 offenders assessed as high risk to reoffend with 810.1 and 810.2 orders in B.C.**

How many in the past 3 years have been designated?

- **From 2011 – 2013, there were 115 offenders assessed as high risk to reoffend on an 810 order (810.1 and 810.2).**

How many are being electronically monitored in BC?

- **The Court has imposed electronic monitoring as a condition of supervision for two of the current 810.1 or 810.2 offenders.**
- **BC Corrections manages high-risk individuals using modes of supervision and a variety of interventions, including:**
 - **conducting risk and needs assessments,**
 - **delivering or referring offenders to programming designed to change the individual's thinking and behaviour,**
 - **conducting home visits and attendance in programs**
 - **working with police and other collateral contacts to monitor compliance with court ordered conditions, including curfew checks,**
 - **and monitoring of clinical treatment plans and progress.**
 - **issuing public notifications,**

How serious are the charges before they get monitoring? Are some of them more minor than others?

- **Electronic Monitoring is a tool utilized to monitor a curfew or house arrest condition, taking into account the circumstances of a case, the background of an accused, and any other relevant information provided to the court.**

Clarke, Melaina B JAG:EX

From: Lapsley, Amy JAG:EX
Sent: Thursday, September 25, 2014 4:05 PM
To: Pinto, Morningstar GCPE:EX; Turner, Caeli GCPE:EX
Subject: FW: FOR ELENORE REVIEW: Media Request - Global - Electronic monitoring - deadline at 4:30

Good to go

Begin forwarded message:

From: "Lapsley, Amy JAG:EX" <Amy.Lapsley@gov.bc.ca>
Date: September 25, 2014 at 3:40:57 PM PDT
To: "Lapsley, Amy JAG:EX" <Amy.Lapsley@gov.bc.ca>
Subject: FOR ELENORE REVIEW: Media Request - Global - Electronic monitoring - deadline at 4:30

Deadline @ 4:30 p.m.

Media: Global BC

Reporter: Rumina Daya, rumina.daya@globalnews.ca

Topic: Electronic monitoring

Background: Reporter is looking for information on background regarding electronic monitoring.

Questions:

Was Caissie on electronic monitoring? If not, why not? If he was given dangerous offender status, how would this have changed the conditions or date of his release?

- Due to privacy laws we are unable to discuss the specifics of Mr. Caissie's case.

Who gets EM? How does it work? How many inmates in BC are subject to EM? I read the numbers have dropped year after year. If so, why?

- Electronic monitoring systems are used to monitor offenders' compliance with court ordered curfew or house arrest conditions.
- Speaking generally, the court imposes conditions that are considered relevant to identifiable risks presented by a specific accused, and that are responsive to such risks.
- For example a curfew would be an appropriate condition to seek if the offending pattern of the accused was related to night-time offences.
- It's important to understand that electronic monitoring isn't foolproof, and it cannot stop someone who is intent on committing a crime.
- BC Corrections has not conducted any studies in the causes of declining numbers of Electronic Monitoring cases. However we suspect this is likely due to a variety of reasons such as changes to the Criminal Code relating to Conditional Sentence Orders, Judicial sentencing practices and the decline in the number of people who have been sentenced to a period of

community supervision. That said, there have been no changes to the program's availability over this time period.

- Please refer to the table below, which provides the average daily number of clients in BC on electronic monitoring over the past five fiscal years:

Fiscal Year	EM Clients Daily Average/Fiscal
FY2009/2010	172
FY2010/2011	146
FY2011/2012	119
FY2012/2013	82
FY2013/2014	75

How much does it cost, on average, to do electronic monitoring on an inmate?

Annual cost of the Electronic Monitoring program is almost \$1 million

Why did the BC government decide not to move forward with a GPS monitoring bracelet from Safe Tracks?

- BC Corrections uses proven technologies to monitor offenders when the courts have made electronic monitoring a condition of the court order. For security reasons, we cannot provide details on those monitors.

Clarke, Melaina B JAG:EX

From: Lapsley, Amy JAG:EX
Sent: Wednesday, September 24, 2014 4:00 PM
To: Pinto, Morningstar GCPE:EX; Turner, Caeli GCPE:EX
Subject: FW: Media Request - Vermeersch murder - Globe and Mail

Importance: High

Version control issues. Please use highlighted bullets as response for second question.

From: Rose, Cindy JAG:EX
Sent: Wednesday, September 24, 2014 4:00 PM
To: Lapsley, Amy JAG:EX
Subject: FW: Media Request - Vermeersch murder - Globe and Mail
Importance: High

Cindy Rose
Director, Programs & Strategic Services
BC Corrections Branch
(o) 250.387-1562
(c) 250.818.4508

From: Lapsley, Amy JAG:EX
Sent: Wednesday, September 24, 2014 3:09 PM
To: Small, Bill R JAG:EX; Rose, Cindy JAG:EX; Clark, Elenore JAG:EX
Subject: FW: Media Request - Vermeersch murder - Globe and Mail
Importance: High

For review – deadline approaching. Let me know if you have edits/concerns.

