

National Chung Cheng University



# The Reflection on the Use of Electronic Monitoring in Taiwan-The Study of Taiwan Experience

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# The Concept of Community Corrections

Community corrections involves the management and supervision of offenders in the community. These offenders are serving court-imposed orders either as an alternative to imprisonment or as a condition of their release on parole from prison.

**As mentioned by Ulrich Goll, the minister of Justice in Baden-Württemberg of German: EM is designed to avoid confinement, and this is the best way for offenders' reintegration to society.**



# Historical Introduction

- Taiwan has applied EM on Criminals since 2005. The EM is only used on sexual offenders after their release from prison. The Use of EM in Taiwan is based on Sexual Assault Crime Prevention Act in 1997.
- In 2012, Taiwan began to implement Global Positioning System Electronic Monitoring as the third generation of EM equipment on sexual parolees.



# The history of technological monitoring in Taiwan

## First Phase

Video phone surveillance system



## Second Phase

Radio-frequency identification devices(RFID)



## Third Phase

Global Positioning System(GPS)





# Phase One-Video phone surveillance system

- The alternatives before RFID
- Contact through video phone from time to time to confirm whether if he/she is at home





## Phase Two-RFID

- Research and design by Ministry of Justice, take over by Lealea Tech in 2006, later upgraded in 2008



電子鐐(上)與發信主機(下)



## Phase Two-RFID

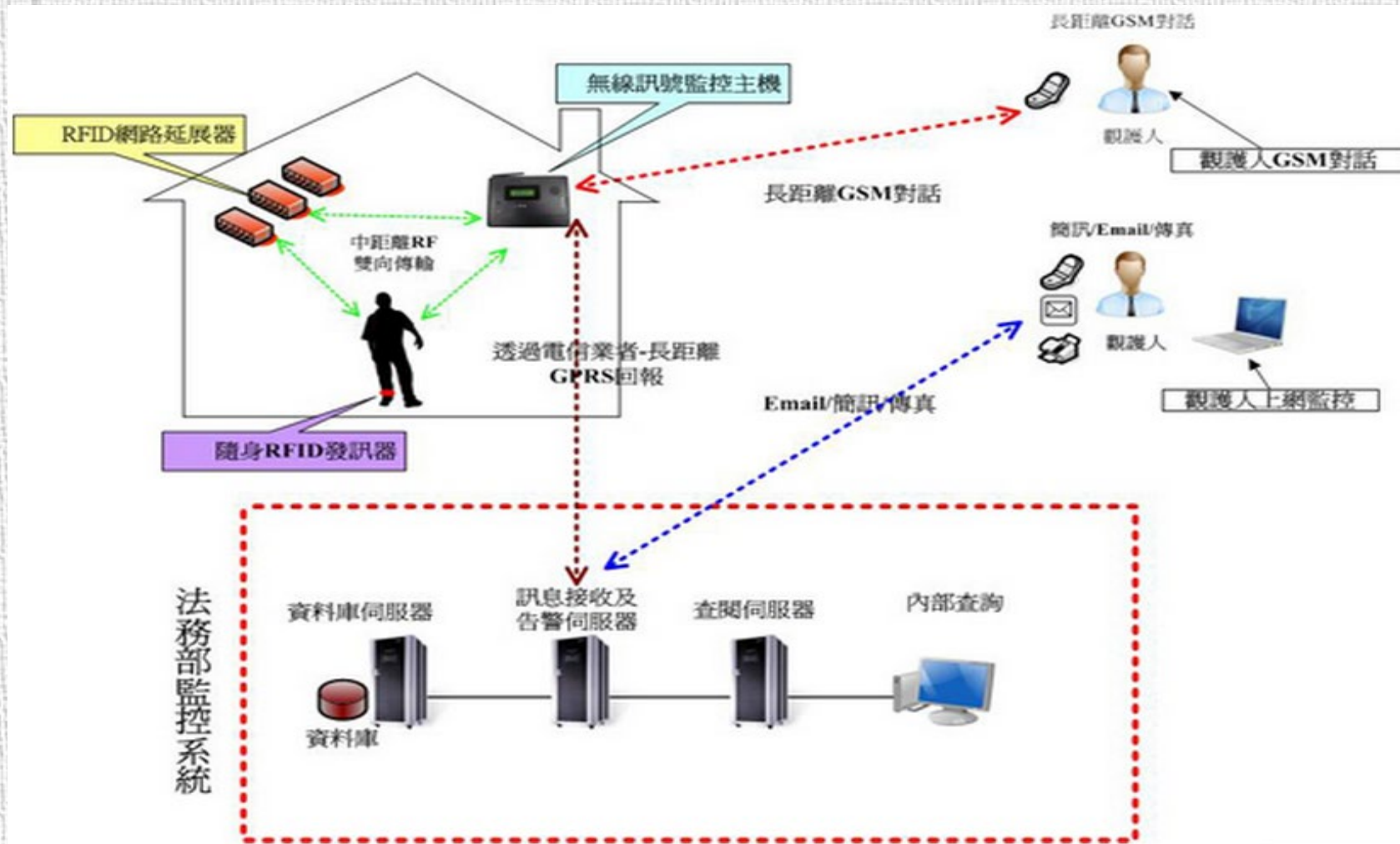
It includes four components :

