

## EXECUTIVE SUMMARY

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The Office of Inspector General of the City of New Orleans (OIG) conducted an evaluation of the City's Electronic Monitoring Program (EMP) administered by the Orleans Parish Sheriff's Office (OPSO).<sup>1</sup> The objectives of the evaluation were to examine EMP operations, review the program's protocols, assess how the monitoring deputies responded to alerts, and determine whether adequate performance measures were in place to gauge the effectiveness of the program.

The EMP allows defendants who might otherwise be detained avoid detention while awaiting trial by agreeing to wear a monitoring device (i.e. "ankle bracelet") that uses tracking technology to locate and monitor their movements. Stakeholders interviewed by evaluators (e.g., judges, City officials, OPSO) supported the use of electronic monitoring in New Orleans because it prevents the significant financial cost of detention while allowing selected pretrial defendants to continue to work, attend school, and otherwise avoid negative consequences of being detained in a correctional facility. Despite this widespread support, evaluators found significant weaknesses in program operations and a lack of clearly defined responsibilities and expectations among the OPSO, the City, and judges.

Evaluators reviewed a total of 359 files for all 281 juvenile and adult program participants from April 1, 2012 through September 30, 2012.<sup>2,3</sup>

This report includes the following major findings:

- EMP records maintained by OPSO were inaccurate and incomplete;
- OPSO did not enter exclusion zone restrictions in the monitoring system for 35 of 37 defendants with court-ordered "stay away" zones;

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<sup>1</sup> A previous OIG report found that neither the City nor OPSO implemented effective financial controls or ensured the program's fiscal accountability. See City of New Orleans Office of Inspector General, *Evaluation of the City's Electronic Monitoring Program Administered by the Orleans Parish Sheriff's Office, Part I: Budget and Billing* (New Orleans: Office of Inspector General, 2014), accessed November 26, 2014, <http://www.nolaoig.org/uploads/File/I&E/Inspections/OIG%20EMP%20Pt%201%20Final%20Report%20140402.pdf>.

<sup>2</sup> There were a total of 281 defendants enrolled in the EMP during the sample period. However, some of these individuals were enrolled in EMP multiple times during the sample period. These defendants had multiple files that evaluators recorded as separate entries during data collection. For the purposes of this report, EMP participants are referred to as "defendants" because they were under court supervision.

<sup>3</sup> Evaluators conducted interviews with EMP personnel in 2013 and compared April 2012 alert data to April 2013 alert data to determine if changes had been made as a result of the NIJ assessment of the EMP program in late 2012.

- EMP protocols for responding to alerts were not specific enough to provide clear instruction to monitoring deputies;
- More than half of the inclusion zone alerts remained active for more than 30 minutes and measures taken to respond to these alerts were undocumented;
- Monitoring deputies only tagged two percent of the total alerts generated in April 2012; and
- The City did not establish program objectives, minimum expectations, or performance measures to assess the program’s overall effectiveness or monitor OPSO’s performance.

Based on these findings, the OIG makes the following recommendations related to EMP implementation and supervision practices:

- EMP supervisors should carefully review and maintain all records to ensure accuracy;
- EMP staff should enter all court-ordered “stay away” orders into the monitoring system;
- The City and the EMP contractor should incorporate specific information related to time thresholds and graduated responses into the cooperative endeavor agreement between the two entities, and the EMP monitoring supervisor should provide oversight to ensure monitoring staff are in compliance;
- Monitoring staff should relocate to a defendant’s location as soon as they determine that a violation of curfew or territorial restriction has occurred;
- Monitoring staff should document all actions taken in response to alerts; and
- The EMP contractor and the City should develop meaningful performance measures to assess the effectiveness of the program.

OPSO has stated that it plans to discontinue its administration of the EMP beginning in January 2015. The City has expressed an interest in continuing the use of electronic monitoring as an alternative to detention for selected pre-trial defendants. The OIG recommends that the City consider the findings contained in this report and incorporate the recommendations into any future electronic monitoring initiatives.

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