Deadline @ 3:30 pm

Media: Globe and Mail

Reporter: Sunny Dhillon, sdhillon@globeandmail.com, 604 631-6619

Topic: Vermeersch murder

Background: Reporter following up on MSA's comment yesterday that she would be reviewing monitoring procedures. He also spoke with Neil MacKenzie yesterday and has some follow up questions. He will take information on background.

Questions: Is there any update on the review that Minister Anton mentioned yesterday?

Suggested Response:

- There is no update.

Why did the advisory committee not recommend electronic monitoring or a curfew for Caissie? In general, why would the committee not use every available tool at their disposal when dealing with a high risk offender?

Given this matter is before the courts, we can't speak to specifics of this case. However generally speaking, in determining what recommendations are made to the Crown on an 810 recognizance application, the committee takes into account the background of the accused, including the specific circumstances of past offences, as well as any history of treatment or programs taken while in custody, and professional assessments of the risk of re-offending. That includes available psychological or psychiatric reports.

These factors affect the assessment of what conditions may be recommended as appropriate for consideration on any Recognizance that a court might impose. The committee will recommend conditions which are considered relevant to identifiable risks presented by a specific accused, and that are responsive to such risks.

The conditions that Crown may seek, or that a Court might ultimately impose, are not necessarily the same conditions recommended by the Committee.

- I've been told by a defense lawyer that there has been a decrease in the use of electronic monitoring. Can the province confirm this is true? If it is, why and how was that decision reached?
- The court determines who is suitable for electronic monitoring, therefore questions regarding how or why these decisions are reached should be directed to the courts.
- BC Corrections uses proven technologies to monitor offenders when the courts have made electronic monitoring a condition of the court order.
- Electronic monitoring systems are used to monitor offenders compliance with court ordered curfew or house arrest conditions.
- BC Corrections monitors all electronically monitored clients in BC 24/7, and has a protocol in place to attend to reported violations.
- Table showing the daily average number of clients in BC on electronic monitoring over the past 5 fiscal years.

Fiscal Year	EM Clients Daily Average/Fiscal
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Clarke, Melaina B JAG:EX

From: Rose, Cindy JAG:EX
Sent: Friday, March 13, 2015 10:03 AM
To: Pinto, Morningstar GCPE:EX
Subject: Re: BN-Electronic Monitoring-C505500

Nope not yet. Expect the next note will be the decision note. C

From: Pinto, Morningstar GCPE:EX
Sent: Friday, March 13, 2015 9:57 AM
To: Rose, Cindy JAG:EX
Subject: RE: BN-Electronic Monitoring-C505500

Ahah! We do have this one – thought you may have had one on the RFP, report etc. with a few more up to date details.

Morningstar Pinto
Senior Public Affairs Officer
Ministry of Justice – Public Safety
250.356.9998

s.17

From: Bingham, Sue L JAG:EX
Sent: Friday, March 13, 2015 9:45 AM
To: Pinto, Morningstar GCPE:EX
Cc: Rose, Cindy JAG:EX
Subject: BN-Electronic Monitoring-C505500

Hi Morningstar: Attached is the BN on electronic monitoring.

Sue Bingham (on behalf of Cindy Rose)
Program Assistant
Programs & Strategic Services
Corrections Branch
250-387-6366 (phone)
250-387-5698 (fax)

Clarke, Melaina B JAG:EX

From: Pinto, Morningstar GCPE:EX
Sent: Friday, March 13, 2015 9:20 AM
To: Rose, Cindy JAG:EX
Cc: Turner, Caeli GCPE:EX
Subject: e monitoring

Good morning Cindy,

I am hoping to get an update from you on the electronic monitoring RFP, etc... I know there had been talk of beginning of April. Is that still going ahead?

Anything you can share as well – BN, background, progress report, etc... would be great 😊

Thank you,
m.

Cornett, Kathy M JAG:EX

From: Currie, Sylvia JAG:EX
Sent: Thursday, January 15, 2015 3:24 PM
To: Cornett, Kathy M JAG:EX
Cc: Hoskins, Jeannie JAG:EX; Merchant, Brent JAG:EX
Subject: Attached BN - C506882 - January 19th mtg with MSA
Attachments: 506882_EM-Jan15.docx

Kathy,

The attached BN is for Lori's review/information prior to her and Brent's meeting with the Minister on Monday.

Thank you,

Sylvia Currie | Executive Administrative Assistant

Office of the Assistant Deputy Minister
Corrections Branch | Ministry of Justice

PO Box 9278 STN PROV GOVT | Victoria | BC | V8W 9J7
Direct: 250.387.5363 | Fax: 250.387.5698 |

**MINISTRY OF JUSTICE
CORRECTIONS BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION Suzanne Anton, QC, Attorney General and Minister of Justice

ISSUE: Review of Electronic Supervision

SUMMARY:

- The Corrections Branch has reviewed the technology trends and program efficacy in the use of electronic supervision as a public safety measure in Canadian and American jurisdictions.
- There are currently 44 offenders being electronically monitored (EM) 24x7 by the BC Corrections Central Monitoring Unit (CMU) in Victoria. The average number of offenders on EM for 2013/14 was 75, down from 82 in 2012/13 and 119 in 2011/12.
- Offenders with a conditional sentence order (house arrest) have been the primary users of the technology. Recently there has been an upswing in the use of electronic monitoring for bail clients (32% of the current 44).
- Current BC technology employs radio frequency (RF) devices attached to phone lines that monitor the proximity of offenders wearing ankle bracelets for curfew or house arrest purposes.
- Serco is the current provider of electronic monitoring technology to BC, however, due to restructuring, they will not partake in the RFP process when their current contract expires in July 2015.
- The average annual cost for the Electronic Monitoring Program (EMP), exclusive of taxes and expenses, is \$463,637.50 per annum. This figure does not include staffing or facility costs for CMU.

