ELECTRONIC MONITORING SYSTEM (EMS) AND ITS EFFECTS TO INCREASE CONFIDENCE IN ITS ABILITY TO MANAGE OFFENDERS SERVING ALTERNATIVE SENTENCES
PRESENTATION TO PORTFOLIO COMMITTEE: DEPARTMENT OF CORRECTIONAL SERVICES (DCS)
Stakeholders:

- Seek partnership commitment, cooperation, and involvement of portfolio committee in delivery of messages on EM to other stakeholders.

- Solicit support for more budget allocation for EM system monitoring.

- Highlight challenges experienced regarding the electronic monitoring system (EMS) and its effects to increase confidence in its ability to manage offenders serving alternative sentences.

- Brief the portfolio committee about Electronic Monitoring System (EMS) and its effects to increase confidence in its ability to manage offenders serving alternative sentences.

**Purpose**
WHAT IS ELECTRONIC MONITORING SYSTEM

- Electronic monitoring system is the system that tracks and records an offender’s movement and location through a global positioning system (GPS) and other devices. This term also refers to methods of recording or transmitting information about an offender’s location with an electronic device, including radio frequency monitoring, and satellite–based monitoring.

- A Personal Identification Device (PID): Often referred to as the tag, its appearance resembles a wristwatch and is generally fitted to the ankle unless there are reasons that prevent this.
Examples of EM Devices...
WHAT IS ELECTRONIC MONITORING SYSTEM (Continued)

- The movement of the PID is monitored during curfew hours and any absence detected during these times is reported to the control room immediately.
- Alerts reported by the device are investigated and responded to appropriately.
- The system stores offenders data that can be utilised as and when required.
• Reduce the offender population in custody.

• Community-based rehabilitation.

• Assist in addressing offending behaviour by providing ongoing support and education.

• Even worse, crimes as they learn the "tricks of the trade".

• Potential to leave the facility with knowledge of how to commit more serious crimes have a tendency to commit even worse crimes.

• Reduce the negative influence of a custodial sentence on the criminal justice system.

• Promote public safety.

• Increase public confidence in the criminal justice system.

• Correction.

• Certain categories of offenders subject to community corrections.

• Implement EM as an enabler for effective management of offenders.
APPLICATION OF EM

EM can be employed at various stages of the criminal justice system from pre-trial to post-sentencing (commonly referred as parole).

- **Pre-trial stage** - Electronic monitoring can be imposed as a condition upon which an accused person is released on bail in order to ensure appearance of accused for trial and does not commit further offences.

- **Primary Sentencing stage** – EM can be used as a primary sentencing option to enforce certain restrictions on the freedom or movement of an offender-home confinement.

- **Post-sentencing stage** – EM can be imposed as a condition of placement by, the relevant authorities (such as CSPB, the National Commissioner or Minister).
POLICY MANDATE

The mandate of EM is derived from legislation and numerous areas of policies. Legislations and policies that relate to EM include the following:

- Correctional Services Act, 1998 (Act 111 of 1998) with specific reference to sections 41, 42, 51(2), and 68;
- Correctional Services Regulations, Regulation 28;
- Criminal Procedure Act, 1977 (Act 51 of 1977) with specific reference to sections, 19-30, 62 (f), 276(1) (h), 276(1) (i), 276a(3)(a) & (b), 287(4)(a) & (b), 290, 296, 297 and 300;
RATIONALE FOR USE OF EM

EM enables effective management and supervision of persons subject to Community Corrections through:

• Detention
  ✓ EM ensures that the individual remains in a designated place.

• Restriction
  ✓ EM ensures that an individual does not enter prohibited or prescribed areas, or approach particular people such as complainants or potential victims or victims of crime.

• Surveillance
  ✓ EM ensures that DCS is able to continuously track an individual, without actually restricting their movements.
total number of 288 offenders were tagged during the pilot.

DCS intended to target 150 offenders during EMP and the

2012 EM programme. For offenders was piloted on the 28 March

intervention as a permanent solution.

period of twelve (12) months, with the intention to roll-out the

DCS decided to pilot electronic monitoring on the lifers, for a

the release of the so called ‘Van Vuuren’ lifers.