1. ZigBee transmitter: A Sex offender should wears all the time
2. Housing monitor: Install in sex offenders' home
3. Wi-Fi extensor : a type of wireless repeater used to expand the reach of a wireless LAN
4. Monitoring platform: with internet, signals can be transmitted to monitor center and then forward to the probation officer to take action timely



# Phase Two-RFID

## Supervising Model





# Phase Three-GPS

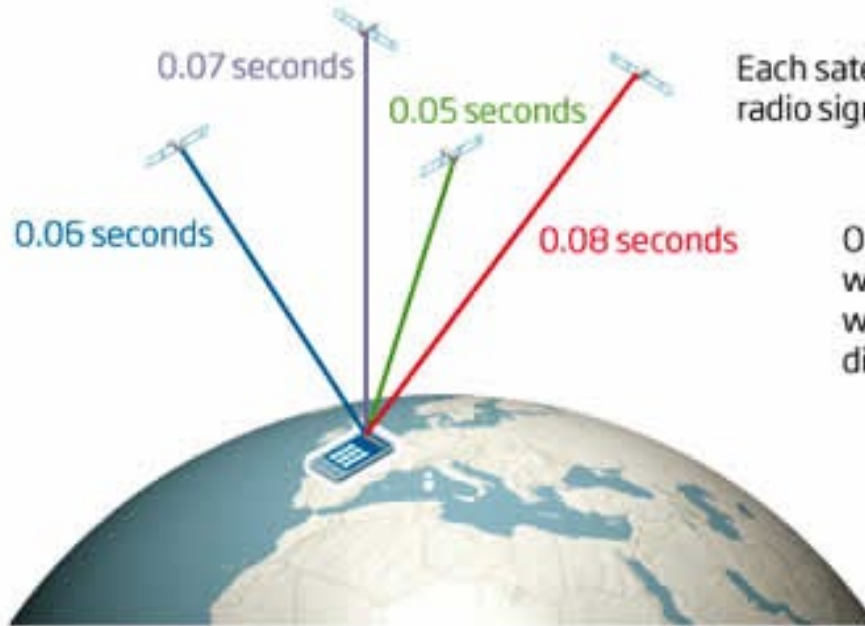
## Principles

- GPS is a satellite based navigation system. It uses a digital signal from each satellite around the earth to send data to the receiver and locate the target.
- The target must equip the GPS receiver , then the information will transmit to the monitor center when satellites receiving the signal.