BACKGROUND:

- The review outlined a number of ways modern digital technology can be applied to specialized programs that are designed to monitor and track high risk offenders or vulnerable populations. For example:
 - Alberta has two pilot EMP programs using GPS technology:
 - The Edmonton Police Services, Targeted Offenders Program is operated by eight police officers responsible for tracking four or five high risk offenders on 810 Peace Bonds
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- Advances in the use of GPS in health services include GPS tracking devices in the shoes of Alzheimer patients and GPS watches for children with autism.
- Based on the review, BC Corrections is in the process of defining the scope and purpose of potential changes to the EM program by examining the following questions:
 - What do we want to use it for and to what end?
 - Do we have the resources and partnerships to do what we want to do?
 - Do we have the mandate or governance to achieve its vision?
- Evidence shows that the EM program will fail if an agency selects the technology first and implements before defining the purpose and ensures staffing and resources are available to support the program.
- The key reason to implement EM technology is to reduce the likelihood of failure while under community supervision and provide Community Corrections time to implement programming
- There are no statistically significant differences in recidivism after a bracelet is removed and if programming is not implemented.
- The costs of the technology have come down in the past few years. Pricing estimates provided by vendors are approximately \$16-22/day/unit (including monitoring) based on a rental or lease program, rather than purchasing. For the current 50 offenders on EM in BC, the leasing option equals \$365,000 plus taxes, including equipment and monitoring.
- A decision note identifying various options for changes to the EM program is expected by the end of March 2015. This in turn will inform the RFP process.
- BC Corrections will complete the RFP by April 30, 2015, to ensure smooth transition from Serco to the new service provider.

Prepared by:
 Carmen Gress, Ph.D.
 Director
 Research, Planning & Offender Programs
 Corrections Branch
 250-387-5361

Approved by:
 Brent Merchant
 Assistant Deputy Minister
 Corrections Branch
 s.17

Bill Young
 Director
 Strategic Technology & Corporate Projects
 Corrections Branch
 250-387-1563

Hoskins, Jeannie JAG:EX

From: Merchant, Brent JAG:EX
Sent: Tuesday, January 13, 2015 4:09 PM
To: Hoskins, Jeannie JAG:EX; Wanamaker, Lori JAG:EX
Cc: Currie, Sylvia JAG:EX; Lapsley, Amy JAG:EX; Merchant, Brent JAG:EX; Rose, Cindy JAG:EX
Subject: RE: Minister's briefing - January 19th
Attachments: BC Corrections Technical Assessment of Electronic Supervision Final.docx; Corrections - Electronic Monitoring Report- IN - 6Jan15 - DRAFT.DOCX

Attached are two documents related to the EM briefing with the Minister scheduled for 10:30 on Monday January 19th at the Ministers Office.

1. The first document is the report on EM compiled by Sierra. If Lori gives her approval this can be forwarded to the MO in advance of the January 19th briefing with MSA.
2. The second document is an IN regarding the above report. Given this document is an IN it would need to go to the MO via GCPE once GCPE knew that the EM report was being sent to the MO. The highlighted portion is holding messaging to be used prior to the briefing on the 19th. The rest of the note is for use after that briefing has occurred. I have included the IN just for Lori's information so she has it alongside the EM report for reference. If you let us know that you are sending the EM Report to the MO we will notify GCPE to forward the IN to the MO as well – trust this process makes sense to you but if not give me a ring.

I think this should provide all of the information necessary for the briefing and with both Bill's coming with me we should be able to address any other issues that might arise.

*Brent Merchant
Assistant Deputy Minister
B.C. Corrections Branch*

*Tel: s.17
Email: Brent.Merchant@gov.bc.ca*

From: Hoskins, Jeannie JAG:EX
Sent: Monday, January 12, 2015 10:07 AM
To: Merchant, Brent JAG:EX
Cc: Currie, Sylvia JAG:EX
Subject: Minister's briefing - January 19th

Hi Brent

Just a reminder that we have Electronic Monitoring on the Minister's briefing agenda for January 19th. This item is scheduled for 10:30 – 10:45am in the Minister's Victoria office (#232). I have you attending, please advise if you will have additional staff with you. If there is any materials for this briefing, could you please have them to our office by Wednesday of this week for Lori's review.

Thank you.

HIGH-RISK OFFENDERS

ELECTRONIC MONITORING REPORT

MANDATE: Public safety

VALUE: Public safety is of paramount importance

HOLDING:

- My ministry undertook a comprehensive review of electronic monitoring models, looking at best practices throughout North America, considering whether there are opportunities for improvement in B.C.
- I will be reviewing the report in the coming weeks, and will be discussing the findings with BC Corrections.