EMP was introduced to assist in mitigating the risk posed by

SYSTEM

Pilot Project (EMP) Monitoring

Implementation of Electronic

IMPLEMENTATION OF ELECTRONIC PILOT PROJECT (EMPP) MONITORING SYSTEM (continued)

- DCS entered into a supplier contract agreement with Engineered Systems Solutions (ESS) for the acquisition, storage, distribution, installation, commissioning; inspection management and maintenance of EM equipment, software and services for a period of twelfth (12) months
- EM is currently available to the courts, remand detainees and parolees.
EMP was rolled out on the 01 July 2014.

The total number of 511 offenders were tagged and all categories eligible for EM were targeted.
HOW EM OPERATES

- EM programme has a centralised control room that monitors all offenders who have been tagged.
- Tagged persons are under surveillance 24/7/365 which allows DCS to monitor compliance with their conditions;
- The tagging of offender does not physically restrain the offender from committing a crime or offence EM control room operators identify and manage alerts and violations which are triggered by the EM system.
- Unresolved alerts or violations are escalated to regions for a rapid response – escalation protocol immediately takes precedence.
EM is programmed to issue a warning to DCS officials or potential victim if a high risk offender approaches exclusion zones (such as school, parks, crèches, taverns, victim’s residence etc).

EM can detect absconding much earlier than physical monitoring.

EM can and is used to corroborate alibis when new crimes occur.
### CURRENT DAILY AVERAGE CASELOAD IN COMMUNITY CORRECTIONS SYSTEM-UPDATE STATISTICS

**Caseloads as at 28/09/2015**

**AVERAGE DAILY ACTIVE CASELOAD**

<table>
<thead>
<tr>
<th>REGION</th>
<th>PROBATIONERS</th>
<th>PAROLEES</th>
<th>ATD'S</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>MALE</td>
<td>FEMALE</td>
<td>MALE</td>
<td>FEMALE</td>
</tr>
<tr>
<td>WC</td>
<td>3265</td>
<td>527</td>
<td>6207</td>
<td>277</td>
</tr>
<tr>
<td>EC</td>
<td>2940</td>
<td>413</td>
<td>8159</td>
<td>772</td>
</tr>
<tr>
<td>KZN</td>
<td>2390</td>
<td>294</td>
<td>10165</td>
<td>283</td>
</tr>
<tr>
<td>GP</td>
<td>2126</td>
<td>346</td>
<td>10760</td>
<td>284</td>
</tr>
<tr>
<td>LMN</td>
<td>2003</td>
<td>178</td>
<td>9475</td>
<td>175</td>
</tr>
<tr>
<td>FS/NC</td>
<td>1986</td>
<td>271</td>
<td>5735</td>
<td>145</td>
</tr>
<tr>
<td>TOTAL</td>
<td>14710</td>
<td>2029</td>
<td>50501</td>
<td>1936</td>
</tr>
</tbody>
</table>

**NATIONAL CASE LOAD**

<table>
<thead>
<tr>
<th>PROBATIONERS</th>
<th>PAROLEES</th>
<th>ATD's</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL (Incl. ATD'S)</td>
<td>16739</td>
<td>52437</td>
</tr>
<tr>
<td>TOTAL (Excl. ATD'S)</td>
<td>69176</td>
<td></td>
</tr>
<tr>
<td>Target</td>
<td>Annaual Towards</td>
<td>N In % Towards</td>
</tr>
<tr>
<td>--------</td>
<td>-----------------</td>
<td>----------------</td>
</tr>
<tr>
<td>74.8%</td>
<td>74.8</td>
<td>1000</td>
</tr>
<tr>
<td>17.9%</td>
<td>179</td>
<td>160</td>
</tr>
<tr>
<td>8.9%</td>
<td>68</td>
<td>90</td>
</tr>
<tr>
<td>9.9%</td>
<td>52</td>
<td>170</td>
</tr>
<tr>
<td>8.1%</td>
<td>47.65%</td>
<td>43.16%</td>
</tr>
</tbody>
</table>
# EM Case Load Per Region - Update as at 11/10/2015

