



Convicted Drunk Drivers in an Electronic Monitoring Program: A Preliminary Study

Shannon M. Barton¹
Sudipto Roy²

Indiana State University – Terre Haute, USA

Abstract

In the United States, electronic monitoring home detention programs were officially started in Palm Beach County, Florida, in 1984. Researchers have been assessing these programs since late 1980s. However, little attention has been paid to the impact of these programs on convicted drunk drivers. This study focuses on drunk drivers sentenced to electronic monitoring home detention program in a southwestern Indiana county from January 2002 to December 2003. Specifically, the objective of this study is to examine the characteristics of program participants and their exit status.

Key Words: Drunk Drivers; Electronic monitoring; Research;

Introduction

Several “intermediate sanctions” are used for accused as well as convicted offenders in the United States. “Intermediate sanctions” are conceptualized as punishments situated on a continuum between traditional probation and prison. One such sanction is electronically monitored home detention (EMHD). Technological advancement has made practical the use of electronic monitors for home detention (EMHD) programs. The Palm Beach County (Florida) Sheriff’s Department started an in-house arrest work release program in 1984 (Brown and Roy, 1995). This was the first EMHD program established for adult offenders in the United States. These programs are used by the American criminal justice systems at pre-trial stage (as diversion from formal prosecution) as well as post-trial stage (as a sanction for convicted offenders). Also, these programs are non-residential. Consequently, participants in programs are allowed to stay at their own homes, continue their employment and/or education avail treatment (if court-ordered) and maintain their family ties (Lurigio, Olson, & Sifferd, 1999). These programs across the United States include varied types of offenders as participants, e.g. offenders charged

¹ Associate Professor, Indiana State University, Department of Criminology & Criminal Justice, 240 Holmstedt Hall, Terre Haute, IN 47809. Email: Sbarton1@indstate.edu

² Professor, Indiana State University, Department of Criminology & Criminal Justice, 240 Holmstedt Hall, Terre Haute, IN 47809. Email: sroy@indstate.edu

with and also convicted for drunk driving, property offenses, and personal offenses (Martin, Lurigio, & Olson, 2003; Finn & Muirhead-Steves, 2002).

In the United States, research findings on the EMHD programs are being reported since the late 1980s. Individually, some of these studies “provide snapshots of the field implementation of electronic monitoring programs, delivered by a specific organization in a particular setting for a particular group of offenders” (Baumer, Maxfield, & Mendelsohn, 1993, p. 124). Some studies have investigated the electronic devices in terms of proper monitoring. Also, some studies have relied on very small samples of offenders (Lilly, Ball, & Wright, 1987; Charles, 1989). Most of the previous researchers have focused on individual program completion percentages, and to some extent, on post-program recidivism among the participants who had successfully completed their sentences. The fact remains that previous researchers have paid little attention to convicted drunk drivers sentenced to an electronic monitoring home detention program in the United States. The present study focused on those convicted drunk drivers who were sentenced to EMHD and also completed their sentences in a southwestern Indiana county from January 2002 through December 2003. The subjects of this study were placed in the program at post-trial stage as a condition of their sentences. Specifically, the objective of this preliminary study is to expand on the literature by focusing on the exit status of convicted drunk drivers placed in this EMHD program during the specified time period.

Review of Related Literature

In the United States, EMHD programs are used as (a) pre-trial supervision of criminal defendants, (b) an alternative to revocation of individuals supervised on probation and parole, and (c) an additional component of probation and parole supervision (Finn and Muirhead-Steves, 2002). The selection criteria for placement of offenders in EMHD programs vary from one jurisdiction to another. Findings from previous research reveal that most of these programs involve non-violent offenders and those with non-violent offense histories (Roy, 1999, 1997; Zhang, Polakow, & Nidorf, 1995; Brown & Roy, 1995; Baumer, Maxfield, & Mendelsohn, 1993; Coopriider, 1992; Lilly, Ball, Curry, & Smith, 1992; Vaughn, 1991, 1987; Clarkson & Weakland, 1991; Kuplinski, 1990; Charles, 1989; Ball, Huff, & Lilly, 1988; Blomberg, Waldo, & Burcroff, 1987; Lilly, Ball, & Wright, 1987). Some programs include only those offenders who are sentenced to jail for specified number of days (Roy, 1999; Lilly, Ball, & Wright, 1987). Also, some programs exclude offenders who have pending charges or have a history of absconding (Kuplinski, 1990). Furthermore, some programs exclude offenders who have multiple felony convictions, require in-patient drug/alcohol treatment, or are serving intermittent sentences (Brown & Roy, 1995).

A cursory review of previous research findings indicate that so far, researchers have investigated various aspects of these programs, such as the monitoring devices, cost analysis, percentages of offenders successfully exiting these programs, factors predictive of successful exit, and also post-program recidivism. A review of previous research findings also indicate that between 57% and 97% of the participants had successfully exited their programs (Roy, 1999).