TOP MESSAGES:

- Ministry staff have delivered a report to me, providing an overview of North American best practices, as well as recommendations for the future of electronic monitoring in B.C.
- The review took a comprehensive look at models used to electronically monitor individuals who are being supervised in the community.
- We will be reviewing the details of the report, exploring any potential options for improvement.

IF ASKED IF THE REPORT WILL BE MADE PUBLIC:

- For security reasons, this will be an internal report, but I am committed to sharing any actions that may come as a result of the review.

IF ASKED WHAT ELECTRONIC MONITORING IS USED FOR:

HIGH-RISK OFFENDERS

ELECTRONIC MONITORING REPORT

- BC Corrections uses electronic monitoring to assist in the supervision of offenders when it is a court-ordered condition.
- The court imposes conditions based on the risks associated with the individual, as well as other factors.
- Generally, electronic monitoring is used to monitor an individual's compliance with curfew or house arrest conditions.
- That said, it's important to remember that electronic monitoring isn't foolproof – it cannot stop someone who is intent on committing a crime.

IF ASKED WHY THE USE OF ELECTRONIC MONITORING IS DECLINING:

- The Province has not conducted any detailed studies into why the number of electronic monitoring cases has declined.
- However, this may be due to a variety of reasons such as changes to the Criminal Code on conditional sentence orders, resulting in decreased availability, judicial sentencing practices and the decline in the number of people who have been sentenced to a period of community supervision.

BACKGROUND:

In the fall of 2014, the Corrections Branch engaged Chris Litton, Managing Director, Management Consulting, Sierra Systems, to conduct a review of international monitoring models to help inform the procurement, design and delivery of a new BC Electronic Supervision Program (ESP). The total cost of the review was \$21,300.

The review focuses on how electronic tools such as GPS, RFID and biometrics are being used effectively to manage and monitor offenders in jurisdictions across Canada and in the United States – including cost and delivery models, client suitability, tracking and response methodologies, the latest technologies and published evaluations.

ADVICE TO MINISTER
Updated Jan. 6, 2015

HIGH-RISK OFFENDERS

ELECTRONIC MONITORING REPORT

The report, which the ministry does not plan to publicly release, examines BC Corrections' current electronic supervision model, looks at international best practices, and provides recommendations in advance of issuing a new electronic monitoring contract RFP – which expires in July 2015.

The review came following a high-profile murder case that raised questions about the use of electronic supervision for high-risk offenders.

Raymond Caissie, accused of murdering 17-year-old teenager Serena Vermeersch of Surrey, was not under any court imposed electronic monitoring, and media were critical of this and raised concerns about the use of radio technology (RFID) versus GPS technology, which has the ability to track the location of offenders.

Caissie was under an 810.2 order after being released from federal prison after serving a 22 year sentence, which did place supervisory terms and conditions, as he continued to present a risk to the community after their release.

Electronic monitoring's use:

BC Corrections makes electronic monitoring available to the court for the purpose of monitoring compliance. It is primarily used for conditional sentence orders that have house arrest and/or curfew terms. It has occasionally been used for Bail and Section 810 Recognizance supervision.

The electronic monitoring system is passive and is limited to monitoring an offender's compliance with location and time restrictions imposed by the court. Electronic monitoring increases the possibility of early detection of a violation, but cannot ensure that police agencies have the means to locate and arrest the subject with any certainty of timeliness.

The number of electronic supervision cases has declined, though no studies have been conducted to determine why. This may be due to a variety of reasons such as changes to the Criminal Code relating to conditional sentence orders, judicial sentencing practices and the decline in the number of people who have been sentenced to a period of community supervision. There have been no changes to the program's availability over this time period.

System used:

The BC Corrections branch has used radio frequency electronic monitoring (EM) since 1987. The estimated annual cost of the Electronic Supervision program is approximately \$1 million per year.

Electronic supervision does not track individuals and does not impede the capacity of an individual to engage in criminal activities from within the confines of the radio

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HIGH-RISK OFFENDERS

ELECTRONIC MONITORING REPORT

frequency radius or when the accused is authorized under the terms of an order to be outside of his residence.

In order to determine suitability for electronic supervision, or as a part of a pre-sentence report, a probation officer will conduct a home visit as part of a technical suitability report for the use of electronic monitoring. These reports ensure the client has a land line telephone for the monitoring unit and confirms the residence is suitable. In cases where a client does not have a landline, there are electronic supervision units with cellular technology available.

BC Corrections employs staff who monitor the alarms at the Operational Support Unit (OSU), 24 hours a day, 7 days a week. The alarms may relate to curfew compliance or equipment tampering, and are monitored by probation officers.

For issues that arise during regular business hours, OSU staff contact the supervising probation officer and conduct an investigation. After hours, an on call manager provides oversight. If necessary, a home visit maybe conducted during the investigation to determine cause of the alarm. Outside of business hours, the police are contacted.

During the last decade there has been an increasing focus on GPS supervision technology. This is something BC Corrections may consider adopting.

Ontario also uses electronic supervision, based on radio frequency technology. New Brunswick, Manitoba, Nova Scotia and PEI (for young offenders and prolific offenders) use electronic supervision with GPS technology.