<table>
<thead>
<tr>
<th>Region</th>
<th>Total de-tagged/ De-activated</th>
<th>Active</th>
<th>Cumulative total since inception</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gauteng</td>
<td>75</td>
<td>82 out of 1470 tagged Only *(4 ATP) tagged</td>
<td>157</td>
</tr>
<tr>
<td>Limpopo</td>
<td>169</td>
<td>218</td>
<td>387</td>
</tr>
<tr>
<td>Mpumalanga</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>North-West</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eastern Cape</td>
<td>73</td>
<td>81</td>
<td>154</td>
</tr>
<tr>
<td>Kwa Zulu Natal</td>
<td>78</td>
<td>99</td>
<td>177</td>
</tr>
<tr>
<td>Free State</td>
<td>106</td>
<td>89</td>
<td>195</td>
</tr>
<tr>
<td>Northern Cape</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Western Cape</td>
<td>221</td>
<td>179</td>
<td>400</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>722</strong></td>
<td><strong>748</strong></td>
<td><strong>1470</strong></td>
</tr>
</tbody>
</table>
FUNDING FOR EM
# MTEF ESTIMATIONS

## TABLE 1. INITIAL MTEF ESTIMATE

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>EM Caseload by Year End</th>
<th>MTEF Bid Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014/15</td>
<td>1 000</td>
<td>R51,5m</td>
</tr>
<tr>
<td>2015/16</td>
<td>2 000</td>
<td>R91,6m</td>
</tr>
<tr>
<td>2016/17</td>
<td>5 000</td>
<td>R190,3m</td>
</tr>
<tr>
<td>2017/18</td>
<td>10 000</td>
<td>R392,7m</td>
</tr>
<tr>
<td>2018/19 (1st 6 months)</td>
<td>10 000</td>
<td>R196,4m</td>
</tr>
</tbody>
</table>
FUNDING FOR EM (continued)

- During the pilot project no budget was allocated for EM

- DCS funded EM pilot through reprioritisation of allocated budget of the then Corrections Branch.

- Subsequently, DCS therefore decided to budget for the EM programme as reflected below:
## MTEF BUDGET ALLOCATIONS

### TABLE 2

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Allocation</th>
<th>Reduced EM Case Load</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014/15</td>
<td>R28m</td>
<td>1 000</td>
</tr>
<tr>
<td>2015/16</td>
<td>R29m</td>
<td>1 000</td>
</tr>
<tr>
<td>2016/17</td>
<td>R28m</td>
<td>1 000</td>
</tr>
<tr>
<td>2017/18</td>
<td>R29m*</td>
<td>1 000</td>
</tr>
<tr>
<td>2018/19</td>
<td>R29m*</td>
<td>1 000</td>
</tr>
</tbody>
</table>
Effective implementation of EM in the regions impacted negatively on the
Corrections offices in the regions impacted negatively on the
Community at Community centres as expected, due to limited budget allocated.
Impact in down managing overcrowding in correctional
Consequently, the EM system could not make a significant
of EM as anticipated.
Inadequate budget impacted negatively on full implementation
Required funding.
From the above analysis, it is clear that the budget allocated
PER CAPITA COST OF EM VERSUS INCARCERATION

- The per capita cost per offender per day under EM in the community corrections system is R167.33 vs R350.50 daily to incarcerate an offender at the correctional centre.

- EM can drastically reduce incarceration costs presently being incurred by the DCS in incarcerating an offender at the correctional centre as evidence above.

- It therefore makes business sense to consider placing more persons under EM depending on the availability of the adequate budget for EM.
<table>
<thead>
<tr>
<th></th>
<th>Annually</th>
<th>Monthly</th>
<th>Daily</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Incarceration</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Per Capita Cost of EM Versus EM Community</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Analysis per capita cost of EM
PER CAPITA COST OF EM VERSUS INCARCERATION

Daily
- EM and CommCorr
- Incarceration
- Cost Saving

Monthly
- EM and CommCorr
- Incarceration
- Cost Saving

Annually
- EM and CommCorr
- Incarceration
- Cost Saving
ADVANTAGES OF EM

EM facilitates the acceptance of community corrections as a credible and reliable system to the public and judiciary.