- 97% in the West Palm Beach, Florida program (Lilly, Ball, Curry, and Smith, 1992).
- 94% in the Palm Beach County, Florida program (Friel & Vaughn, 1986).
- 93.5% across three home detention programs in Indiana (Baumer, Maxfield, & Mendelsohn, 1993).
- 91.4% in the Kenton County, Kentucky program (Lilly, Ball, & Wright, 1987).
- 91% in the Clakamus County, Oregon program (Rogers & Jolin, 1989).
- 90% across six programs in Virginia (Kuplinski, 1990).
- 90% in an evaluation of ten programs across the U.S. (Vaughn, 1987).
- 87% in the Harris County, Texas program (Enos, Black, Quinn, & Holman, 1992).
- 82% in the Oneida County, New York program (Brown & Roy, 1995).
- 81.6% in the Vigo County, Indiana program (Roy, 1999).
- 75% in the Lake County, Indiana program (Roy, 1994)
- 75% in a national survey (Renzema & Skelton, 1990).
- 70% in the Palm Beach County, Florida Sheriff's Department In-house Arrest program (Palm Beach County, Florida Sheriff's Department, 1987).
- 57% in the Dallas County, Texas program (Enos, Black, Quinn, & Holman, 1992).

Regarding “exit status”, many researchers had focused on this issue. An example comes from the results from the national survey conducted by Renzema and Skelton (1990). They commented that an offender’s age and sentence length were predictors of unsuccessful “exit status”. According to this national survey, older offenders (over 35 years of age) had higher likelihood than their younger (less than 35 years old) to successfully exit their programs. In other words, age and successful exit were inversely related. As for sentence length, this national survey revealed that as the sentence length exceeded 180 days, the likelihood of successful exit increased. The finding on an offender’s age (from this national survey) has been supported by other previous research findings (Roy, 1999, 1997; Brown & Roy, 1995; Roy, 1994; Lilly, Ball, Curry, & McMullen, 1993). However, the finding on an offender’s sentence length has not been supported by other research reports (Roy, 1999, 1997; Brown & Roy, 1995).

Previous research findings also indicate that several other factors are significantly related to “exit status”. These other factors include charge reduction (offenders whose original charges were reduced were more likely to fail, compared to those whose charges were not reduced), employment status (unemployed offenders were more likely to fail than employed offenders), gender (male offenders were more likely to fail than female offenders), previous convictions (offenders with previous convictions were more likely to fail compared to their cohorts with no prior) (Roy, 1999; Lilly, Ball, Curry, & McMullen, 1993), income (offenders with \$10,000 or less annual income were more likely to fail compared to those with more than \$10,000 annual income) (Lilly, Ball, Curry, & McMullen, 1993), number of prior offenses (offenders with more than three prior offenses were more likely to fail than those with less than three priors), substance abuse history (offenders with substance history to fail compared to offenders with no such history), and

prior institutional detention (offenders who had history of prior institutional detention were more likely to fail than their cohorts with no such history) (Brown & Roy, 1995; Roy, 1994).

Previous research findings also indicate that varied types of convicted offenders (such as drunk drivers, property offenders, and those convicted for personal offenses) are sentenced to EMHD programs across the U.S. However, a review of previous research findings demonstrate that only a few researchers have focused exclusively on convicted drunk drivers. For instance, Courtright, Berg, and Mutchink (2000) examined the factors which were statistically significantly related to successful exit from the EMHD program administered in Western County, Pennsylvania. The authors reported that employment, marital status, and prior offenses were significantly related to successful exit during their one-year study period. The authors had conducted an earlier study on the same type of offenders sentenced to the same program in 1997; however, in this earlier study the authors focused on only cost analysis. Another previous research was conducted by Lilly, Ball, Curry, and McMullen (1993) (a seven-year study) on convicted drunk drivers sentenced to EMHD program administered by the Pride Incorporated in Palm Beach County, Florida. They reported that 97% of the participants successfully completed their sentences during the study period. In addition, they also reported that gender (male offenders had higher percentage of failure than female offenders), age (offenders who were over forty years of age had higher percentage of successful completion than younger offenders), employment (unemployed offenders had higher percentage of failure than employed offenders), and income (offenders who had over \$10,000 annual income were more successful than those with less than \$10,000 annual income, to complete their sentences successfully) were statistically significantly related to the offenders' successful exit from the program. Another study was conducted by Tuthill (1986). In this study the author examined post-program recidivism among sixty convicted drunk drivers who successfully exited the EMHD program in Lynn County, Oregon, during a one-year study period in 1985. Tuthill (1986) reported that only three participant's recidivated after successful completion of their sentences. The author did not conduct any other analysis.

The Southwestern Indiana County Program

The electronic monitoring home detention program in the southwestern Indian county was started during 1990-91 fiscal year. The program has been administered by the County Community Corrections Office since its inception. In this county, convicted drunk drivers are placed in the EMHD in three ways – (1) as an additional condition to their probation sentences (offenders are placed on probation first; then they are placed in this EMHD as an additional condition to the probation), (2) as direct commitment (i.e. an offender is placed in this EMHD directly, in lieu of spending time in jail), and (3) as a sentence modification (jail sentence modified after spending some time in jail). As for the third type, offenders are placed in jail first; they spend some time in jail, and then their jail sentence is modified by the court so that they can be placed in the EMHD for the remainder of their sentence. [In the United States, the length of jail sentence for a convicted offender is up to one year; if the length of the imposed sentence is more than

one year, the offender is placed in prison. Jails are administered by the local authorities (i.e. the County), while prisons are administered by State or Federal authorities.]