Cornett, Kathy M JAG:EX

From: Cornett, Kathy M JAG:EX
Sent: Thursday, October 30, 2014 4:41 PM
To: Currie, Sylvia JAG:EX
Cc: Hoskins, Jeannie JAG:EX; Merchant, Brent JAG:EX; Rose, Cindy JAG:EX; Lapsley, Amy JAG:EX
Subject: DSG APPROVED: 505500 - BN re Electronic Monitoring
Attachments: 505500_BN_EM-Oct14.docx

Importance: High

The attached BN has been approved by Lori, and it has been uploaded to the Minister's SP site for the November 3, 2014 briefing (item 4 @ 5:15 pm).

Thank you, Kathy

From: Currie, Sylvia JAG:EX
Sent: Thursday, October 30, 2014 12:45 PM
To: Cornett, Kathy M JAG:EX
Cc: Merchant, Brent JAG:EX; Rose, Cindy JAG:EX; Lapsley, Amy JAG:EX
Subject: RE: Electronic Monitoring BN for MSA
Importance: High

Kathy,

As requested, attached for Lori's review is the BN re electronic monitoring, for the Minister's information.

Sylvia

From: Cornett, Kathy M JAG:EX
Sent: Monday, October 27, 2014 8:35 AM
To: Merchant, Brent JAG:EX
Cc: Currie, Sylvia JAG:EX
Subject: Electronic Monitoring BN for MSA

Hi Brent, this item has been added to the Nov 3 weekly briefing with the Minister. If we could please have the BN for the Minister's information by end of day Thursday, if possible. Lori will need to review/approve (she's going to Vancouver Friday) and I will need to upload it to the Minister's SP on Friday for the Monday briefing. Times will be confirmed closer to the date (this item currently scheduled from 4:30 to 4:45 pm).

Sylvia, if you could please confirm that Brent will be attending in person.

Thank you, Kathy

From: Louie, Toby I JAG:EX
Sent: Friday, October 24, 2014 9:57 AM
To: Cornett, Kathy M JAG:EX
Cc: Klima, Judy H JAG:EX
Subject: FYI: Electronic Monitoring BN for MSA

Hi Kathy – a heads-up – BN coming plus a briefing topic for week of Nov 3.

From: Wanamaker, Lori JAG:EX
Sent: Friday, October 24, 2014 9:34 AM
To: Tennant, Laura JAG:EX
Cc: Louie, Toby I JAG:EX; Merchant, Brent JAG:EX
Subject: Re: Reminder: Electronic Monitoring BN for MSA

Thanks Laura. The BN that was developed is being updated based on recent information. We'll add to the minister briefing hat occurs the week of November 3.

On Oct 23, 2014, at 4:39 PM, Tennant, Laura JAG:EX <Laura.Tennant@gov.bc.ca> wrote:

Hi Lori, MSA would like an BN on electronic monitoring.

Thanks
Laura

Laura Tennant | Executive Assistant to the Honourable Suzanne Antoni

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**MINISTRY OF JUSTICE
CORRECTIONS BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for Suzanne Anton, QC, Attorney General
and Minister of Justice

ISSUE: Electronic Monitoring

SUMMARY:

- After a high-risk offender under Community Corrections supervision was charged with the death of a teenager in Surrey, media criticized the Province's use of electronic monitoring.
- In particular, questions were asked about the number of high-risk offenders being monitored electronically, the current technology used, and the declining number of offenders who have electronic monitoring as a condition.
- Currently, BC Corrections applies electronic supervision to offenders when it is a court-ordered condition.
- The court imposes conditions based on the risks associated with the individual.
- Generally, electronic supervision is used to monitor an individual's compliance with curfew or house arrest conditions.
- There are limitations to electronic supervision, as it cannot stop an individual who is intent on committing a crime. Additionally, the current technology used in British Columbia is passive and is limited to monitoring an offender's compliance with location and time restrictions imposed by the court.
- The Corrections Branch is reviewing the use of electronic monitoring and the resulting report, due by the end of December 2014, will examine BC Corrections' current electronic supervision model, s.13

s.13

BACKGROUND:

- s.22
- s.22 have raised questions about the use of electronic supervision for high-risk offenders.
- s.22 and media have raised concerns about the use of Radio Frequency Identification technology (RFID) versus GPS technology which has the ability to track the location of offenders, the use of electronic monitoring as a tool to manage high-risk offenders, and the decline in the number of offenders placed under electronic monitoring. (See Page 3 for a breakdown by year.)

- In response, Minister Anton asked for ministry staff to review BC's electronic monitoring program.
- The Corrections Branch has engaged Chris Litton, Managing Director, Management Consulting at Sierra Systems to conduct a worldwide review of electronic supervision programs and technologies employed by modern correctional programs.
- The review will detail how electronic tools such as GPS, RFID and biometrics are being used effectively to manage and monitor offenders in North American, European and Commonwealth communities. Details will include cost and delivery models, client suitability, tracking and response methodologies, the latest technologies and published evaluations.
- s.13
-