- It reduces overcrowding in correctional centres.
- It saves the Department incarceration costs and costs of building new correctional centres.
- It ensures / promotes compliance with the set conditions.
- It prevents the negative psychological effects of incarceration on offenders.
- It promotes rehabilitation and reintegration of offenders.
ADVANTAGES OF EM - continued

- It promotes public safety and security through effective supervision;
- It extends the range of remand / sentence options available to the courts;
- It allows offenders to maintain employment and family relationships;
- It assists in addressing offending behaviour by providing community-based rehabilitation;
- It enhances non-custodial sentences as an alternative to incarceration;
- It reduces the negative influence of a custodial sentence on offenders.
advantages by far outweigh the disadvantages of EM.
From the foregoing discussion, it is evident that the
limiting their chances of securing employment;
The wearing of the EM device may stigmatize offenders;
EM restricts the offender's movement;
effects on offenders;
The wearing of the EM device has its own psychological

DISADVANTAGES OF EM
## CHALLENGES AND PROPOSED SOLUTION

<table>
<thead>
<tr>
<th>CHALLENGES</th>
<th>PROPOSED SOLUTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inadequate Budget Allocation</td>
<td>National Treasury should consider increasing budget allocation to Electronic Monitoring in order to increase the EM caseload</td>
</tr>
<tr>
<td>Low EM caseload</td>
<td>• The Courts should consider placing more persons on EMS \</td>
</tr>
<tr>
<td></td>
<td>• CSPB should consider and accelerate eligible cases for Electronic monitoring \</td>
</tr>
<tr>
<td></td>
<td>• NCCS should consider recommending EM as a condition of parole to all qualifying cases.</td>
</tr>
<tr>
<td>CHALLENGES AND PROPOSED SOLUTION</td>
<td></td>
</tr>
<tr>
<td>-----------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>CHALLENGES</strong></td>
<td></td>
</tr>
<tr>
<td>Lack of resources for effective implementation of EM</td>
<td></td>
</tr>
<tr>
<td>• Provisioning of human resource capacity at respective levels (Head Office, Regional Offices, Management Areas and Community Corrections Offices);</td>
<td></td>
</tr>
<tr>
<td>• Insufficient ICT equipment to access EM system</td>
<td></td>
</tr>
<tr>
<td>• Insufficient vehicles for Rapid Response</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PROPOSED SOLUTION</th>
<th>DCS should drive regional buy-in for implementation of EM and support approval for the effective utilisation of resources</th>
</tr>
</thead>
<tbody>
<tr>
<td>DCS must take over the hosting of EMS as per Terms Of Reference (TOR)</td>
<td></td>
</tr>
</tbody>
</table>

- continued
### CHALLENGES AND PROPOSED SOLUTION

- **CHALLENGES**
  - The unavailability of server is seriously hampering the successful implementation of EMP
  - Since implementation of the EMP, DCS has been utilising the service provider’s server which is not capacitated to host 1000 tags

- **PROPOSED SOLUTION**
  - The matter has been referred to Legal Services for a way forward, in terms of availability of servers.
  - Once the issue of servers availability is unblocked, the Department will consider the issue of increasing the 1000 tags.
  - The EM contracts are being investigated by SIU.
increased to enjoy full benefits of the program
control room for intervention. Funding for EM should be
or failing to charge the receiver, is electronically relayed to the
transmitted. Interference with the equipment, including tampering
violates any condition, alerts are immediately generated and
EM enables offenders to be monitored 24 hours a day, seven
days a week and 365 days per year. Should a tagged person
promotion of public safety and security.
prevention of crime
such as,
other JCPs cluster) to the broader goals (and other DCS
has proven to be economical, effective, efficient and relevant
reintegration of offenders through EM.
Significant progress has been made in advancing social

CONCLUSION
THANK YOU