Initially, a “passive device” was used to monitor the participants. Passive devices did not send continuous signals (on a 24 hour basis) about a participant’s movement to the central computer at the Office. The central computer was programmed everyday to make six phone calls (any time during the twenty-fours of a day) to a participant’s home phone. A camera device and a transmitter were attached to the participant’s home phone. As the phone rang, the offender had to make gestures (for instance, touch his ears or nose); the camera used to take still shots of those gestures and transmit them to the central computer, to monitor offender compliance electronically. If a participant failed to answer a phone call, it was considered a violation of the conditions of the program. Also, a home detention officer had to make two daily unannounced visits to the participant’s home and workplace/school to monitor offender compliance manually. Additionally, the participant had to provide the home detention officer with a daily schedule during the whole duration of supervision.

The main problem with the “passive device” was it was not possible to electronically monitor the participant’s movement outside his home. Hence, the “passive device” was phased out and replaced by “active system”; this new system involves an electronic band attached to a participant’s ankle or wrist. The anklet or wrist band sends continuous signals (even when a participant is outside his home) to the central computer at the Office. The rule is – a participant cannot go outside a radius specified by the court. If he/she goes beyond that radius, the anklet or wrist band send a different signal to the central computer spontaneously to indicate a violation. Lately, they have started to use GPS (Global Positioning Satellite) system to monitor the participants electronically. Supervision using the active device is definitely more intense and effective than the passive device. The central computer at the Office is still programmed daily to make six phone calls to a participant’s home phone. A home detention officer still makes two unannounced visits to a participant’s home and workplace/school everyday. As for the phone line to a participant’s home, there are several restrictions. A participant cannot have more than one phone line. In addition, a participant cannot have caller ID, call waiting, call forwarding, and answering service.

Each participant is court-ordered to pay several fees to the County Community Correction Office. As a participant is placed by the court in the program, he/she has to pay \$ 75.00 (non-refundable) for installation of the device. In addition, each participant in this program has to pay \$ 49.00 in advance as weekly service fees during the tenure of supervision. In other words, each participant has to pay \$ 7.00 daily service charge. However, if a participant earns more than \$ 7.00 per hour, his/her per hour wage becomes the daily service charge. For instance, if a participant earns \$ 10.00 per hour as wage, then he/she has to pay \$ 10.00 as daily service charge. In this southwestern Indiana County, it costs the tax-payers about \$ 15,000 per year to detain an offender in jail or prison. So, placement of offenders in this program saves tax-payers’ money, and in addition, the County makes money through the fees charged to each participant.

Method

Data Sources and Subjects

The data for this study were coded from individual offender case files maintained by the County Community Corrections Office. At the beginning, all the convicted drunk drivers (adults) who were sentenced to EMHD (130 individuals) programs and exited the programs (during the two-year study period) were included in this study. However, due to inconsistencies in the available information, 12 subjects were dropped from this study. Hence, this study included 118 subjects in EMHD. The information about each subject's prior offense history, prior sanctions, prior placements in community corrections program, or jail or prison was collected from the Criminal History Information System maintained by the County Superior Court.

This study included the following independent variables --- age, race, sex, marital status, education level, offense (drunk driving) class, charge reduction, sentence type, sentence length (i.e. the number of days spent by each subject in EMHD), prior OWI [Operating (vehicle) While Intoxicated] offense, prior jail commitment, prior imprisonment, prior community corrections placement, prior drug/alcohol offenses, and prior drug/alcohol counseling (See Table 1 for a Summary of the Independent Variables Descriptive Statistics). The mean age of subjects was 35.1 years (range was from 27 years to 65 years). Close to 90% of the subjects were "whites" (coded 1) and the remaining 10% (approximately) were "non-whites" (coded 0). Most of the subjects were "male" (male coded 1, 87.3%); the remaining subjects were female (coded 0). Most of the subjects were "not married" (married coded 1, 78%, and not married coded 0). The education level of the subjects was dichotomously coded as high school or less (coded 0, 74.6%) and more than high school (coded 1). As for offense class, almost 56% of the subjects were "misdemeanants" (coded 0); the remaining subjects were "felons" (coded 1). The original charges were reduced (charge reduced coded 1, and not reduced coded 0) by the court for thirty-five subjects (29%).

In this southwestern Indiana county, these convicted drunk drivers were placed in EMHD in three ways – as an additional condition of their probation sentence (coded 1), as direct commitment (coded 2), and as sentence modification (coded 3). The majority of the subjects were placed in the EMHD as an additional condition to probation (78.8%). Twenty-four subjects (20.4%) were sentenced in the EMHD as direct commitment. Only one individual was placed in the EMHD as sentence modification. Regarding sentence length, the range was 40 to 365 days. The data on prior OWI offense were dichotomously coded (yes coded 1, 78%, and no coded 0). Among the subjects, 101 individuals had no prior jail commitment (coded 0; 85.6%); the remaining 17 subjects (14.4%) were previously placed in jail (coded 1). However, almost 80% of the subjects had records of prior community corrections placement (coded 1), and the remaining 20% of the subjects had no such record (coded 0). As for prior drug/alcohol counseling, 93 subjects (78.8%) had such records (coded 1); the remaining 25 subjects (21.2%) had no such records (coded 0). The outcome measure of this study was "exit status". This variable was dichotomized as "successful exit" (coded 1) and "unsuccessful exit" (coded 0).