Current use of BC's Electronic Monitoring Program

- The BC Corrections Branch has used radio frequency electronic monitoring (EM) since 1987. The estimated annual cost of the electronic supervision program is approximately \$1 million per year.
- BC Corrections makes electronic monitoring available to the court for the purpose of monitoring compliance. It is primarily used for conditional sentence orders that have house arrest and/or curfew terms. It has occasionally been used for Bail and Section 810 Recognizance supervision.
- The electronic monitoring system is passive and is limited to monitoring an offender's compliance with location and time restrictions imposed by the court.
- Electronic monitoring increases the possibility of early detection of a curfew violation, but cannot ensure that police agencies have the means to locate and arrest the subject with any certainty of timeliness.
- Electronic supervision does not track individuals and does not impede the capacity of an individual to engage in criminal activities from within the confines of the radio frequency radius, or when the accused is authorized under the terms of an order to be outside of their residence.
- In order to determine suitability for electronic supervision, or as a part of a pre-sentence report, a probation officer will conduct a home visit as part of a technical suitability report for the use of electronic monitoring. These reports ensure the client has a land line telephone for the monitoring unit and confirms the residence is suitable. In cases where a client does not have a landline, electronic supervision units with cellular technology are available.
- BC Corrections staff monitor alarm notifications at the Operational Support Unit (OSU), 24 hours a day, seven days a week. The alarms may relate to a violation of curfew compliance or equipment tampering.

- For issues that arise during regular business hours, OSU staff contact the supervising probation officer and conduct an investigation. After hours, an on-call manager provides oversight. If necessary, a home visit may be conducted during the investigation to determine cause of the alarm. Outside of business hours, the police are contacted.
- During the last decade there has been an increasing focus on GPS supervision technology. This is something BC Corrections may consider adopting.
- Ontario also uses electronic supervision, based on radio frequency technology. New Brunswick, Manitoba, Nova Scotia and Prince Edward Island (for young offenders and prolific offenders) use electronic supervision with GPS technology.

Electronically monitored clients:

- The table below provides the average daily number of clients in BC under electronic supervision over the past five fiscal years.

Fiscal Year	Clients Daily Average
2009/2010	172
2010/2011	146
2011/2012	119
2012/2013	82
2013/2014	75

- The number of electronic supervision cases has declined, though no studies have been conducted to determine why. This may be due to a variety of reasons such as changes to the Criminal Code relating to conditional sentence orders, judicial sentencing practices and the decline in the number of people who have been sentenced to a period of community supervision. There have been no changes to the program's availability over this time period.

Prepared by:
Cindy Rose
Director
Programs & Strategic Services
Corrections Branch

Approved by:
Brent Merchant
Assistant Deputy Minister
Corrections Branch

s.17

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Approved by
Deputy Solicitor General

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chw
10/2/14

ELECTRONIC MONITORING IN BC SEPTEMBER, 2014

QUICK FACTS:

- Current number of clients on EM is 46.
- Almost all are on a conditional sentence order with a small number on bail and 810 recognizance orders.
- Average daily count August 1, 2008 to March 31, 2014 (See attached Charts 1 and 2)
- Average CRNA count August 1, 2008 to March 31, 2014 (See attached Chart 3)
- Current annual cost to provide BC's electronic monitoring service: approx. \$900,000
- 5.5 FTEs are assigned to CMU.
- Our EM equipment and software supplier is Serco LTD. The current contract expires July 31, 2015.

OVERVIEW OF ELECTRONIC MONITORING IN BC

How EM Works

- Individuals with house arrest or curfew conditions are fitted with a Personal Identity Device (PID) worn on their ankle. This PID communicates by encoded transmissions to a Site Monitoring Unit (SMU) installed in their home.
- When required to be in their home, the SMU monitors the PID's proximity, so that if the offender moves too far from the SMU, it sends an alarm to the Central Monitoring Unit (CMU).
- CMU staff first attempt to verify if the alarm is valid before enacting enforcement protocols, which generally include contacting the probation officer during business hours, or an on-call manager after hours, and then notifying police.

History:

- The BC Electronic Monitoring Program began in 1987.
- Its initial use was primarily restricted to controlling short-term admissions to custody centers.
- Offenders entered the program through temporary absence from a custodial sentence, commonly as a result of a conviction for impaired driving types of offences with mandatory jail sentences.
- Historically, most of these offenders were thought to be a low risk to reoffend.
- In 2000, the program was transferred to the Community Corrections Division, and a review of the program resulted in offenders entering the program by being placed on a

conditional sentence order with curfew or house arrest conditions, along with a condition to be electronically monitored.

- At that time it was anticipated that conditional sentences would result in medium and higher risk offenders entering the program, maintaining consistency with what research suggests our programs should focus on.
- However, electronic monitoring is one of the only programs operated by Community Corrections that relies exclusively on admission referrals from the court without probation officer input (aside from probation officers determining clients' "technical suitability").
- Thus, offenders entering the program may not be the most suitable candidates on the basis of assessed risk.
- In 2002, the monitoring system was revamped to support the introduction of a "windows-like" graphic user interface with an upgraded platform (GEMS).
- In 2007, the system was again upgraded to a more secure web-based platform (GEMS2) which continues to be used today.
- In 2008 BC entered into an agreement with Alberta to provide electronic monitoring of its intermittent sentenced offenders. The agreement lasted 5 years and was cancelled in August 2013 at the request of Alberta.
- On average, the Alberta EM monthly count during that 5 year period ranged from 29-45, with the last few months (April to July) dropping to the mid-teens.