# How GPS works

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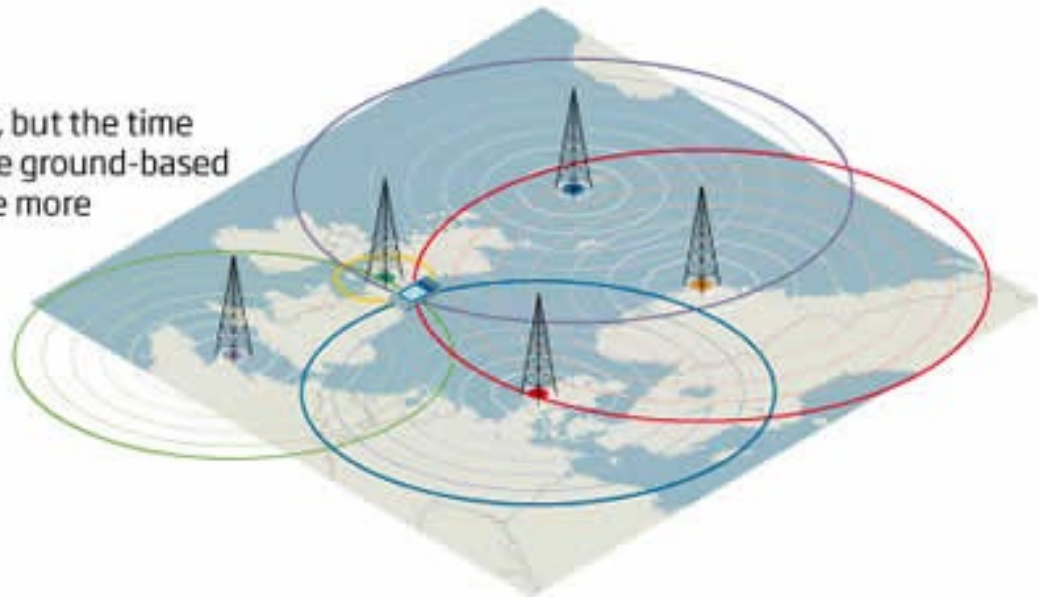


Each satellite is continually sending out weak radio signals with its position and the exact time

On Earth, a receiver will compare the time when the signal was sent with the time it was received. This is used to calculate distance from the satellite

After correcting for errors, the receiver uses the signals from four or more satellites to calculate its position in 3D. This is called trilateration

eLORAN uses a similar principle, but the time signal is broadcast from multiple ground-based stations. These radio signals are more powerful and harder to jam





## Phase Three-GPS

### Benefits of GPS

- Tracking target: assist tracking, retrieve target trajectory, record target activities.
- Applicable hot zone setting(prohibited area)-the region where the target easy to commit a crime. GPS signal will notify victims and probation officers at once when the target approach the victim.





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# The Extent Benefits of EM

- 1 Reduce society cost of Imprisonment Penalty
- 2 To some extent of monitoring on the use of community



# Future perspectives in Taiwan

1. To implement on some types of criminals
2. To establish private or governmental monitoring center
3. To Enlist more finance supported to design advanced equipment and technology of EM



# Research Problematic

1. EM or as called Electronic fetters obviously present the essence of discipline and the social exclusion beneath the surface.
2. In the trend of continuing expansion of EM
  - Assist institutional monitoring for the government, proceed mental and behavior discipline
  - State apparatus encroaches individuals, family, workplace and community privacy aboveboard.



## Research Purposes

- Understanding the social exclusion of EM
- Probing the context of EM expansion
- Provide policy proposal of EM and coordinated sets of measures



## Pros of EM

Two correctional functions in the community

- Reform : Repair the relationship between the offender and society
  - Give offenders the opportunity and rights of rehabilitation
  - Protect the safe of public
- Restore : Cast off the traditional of penalties and no longer adhere to the retributive justice(tooth for a tooth),however, diverse it into the reparation and compensation from damage of society and victims caused by offenders.



## Cons of EM

- Lack of comprehensive planning of the program will affect public confidence in criminal policy
- The re-structure of the criminal justice system causes excessive social control and disciplinary mechanisms and constantly growing of private monitoring industry.
- Uncertain practical effects of EM in reducing recidivism
- Side effects of interfering original family members
- EM arouse the enthusiasm of the wearer against the machine



# Literature review

## Social Exclusion

- Modern crime control system has a new mission. That is to cope with immigrant, marginal and unwanted population (Christie · 2000).
- "Social exclusion" ideology, is to transform the criminals into the condemnatory objects by public through reprimanding, fighting against crime and constructing law and social order to get way out of and a sense of security (Young · 1999).



# Literature review

## Social exclusion

- Community expands the meanings and forms of punishment
- In extension of community control with the EM present the essence of discipline, the supervisor can practice its interaction through system and inhumane tech equipment.
- EM plays a function of exclusive mechanism to purge, segregate and isolate the rehabilitator.