Recoding of Independent Variables

The independent variables included two continuous variables – age and sentence length. Each of these two variables was recoded to be categorized into two groups for data analysis. Age was categorized into “group I” (up to 35 years, 57.6%) and “group II” (more than 35 years, 42.4%). Likewise, sentence length was categorized into “group I” (up to 180 days, 85.5%) and “group II” (more than 180 days, 14.5%).

Results

Previous research findings reported that EMHD programs differ in their overall purposes. For instance, typically EMHD programs have consistently been used for both pretrial supervision, and an added component to probation and parole (Roy & Barton, 2006; Finn & Muirhead-Steves, 2002). That being said, the successful or unsuccessful completion of any program may negatively impact the ultimate cost savings should an offender be unsuccessfully released from the program and in some instances diverted back to jail or prison. Therefore, this exploratory study examined whether any significant relationship existed between the following characteristics of convicted drunk drivers placed in EMHD and their exit status: age group; race; sex; marital status; education level; offense class; charge reduction; sentence type; sentence length; prior OWI offense; prior jail commitment; prior imprisonment; prior community corrections placement; and prior alcohol or drug counseling.

Overall, the present study indicates that the majority of EMHD participants did successfully exit the program (76%). However, these data did not reveal the full story. It was unclear which characteristics of offenders increased their propensity for successful exit or unsuccessful exit. Therefore, separate chi-square analyses examining the relationship between the observed and expected frequencies for the subjects were conducted. These analyses demonstrated intriguing relationships between the following independent variables and exit status of the subjects – age-groups, offense class, sentence type, prior OWI offense, sentence length-groups, prior community corrections placement, prior alcohol or drug counseling, and prior jail commitment. Results of the analyses are presented below.

Age Group and Exit Status

An examination of the age of offenders sentenced to EMHD programs in previous research suggests that these programs are prone to include older offenders (those above 35). As previously mentioned, the average age for program participants in this study was 35.1 years (range 27 to 65 years). Upon first review, the results reveal that the majority of EMHD offenders are under the age of 35 (58%). This is significant since recent life course theories suggest – as individual ages he/she is less likely to participate in criminal behavior (Sampson & Laub, 1993). From this proposition we would expect that older participants would be more likely to succeed than younger participants. However, this proposition was not supported by the findings from this study. Table 2 presents the results from a chi-square analysis testing the significance of the relationship for each of the age-groups. The findings from the computation demonstrated that 84% of the younger offenders (age-group I) and 66% of the older offenders (age-group II) successfully exited the program. The computation revealed significant difference

between age groups and exit status at the $p < .05$ level (Cramer's $V = .207$). Therefore, this finding warrants further exploration.

TABLE 1 Variables and Summary Statistics for Subjects (N=118)

Variables		No.	%
AGE	Range		27 - 65 years
	Mean		35.1 years
RACE	Whites	106	89.8
	Non-whites	12	10.2
SEX	Male	103	87.3
	Female	15	12.7
MARITAL STATUS	Married	26	22.0
	Not married	92	78.0
EDUCATION LEVEL	High School or Less	88	74.6
	More than High School	30	25.4
OFFENSE CLASS	Felony	52	44.1
	Misdemeanor	66	55.9
CHARGE REDUCTION	Yes	35	29.4
	No	83	70.6
SENTENCE TYPE	Probation	93	78.8
	Direct Commitment	24	20.4
	Sentence Modification	1	0.8
SENTENCE LENGTH	Range		40 - 365 days
	Mean		128 days
PRIOR OWI OFFENSE	Yes	92	78.0
	No	26	22.0
PRIOR JAIL COMMITMENT	Yes	17	14.4
	No	101	85.6
PRIOR COMMUNITY CORRECTIONS PLACEMENT	Yes	94	79.7
	No	24	20.3
PRIOR DRUG/ALCOHOL COUNSELING	Yes	93	78.8
	No	25	21.2
EXIT STATUS	Successful	90	76.0
	Unsuccessful	28	24.0

Offense Class and Exit Status

Previous research assessing the relationship between offense class and exit status indicates that a significant number of programs exclude felony offenders from entering EMHD programs at all. Research assessing the effectiveness of accepting drunk-driving felony offenders into EMHD programs is essentially non-existent. In the present study, both misdemeanor and felony drunk driving offenders were included in the program. Therefore, it was important to ascertain whether any relationship exists between offense class and exit status.