Current Issues

In spring 2013, the Community Management Committee reviewed its use of electronic monitoring, having noted a decline in the number of offenders being placed on it, along with growth in some jurisdictions in the use of GPS technology to supervise offenders electronically. At that time, the division made a number of decisions:

- It expanded its fleet of monitoring units to include cellular devices. It was noted that an increasing number of our clients only use cellular phones, and no longer have traditional "land lines" in their residences.
 - The new units operate in clients' homes on the Rogers cellular network, independent of their personal cellular phone service. This has allowed for curfew and house arrest monitoring with clients who had previously been declared unsuitable simply because they lacked the appropriate telephone system at home.
- It developed informational materials on BC Corrections' electronic monitoring program, for Local Managers to share with their staff and local Court users groups. The hope was

that with renewed attention on the availability of this service we would see its consideration in more cases where it could assist in monitoring restrictive conditions. It is apparent that this has not occurred, as the numbers continue to decline.

- CMU Local Manager Ryan Nash met with the Criminal Justice Branch's Professional Development Coordinator to develop a presentation for the province's Crown counsel. This training occurred in November 2013, during a facilitated a lunch hour training webinar.
- Regional Director Mike Catherall met with our current EM contractor, Sercó Geofix, regarding the availability of GPS electronic monitoring services. Mike was informed by Sercó that it was "reconsidering its position in the global electronic monitoring market" and consequently, while they would continue to support our current services they would not be expanding into other EM service areas.
- As Sercó is not engaging further, the ability to expand into GPS is not viable at this time. It is expected that other suppliers who provide GPS service elsewhere (i.e., Nova Scotia) are likely to be bidding on the upcoming RFP.
- Attempting to pilot GPS with a potential proponent is seen as problematic.
- Once a new contract is issued, should EM with GPS be part of the available service, policy and/or practice change will be made.

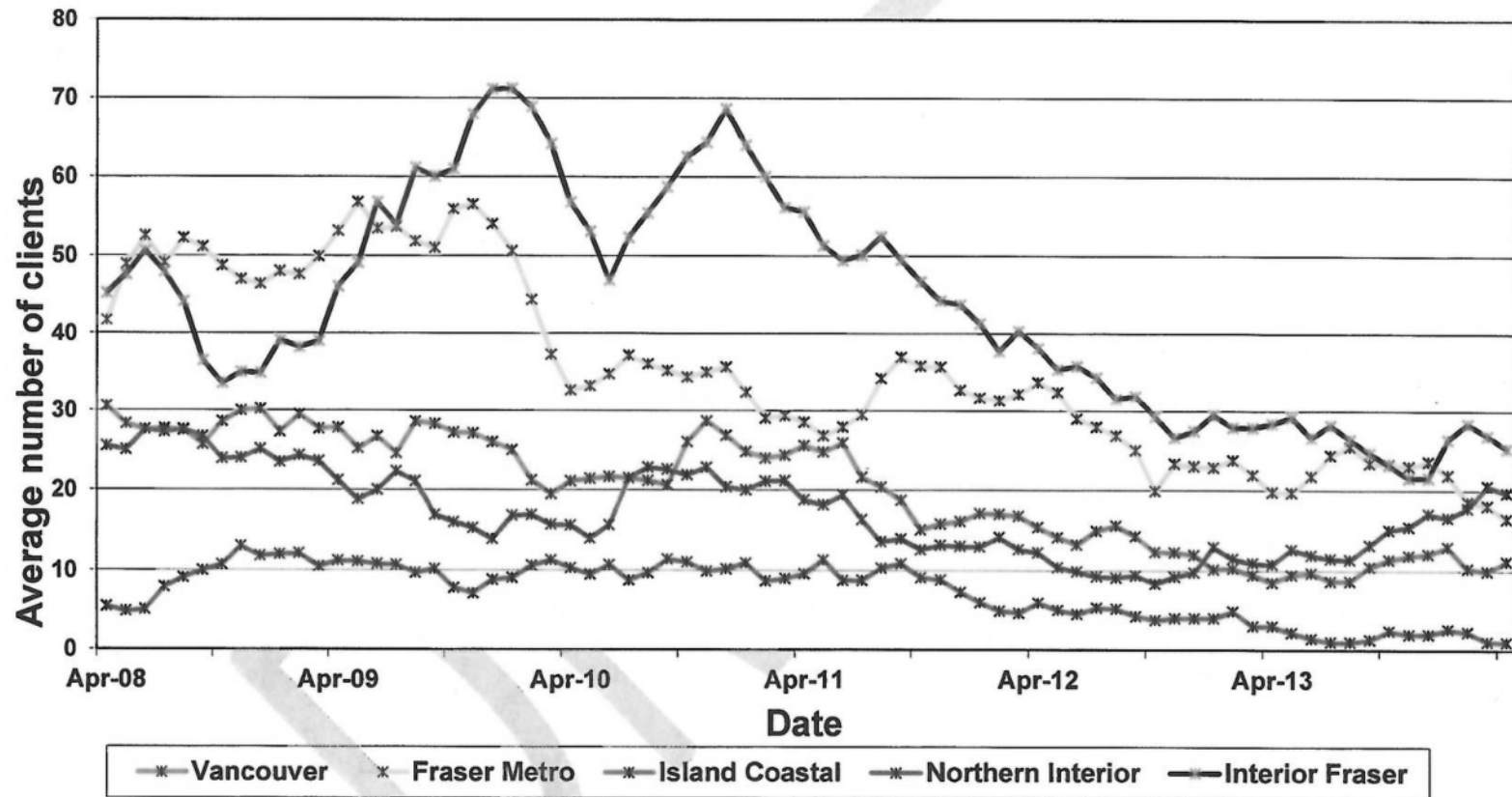
CMC has maintained its current EM functionality, noting that with the launch of an RFP process in 2014, we would invite a broad base of proposals, which would include consideration of new technologies, including GPS.

