

OIG IN BRIEF

Why OIG Did This Report

Electronic monitoring is the use of monitoring equipment (“ankle bracelets”) to track defendants’ locations and assess their compliance with court-ordered curfews, house arrest, and geographic restrictions. When administered efficiently and effectively, electronic monitoring can reduce both the financial and social cost of detaining defendants in a correctional facility.

Since 2010, the Orleans Parish Sheriff’s Office (OPSO) has administered the City’s Electronic Monitoring Program (EMP) for pre-trial defendants at a cost of approximately \$400,000 per year. Part one of this report, “Budget and Billing,” found that the City overpaid OPSO for the program.

The OIG performed an evaluation of the EMP to examine program operations, review protocols, assess how monitoring deputies responded to alerts, and determine whether adequate performance measures were in place to gauge the effectiveness of the program.

Evaluators reviewed a total of 359 files for 281 program participants from April 1 through September 30, 2012. In addition, evaluators used read-only access to the monitoring system to review OPSO deputies’ responses to alerts and determine whether geographic restrictions were entered into the system. Evaluators conducted interviews with OPSO personnel in May 2013.

A report to the City of New Orleans and the Orleans Parish Sheriff’s Office, December 3, 2014.

View OIG report I&E 12-010. For more information contact Nadiene Van Dyke at (504) 681-3200 or nvandyke@nolaig.org.

Electronic Monitoring Program Part 2: Implementation and Supervision

What OIG Found

The OIG’s analysis found that the EMP failed to supervise defendants adequately because of vague program protocols, haphazard record keeping practices, and informal policy decisions that allowed defendants to ignore the terms of their court-ordered restrictions without immediate consequences.

OPSO monitoring deputies had the authority to detain adult defendants immediately who violated their court-ordered restrictions and to pick up juvenile defendants and take them home. However, more than half of the alerts for curfew or house arrest violations during the sample period remained active for longer than 30 minutes. In addition, it was OPSO’s practice to wait until the following day to detain defendants who violated the terms of their curfew or geographic restrictions overnight. These practices undermined the purpose of supervising the defendants by monitoring his/her movements using tracking technology and raise public safety concerns.

During the sample period reviewed by evaluators, judges issued a total of 37 “stay away” orders that restricted defendants from coming into contact with alleged victims, co-defendants, or geographic areas. However, OPSO entered these restrictions in the electronic monitoring system for only 2 out of 37 defendants. As a result, virtually all stay away orders were unenforceable using the electronic monitoring technology.

The OIG could not determine what actions, if any, deputies took in response to alerts because monitoring deputies did not document their actions in the electronic monitoring system for 98 percent of the alerts generated in April 2012. An identical test performed in April 2013 showed that 88 percent of alerts did not have a documented response. In addition, evaluators found missing documents in case files and errors or omissions in 79 percent of the Electronic Monitoring Agreements signed by monitoring deputies and defendants.

The OIG concluded that many of the problems occurred because program expectations and lines of authority for the EMP were not clearly defined. The City delegated authority and responsibility to OPSO to develop and manage the program but did not clearly define program requirements, objectives, and outcomes.

What OIG Recommended

The OIG made several recommendations designed to improve all future electronic monitoring initiatives, such as immediate and consistent response to non-compliant defendants, enforcement of all court-ordered restrictions, improved documentation, and protocols to ensure the adequate supervision of defendants.

OPSO recently announced that it will discontinue the operation of the EMP as of January 2015. Some City officials have expressed an interest in continuing the use of electronic monitoring. If so, the City should consult with participating judges to develop clear expectations for the EMP and demand more accountability from the next EMP contractor. Any future arrangement should outline the terms of Agreement for program participants, expected actions by monitoring staff for alerts and violations, and conditions for remand. The City should also provide greater oversight through the implementation of specific performance measures used to make substantive program improvements and enhance public safety.