TABLE 2 EXIT STATUS AND SPECIFIC VARIABLES

Variables	Exit Status		Total
	Successful	Unsuccessful	
AGE-GROUPS			
18 - 35 years	57 (84%)	11 (16%)	68 (100%)
35+ years	33 (66%)	17 (34%)	50 (100%)
Total	90 (76%)	28 (24%)	118 (100%)
Cramer's V=.207, p<.05			
OFFENSE CLASS			
Misdemeanor	59 (89%)	7 (11%)	66 (100%)
Felony	31 (59%)	21 (41%)	52 (100%)
Total	90 (76%)	28 (24%)	118 (100%)
Cramer's V=.348, p<.0005			
SENTENCE TYPE			
Probation	82 (88%)	11 (12%)	93 (100%)
Direct Commitment	8 (34%)	16 (66%)	24 (100%)
Sentence Modification	0 (0%)	1 (100%)	1 (100%)
Total	90 (76%)	28 (24%)	118 (100%)
Cramer's V= .544, p<.005			
PRIOR OWI OFFENSE			
Yes	64 (69%)	28 (31%)	92 (100%)
No	26 (100%)	0 (0%)	26 (100%)
Total	90 (76%)	28 (24%)	118 (100%)
Cramer's V=.297, p<.005			
SENTENCE LENGTH			
Up to 180 days	86 (85%)	15 (30%)	101 (100%)
More than 180 days	4 (23%)	13 (77%)	17 (100%)
Total	90 (76%)	28 (24%)	118 (100%)
PRIOR COMM. CORREC. PLACEMENT			
Yes	66 (70%)	28 (30%)	94 (100%)
No	24 (100%)	0 (0%)	24 (100%)
Total	90 (76%)	28 (24%)	118 (100%)
Cramer's V=.282, p<.05			
PRIOR DRUG/ALCOHOL COUNSELING			
Yes	65 (70%)	28 (30%)	93 (100%)
No	25 (100%)	0 (0%)	25 (100%)
Total	90 (76%)	28 (24%)	118 (100%)
Cramer's V=.289, p<.005			
PRIOR JAIL COMMITMENT			
Yes	8 (47%)	9 (53%)	17 (100%)
No	82 (81%)	19 (19%)	101 (100%)
Total	90 (76%)	28 (24%)	118 (100%)
Cramer's V=.282, p<.005			

The results assessing the relationship between offense class and exit status are reported in Table 2. Approximately three-fourths of the offenders for both programs are misdemeanants (n=90, 76%). Cross-tabulation was computed using chi-square test for significance comparing the percentages of successful exit. Overall, the results indicated that the majority of offenders participating in the EMHD were successfully released (76%). A significant relationship did exist between offense class and EMHD program participants (Cramer's V = .348 and p<.0005). Of particular interest was the difference in exit status for felony offenders. Although the majority of felony offenders (n=31, 59%) successfully exited the program, a significant number of subjects did fail (n=21, 41%). Conversely, 89% of the misdemeanants (n=59) successfully exited the program. Hence, this relationship between offense class and exit status is worth further inquiry.

Sentence Type and Exit Status

As noted earlier, in the southwestern Indiana County, convicted drunk drivers are placed in this EMHD in three ways – as an additional condition to their probation sentence, as direct commitment, and as sentence modification. The distribution of sentence type among the 118 subjects was as follows – 93 on probation, 24 on direct commitment, and 1 on sentence modification. Eighty-four percent (n=82) of the probationers were successful while the only subject on sentence modification failed (see Table 2). Of specific interest was the subjects on direct commitment; two-thirds of these subjects (n=16) failed to complete their sentences (Cramer's $V = .544$, $p < .005$). Given this context, the findings on direct commitment subjects definitely deserve further investigation.

Prior OWI Offense and Exit Status

The data revealed that among 118 subjects, 92 individuals had records of prior OWI convictions. The remaining 26 subjects had no such records. Cross-tabulation was computed using chi-square test of significance to assess the relationship between prior OWI offense and exit status among the subjects (see Table 2). The computation revealed significant relationship between these variables (Cramer's $V = .297$, $p < .005$). Among the 92 subjects with prior records, 28 (31%) individuals were unsuccessful in completing their sentences, while all 26 subjects with no such prior records were successful. Hence, the significant findings about the relationship between prior OWI offense and exit status is worthy of further examination.

Sentence Length and Exit Status

Regarding exit status, it was important to consider the overall amount of time an offender spent under supervision in this program. The results from the analysis on the relationship between sentence length and exit status are presented in Table 2. The sentence length (a continuous variable) was recoded into a dichotomous variable as sentence length groups (group I - up to 180 days, and group II - more than 180 days). The majority of subjects (85.6%) spent less than 180 days in this program. Using a chi-square test of significance, no significant difference was found between sentence length groups. One probable explanation for this finding is there were so few offenders whose sentence length was more than 180 days that the cell sizes were sufficiently small enough to not allow for any variation, therefore, resulting in no significant difference. Despite this finding, there were a couple of noteworthy results. Most of the EMHD participants sentenced to less than 180 days successfully completed the program (85.0%, n=86). Seventeen subjects were sentenced to the EMHD for more than 180 days. Of these offenders, the majority (77%, n=13) failed to complete their sentences. Although this finding was not statistically significant, the relationship between sentence length and exit status deserves further exploration.