In the last couple of years it has become apparent that high risk offenders' voluntary participation in the Electronic Monitoring program can enhance case management goals and assist with community reintegration and residential stability. To date there has been very limited application of EM with voluntary sentenced offenders.

Most recently, the Central Monitoring Unit has undergone structural reorganization, with a physical move from Surrey, BC to BC Corrections Headquarters in Victoria now underway. Full relocation is slated for completion in October 2014, at which time CMU will operate as a section of the Corrections Branch's Strategic Operations Division.

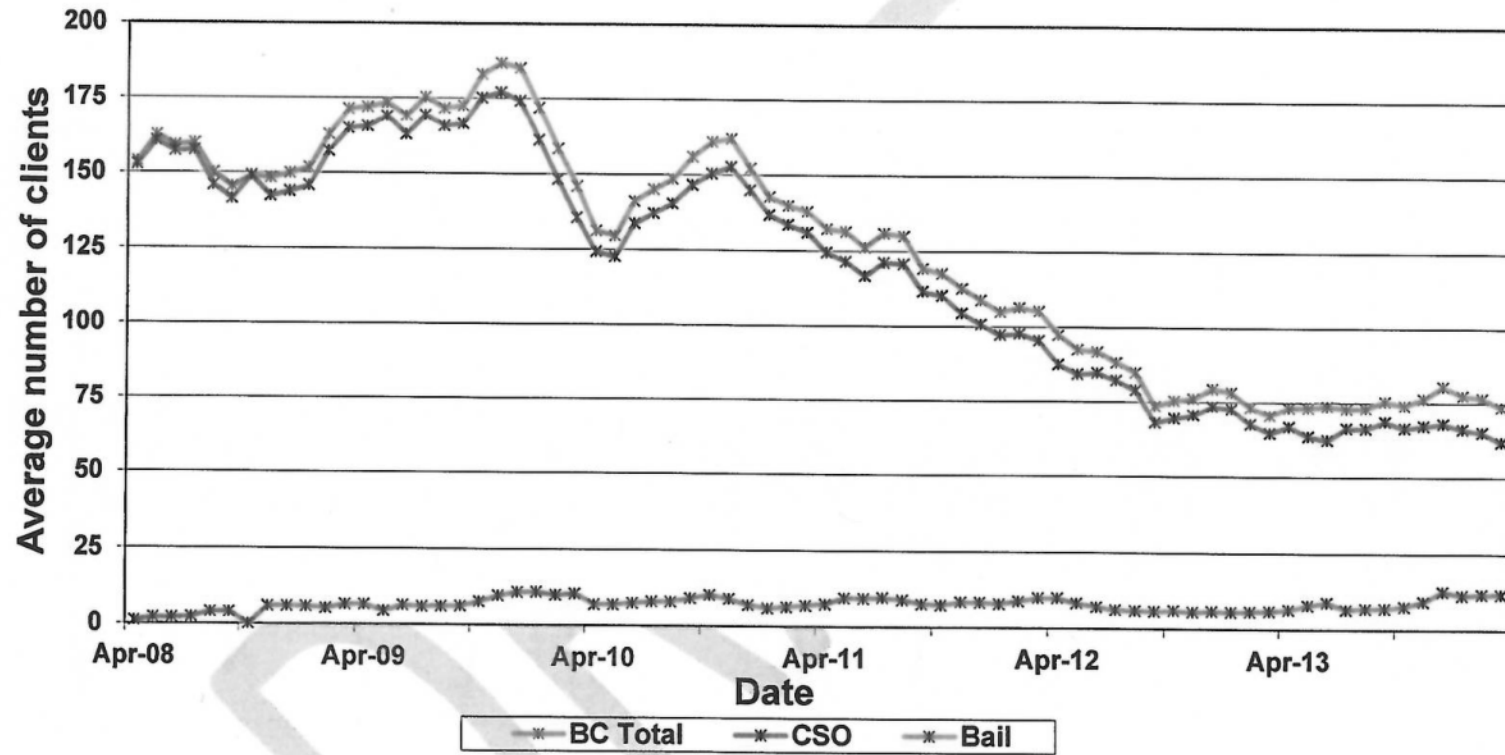
AVERAGE DAILY COUNT BY REGION FY 2008/09 – FY 2013/14

EM REGIONS



PROVINCIAL AVERAGE DAILY COUNT BY ORDER FY 2008/09 - FY2013/14

EM PROVINCIAL



Risk rating (RNA) of clients at start of Electronic Monitoring FY 2008/09-FY 2011/12