# Social control network expansion

- EM goes beyond the obstacles of traditional monitoring in distance, time and human body, empower the country to take advantage of this new monitoring technology to change a family into the a prison and sufficiently expand the punishing control network.
- Induce the public in the thoughts of punishment, which may result in misconceptions of the public and those in power as well as self prophecy of wearers, and therefore difficult to distinguish between community corrections and institutional corrections.



# Research Method

- Semi-structure interview
- Purpose sampling
- Interviewing samples were 7 parolees, who had ever wore or now wearing EM.





# The information of research cases

numbers	gender	Age	sentence	Serving sentence	Criminal record	Living area	Em equipment	Monitoring period
P1	male	45	25 yrs	21 yrs	first	Taipei	GPS	1 yr
P2	male	42	life	15 yrs	first	Taipei	RFID	6 months
P3	male	35	13 yrs	11.3 yrs	first	Taipei	RFID	6 months
P4	male	45	8 yrs	6 and half yrs	first	Taipei	RFID	3 months
P5	male	45	life	18 yrs	first	Taipei	RFID	6 months
P6	male	40	6 yrs	4.25 yrs	first	Taipei	GPS	6 months
P7	male	32	14 yrs	10.6 yrs	Re-conviction	Taipei	GPS	6 months



# The surveillance problems of EM

- Physical barriers such as humidity, Wi-Fi coverage and indoor interference may occasionally cause imprecise positioning and the emotional instability of wearers.
- If any violation takes the monitor records as criterion of punishment, the lack of field visits and explanation by supervising unit may make wearers be incriminated again due to the flaws of machine.



## The surveillance problems of EM

- EM may cause inconvenience in daily life such as bathing and make wearers worried despite the machine is waterproof.
- Alert authenticity confirmation would increase workload and cause complications to local police and officers on duty.
- Signal instability would trigger the alarm and disturb the monitoring center to call local police to check out the situation, which could bear wearers trumped-up accusations.



## The surveillance problems of EM

- The problems of charging battery could be annoying the wearers when they go out to work.
- The wearer should not take full responsibility for defective machines. Although the equipment could not always operate perfect, it should be able to predict and resolve the problems by the contract manufacturers during the trial period.



# The social exclusion of EM

- **Exclusion of Job**

- Examine how vulnerable groups are deprived from the economic level, excluded from social safety nets, lost political rights and isolated from space and interpersonal relationship and finally ended up with criminal control mechanism.
- Job applying takes the criminal records and the reality of EM into consideration. Honestly tell the employer or not will affect the integrity and trust between each other and among colleagues.



# The social exclusion of EM

- **Exclusion of Interpersonal relationship**
  - Exclusion is a broken social relationship. For most wearers, in fact, EM creates an isolated effect from family, friends and making new friends. It would arise the fear of wearers, making them lack of confidence and reject the reconstruction of the social link.
  - For wearers, it is important to maintain positive friendship that helps them get support but not sarcasm. However EM would sometimes make the situation reversely.



# The social exclusion of EM

- **Exclusion of Interpersonal relationship**
  - The support and acknowledgement from family are beneficial and give psychological support and comfort to wearers. Despite some of them never let their family know since wearing.
  - EM shows the meaning of national centralization that make the person involved or spectators would feel the sense of pressure.



# The social exclusion of EM

- **Exclusion of Community**

- Sex offenders are viewed as public enemies for most of crimes through the portrait of mass media, the exposition of the government and the toughness of criminal policy, etc.. Sex offenders are shaped as "dangerous others".
- Community should become their helper on rehabilitation and assist them to plan a new life rather than become violent thugs through fear, exclusion, label and even a cold executioner.



# The social exclusion of EM

- Exclusion of Community
  - People are expected to be afraid and concerned the safety of their family when they know sexual offenders live in the neighborhood.
  - Isolation begins in the community and the regions that gather with excluded people usually exhibit a lack of opportunities and resources. They are disadvantaged in community services, education and social welfare.



# The social exclusion of EM

- Exclusion of Community
  - Wearers have understood the pressure comes from the community because of their convictions and EM. They only can silently endure these stresses and make them have to start over.
  - Community corrections just put us into a more generous, strong, different net.