Prior Community Corrections Placement and Exit Status

Previous research assessing the effectiveness of Electronic Monitoring Home Detention programs have focused on the type of program participants (pre-trial, probation, community based, etc.), level of participation (i.e., number of days in program), program

and post-program recidivism, and comparisons between offenders in community based alternatives and those with prior prison placements. However, research to date has not focused on the relationship between prior placement in a community corrections program and exit status, especially for convicted drunk drivers. The present study included a nominal level measurement indicating whether the offenders have any form of prior community corrections placement. The results from this analysis are presented in Table 2.

The data revealed that 94 subjects (79.6%) had records of some sort of prior community corrections placement. The chi-square analysis demonstrated significant difference between the observed and expected frequencies for the EMHD program (Cramer's $V = .282$, $p < .05$). Among the 94 subjects with records of prior community corrections placement, 66 individuals (70%) successfully completed their sentences. As for the remaining 24 subjects who had no records of such prior placements, all of these subjects successfully exited the program. The relationship between prior community corrections placement and exit status among EMHD participants is worthy of further more detailed exploration.

Prior Alcohol or Drug Counseling and Exit Status

Previous literature examining the impact of community-based corrections indicated that individuals who participated in individual and/or group counseling for alcohol and/or drug abuse, (which includes AA) were significantly more likely to successfully complete their sentences (English, Chadwick & Pullen, 1999). Since this study specifically examined offenders convicted of drunk driving, it was important to examine the relationship between any prior counseling and exit status. A review of the data indicated that approximately 79% of EMHD subjects had records of participating in some form of prior alcohol or drug counseling (see Table 1). Of those who did, 65 subjects (70%) successfully exited this EMHD program. In contrast, all 25 subjects who had no such prior counseling were successful in completing their sentences. Computation of a chi-square test of association revealed that there were significant (Cramer's $V = .289$, $p < .005$) relationship between prior alcohol or drug counseling and exit status among the EMHD participants (see Table 2). It might be conceived from the findings that some form of prior counseling might have influenced successful completion of the program among those with records of such prior counseling. The findings from the computation are worthy of further investigation.

Prior Jail Commitment and Exit Status

Previous research suggested that offenders who have had prior contact with the system such as prior institutional detention (Brown and Roy, 1995; Roy, 1994) were more likely to fail in completing their EMHD sentences. Thus, it was important to examine the relationship between prior jail commitment and exit status among the subjects. A measure indicating prior jail commitment was included in the study. Table 1 revealed that only 17 subjects (14.4%) of had records of prior jail commitment. Of those who did have such records, 9 subjects (53%) failed to successfully exit the program. In other words, the majority of the EMHD subjects with such prior jail detention failed to complete their sentences. It may be conceived that for individuals who had records of such prior

institutional detention, placement in a community-based correctional program like EMHD deemed as a less serious sanction. In contrast, among the subjects with no prior jail commitment (n=101), only 19 individuals (19%) failed to exit the program successfully. Further, the chi-square analysis revealed significant relationship between prior jail commitment and exit status among the subjects (Cramer's V = .282, $p < .005$). The relationship between prior jail detention and exit status for EMHD subjects deserves further investigation to ascertain whether such prior institutional detention impacts subjects' exit status.

Discussion and Conclusion

This exploratory study expands the current literature by assessing the relationship between convicted drunk drivers sentenced to Electronic Monitoring Home Detention program and their exit status. Using cross-tabulations and chi-square analyses, results were presented in eight different categories: age groups; offense class; sentence type, prior OWI offense, sentence length; prior community corrections placement; prior alcohol or drug counseling; and prior jail commitment. The results (see Table 2) indicate that older offenders (those over 35) and those convicted of a felony were less likely to successfully complete the program than younger offenders and those convicted of a misdemeanor.

The finding from offenders' age does not support the previous literature that suggests as offenders' age they are more likely to have stakes in conformity or more to lose if they are incarcerated than when they were younger (Sampson & Laub, 1993; Lilly et al., 1993; Brown and Roy, 1995; Roy, 1994, 1997, 1999; Roy and Barton, 2006)). Hence, this finding requires further investigation in future studies on EMHD programs. As for offense class, 89% of the misdemeanants and 59% of the felons successfully exited the program during the study period. This finding supports previous studies' findings that misdemeanants are more likely to successfully complete their EMHD sentences than felons (Kuplinski, 1990; Baumer et al, 1993; Lilly et al., 1993; Roy, 1994; Brown & Roy, 1995; Roy, 1997, 1999; Roy & Barton, 2006). It may be conceived that misdemeanants may be more inclined to take advantage of the services offered in the programs and successfully meet all of the programmatic requirements.

A review of the previous research indicated that only a couple of studies examined the relationship between sentence type and exit status of EMHD participants (Roy, 1999, Roy & Barton, 2006). Both the studies revealed that probationers were more likely to be successful in EMHD programs than those placed in these programs in lieu of jail sentence. This was supported by the finding from the present study regarding sentence type and exit status. As evident from Table 2, 88% (n=82) of the probationers successfully completed their EMHD sentences compared to only 34 % (n=8) of "direct commitment" subjects. The majority of the "direct commitment" subjects (66%, n=16) failed to complete their sentences. Given this context, it may be conceived that placement in EMHD program is not appropriate for convicted offenders bound to jail commitment.