# The expansion of surveillance network

- The expansion of government surveillance network
  - With the development of EM technology that has been applied on GPS to track the location of a specific person, however most of these characters are underclass and belong to marginalized groups.
  - Through precision data and calculations, government establishes social security mechanism to achieve efficient management outcomes and begin to shape, guide and influence the wearers.



# The expansion of surveillance network

- Not only the probation unit is conditioned by the monitor machine, but all the public also embrace retributive justice that want offenders to be punished continually.
- EM put wearers under trial of government and become excluded individuals of violence in contemporary society.
- The core concept manipulates by government comes from the conceptualization of ideology then embodied it in criminal policy, and therefore we must takes the EM as a ruling mean for national centralization.



# Conclusion

## Job exclusion

- Inside job is not for wearers for now and it is obviously strangle them from engaging in white-collar jobs, that is definite a job discrimination, it is necessary to design more portable, less bulky EM in the future.

## Interpersonal relationship

- Probation units should check housing environment before wearing and inform the terms of monitor program at the same time.



# Conclusion

## Community exclusion

- The correction units should convey the correct information to make the residents in the community know and realize the necessity of community correction policies. The positive attitudes from residents help the return of offenders and recognition of government policies.

## Fueled by the media

- Correction authorities shall correct the biased news and provide the accurate information to the public to reduce the negative stereotypes.



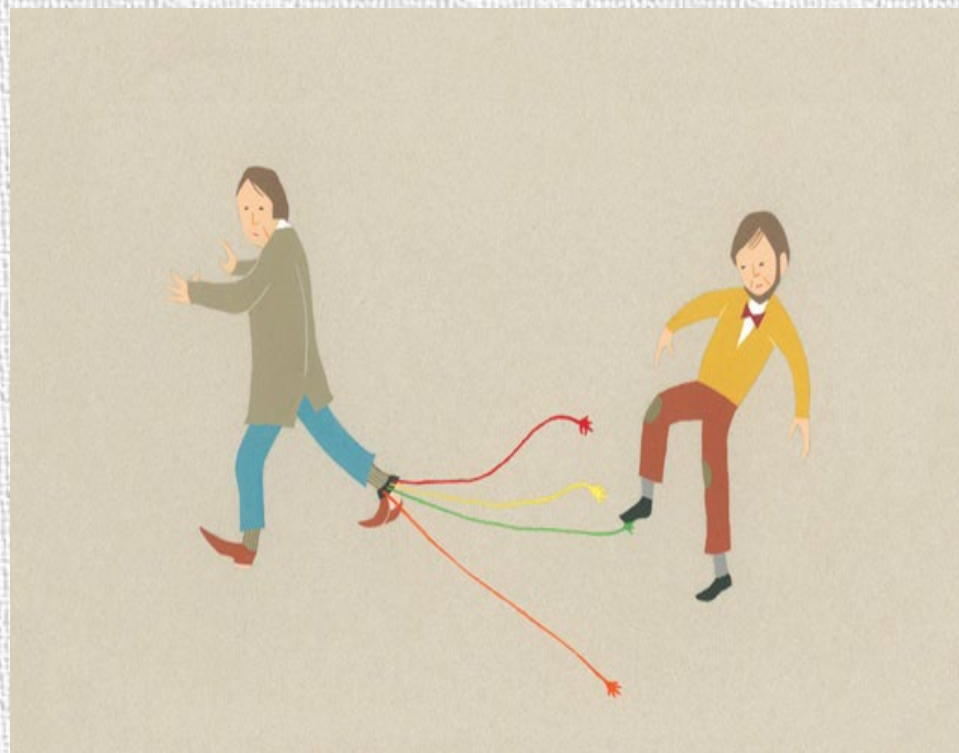
## Suggestion

The legislature shall not follow the tendency of media to make an inappropriate statutes and shall collect opinions from experts, scholars, practitioners and wearers to place EM as educational program.

EM runs for education

- Ministry of Justice shall evaluate and screen the helpers in the community and establish unobstructed feedback mechanisms in order to provide positive feedback during monitoring.







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Thank you for your time and patience