To date, only one study (Roy and Barton, 2006) examined the relationship between prior OWI offense and exit status of convicted drunk drivers in EMHD programs. However, the researchers did not report any statistically significant relationship between these two variables. In contrast, as evident from Table 2, the analysis from the present study did reveal a statistically significant relationship between prior OWI offense and exit

status among the subjects. All the 26 subjects (100%) with no prior OWI records successfully exited the program compared to 69% (n=64) of their cohorts with such prior records ($p < .005$). This finding is worthy of further investigation in future studies.

One area of significant interest was the relationship between sentence length and successful completion of the program. Renzema and Skelton (1990) in their study reported that sentence lengths of more than 180 days improved the likelihood of successful completion of EMHD programs. The finding from this study did not support this contention. Although not significant, the majority of offenders (77%, n=13) sentenced to more than 180 days failed to successfully complete the program while only 15% of the subjects sentenced to less than 180 days failed. Only 17 subjects were sentenced to the EMHD program for more than 180 days. The relationship between sentence length and exit status among EMHD participants requires further investigation in future studies. One way to further assess this relationship could be to examine the participants over a longer period of time so that more offenders with lengthier sentences could be included in future study.

An analysis assessing the relationship between prior community corrections placement and exit status revealed statistical significance ($p < .05$). On one side, all 24 subjects (100%) who had no record of such prior placement successfully exited the program. On the other side, 94 subjects had such records; among them, 70% (n=66) had successful exit. Evidently, it may be conceived that those with no such prior placement were more serious in completing their EMHD sentences compared to those with records of prior placements. This distinct difference between subjects with records of prior community corrections placement and subjects with no such prior records is worthy of further assessment.

Previous research indicated that individuals who participated in some form of individual or group counseling, which includes Alcoholics Anonymous, were significantly more likely to successfully exit the program compared to those who did not participate in such counseling (English, Chadwick, and Pullen, 1999). The finding from this study did not support this contention. Overall, 93 subjects had records of prior counseling. Although the majority of them (n=65) successfully exited (70%) the program, the remaining 28 subjects (30%) failed. One important finding was that in spite of having no prior counseling all of the 25 participants successfully completed the program. This may indicate that these were occasional drinkers whose first time encounter with the system was enough to deter them from future drinking and driving instances, although the present study does not provide a complete insight into the reason. Therefore, this finding deserves further exploration.

Finally, previous literature indicated that offenders who had records of prior imprisonment (in jail or prison) were more likely to unsuccessfully (fail) exit EMHD programs than those who had no such prior records (Brown & Roy, 1995; Roy, 1994). The relationship between prior jail commitment and exit status was examined for the subjects in this study. The findings from the cross-tabulations supported previous research reports on this relationship. The majority of subjects who had previous records of jail commitment were unsuccessful (53%) than their cohorts who had no such prior records (19%).

This finding suggests that the court might be more circumspect in sentencing these offenders (with records of prior institutionalization) to a community-based correctional program like EMHD. It may be conceived that for these offenders, placement in EMHD program psychologically diminishes the degree of seriousness of their sanction, compared to placement in jail. The point is - there is some cause for concern or alarm for the successful outcome of offenders with records of prior institutionalization. This is especially disconcerting given the fact that unsuccessful exit from EMHD program mostly results in the incarceration of the offender. As the jail and prison populations become further overcrowded in the United States, the finding on prior jail commitment is noteworthy.

In sum, this study was exploratory in nature. It was designed to provide preliminary results and identify areas worthy of further exploration. Future research should focus on the significant differences or relationships particularly for convicted drunk drivers placed in EMHD programs. Each of the identified categories is worthy of further exploration.

References

- Ball, R., Huff, C., & Lilly, J. (1988). *House arrest and correctional policy: Doing time at home*. Newbury Park, CA: Sage Publications.
- Baumer, T., Maxfield, M., & Mendelsohn, R. (1993). A comparative analysis of three electronically monitored home detention programs. *Justice Quarterly*, 10(1), 121-142.
- Bloomberg, T., Waldo, G., & Burcroff, L. (1987). Home Confinement and Electronic Surveillance. In B.R. McCarthy (ed.) *Intermediate Punishments: Intensive Supervision, Home Confinement, and Electronic Surveillance* (pp. 32-41). Monsey, NY: Willow Tree Press.
- Brown, M.P., & Roy, S. (1995). Manual and electronic house arrest: An evaluation of factors related to failure. In J.O. Smykla & W.L. Selke (eds.) *Intermediate Sanctions: Sentencing in the 90s* (pp. 1-20). Cincinnati, OH: Anderson Publishing.
- Charles, M. T. (1989). Electronic Monitoring for Juveniles. *Journal of Crime and Justice*, 12, 147-169.
- Clarkson, J. S. & Weakland, J. J. (1991). A Transitional Aftercare Model for Juveniles: Adopting Electronic Monitoring and Home Confinement. *Journal of Offender Monitoring*, 4, 2-15.
- Coopridier, K. W. (1992). Pretrial bond supervision: An empirical analysis with policy implications. *Federal Probation*, September, 41-49.
- Courtright, K. E., Berg, B. L., & Mutchnick, R. J. (2000). Rehabilitation in the new machine? Exploring drug and alcohol use and variables related to success among DUI offenders under electronic monitoring—some preliminary outcome results. *International Journal of Offender Therapy and Comparative Criminology*, 44(3), 293-311.
- English, K., Chadwick, S.M., & Pullen, S. K. (1999). Colorado's Intensive Supervision Probation Program. *Alternatives to Incarceration*, Jan/Feb, 5(1), 14-16.
- Enos, R., C.M. Black, J.F. Quinn, & J.E. Holman (1992). *Alternative sentencing: Electronically monitored correctional supervision*. Bristol, IN: Wyndham Hall Press.
- Finn, M. A. and Muirhead-Steves, S. (2002). The effectiveness of electronic monitoring with violent male parolees. *Justice Quarterly*, 19(2), 293-312.

- Friel, C.M. & J.B. Vaughn (1986). A consumer's guide to the electronic monitoring of probationers. *Federal Probation*, 50, 3-14.
- Kuplinski, J. (1990). *Electronic offender monitoring in Virginia: Evaluation report.*, Richmond, VA: Department of Criminal Justice Services.
- Lilly, J. R., Ball, R. A., Curry, G. D., & McMullen (1993). Electronic monitoring of the drunk driver: A seven-year study of the home confinement alternative. *Crime and Delinquency*, 39(4), 462-484.
- Lilly, J. R., Ball, R.A., Curry, G.D., & Smith, R. (1992). The pride, Inc. program: An evaluation of five years of electronic monitoring. *Federal Probation*, December, 42-47.
- Lilly, J. R., Ball, R. A., & Wright, J. (1987). Home incarceration with electronic monitoring in Kenton County, Kentucky: An evaluation. In B.R. McCarthy (ed.) *Intermediate Punishments: Intensive Supervision, Home Confinement, and Electronic Surveillance* (p. 42-56). Monsey, NY: Willow Tree Press.
- Lurigio, A.J., D.B. Olson, & K. Sifferd (1999). A study on the cook county day reporting center. *Journal of Offender Monitoring*, Spring, 5-11.
- Martin, C., A.J. Lurigio, & D.B. Olson (2003). An examination of rearrests and reincarcerations among discharged day reporting center clients. *Federal Probation*, June, 24-30.
- Palm Beach County Florida Sheriff's Department (1987) Palm Beach County's In-House arrest work release program. In B.R. McCarthy (ed.) *Intermediate Punishments: Intensive Supervision, Home Confinement, and Electronic Surveillance* (pp. 181-187). Monsey, NY: Willow Tree Press.
- Parent, D., Dunworth, T., McDonald, D., & Rhodes, W. (1997). *Key legislative issues in criminal justice: Intermediate sanctions*. Washington, DC: National Institute of Justice.
- Renzema, M. & Skelton, D. (1990). Trends in the use of electronic monitoring. *Journal of Offender Monitoring*, 3(3), 12-19.
- Rogers, R. & A. Jolin (1989). Electronic monitoring: A review of the empirical literature. *Journal of Contemporary Criminal Justice*, 5, 141-152.
- Roy, S. (1999). An analysis of the exit status of adult offenders in an electronic monitoring home detention program in Indiana. *Journal of Offender Monitoring*, summer, 12(3), 8-13.
- Roy, S. (1997). Five years of electronic monitoring of adults and juveniles in Lake County, Indiana: A comparative study on factors related to failure. *Journal of Crime and Justice*, 20(1), 141-160.
- Roy, S. (1994). Adult offenders in an electronic home detention program: Factors related to failure. *Journal of Offender Monitoring*, 7(4), 17-21.
- Roy, S. & Barton, S. (2006). Convicted drunk drivers in electronic monitoring home detention and day reporting centers: An exploratory study. *Federal Probation*, June, 49-55.
- Sampson, R. & Laub, J. (1993). *Crime in the making: Pathways and turning points through life*. Cambridge, MA: Harvard University Press.
- Tonry, M. (1997). *Intermediate Sanctions in Sentencing Guidelines*. Washington, DC: National Institute of Justice.

- Tuthill, J. (1986). An evaluation of electronic home detention as a deterrent for offenders convicted of driving under the influence of alcohol. *Journal of Probation and Parole*, 17, 11-13.
- Vaughn, J. B. (1991). Use of Electronic Monitoring with Juvenile Intensive Supervision Programs. In T. Armstrong (ed.) *Intensive Supervision with High-Risk Youths* (pp.189-210). Monsey, NY: Willow Tree Press.
- Vaughn, J. B. (1987). Planning for change: The use of electronic monitoring as a correctional alternative. In B. R. McCarthy (ed.) *Intermediate Punishments: Intensive Supervision, Home Confinement, and Electronic Surveillance* (pp. 71-84). Monsey, NY: Willow Tree Press.
- Zhang, S. X., Polakow, R. & Nidorf, B. J. (1995). Varied Uses of Electronic Monitoring: The Los Angeles County Experience. In J. O. Smykla and W. L. Selke (eds.), *Intermediate Sanctions: Sentencing in the 90s* (pp.95-110). Cincinnati, OH: Anderson Publishing.