Electronic Monitoring System

Crime Prevention System for Public Safety
Electronic Monitoring System is a state-of-the-art criminal justice system that protects the people from crimes.
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Introduction to Electronic Monitoring System
What is GPS Electronic Monitoring?

Electronic Monitoring is a 24/7 intensive supervision program that effectively reduces recidivism by enabling probation officers to identify and track the location of high-risk offenders (sex offenders, kidnappers, murderers, and robbers) and offenders released on parole in the condition of electronic monitoring order by utilizing GPS Electronic Device.

Background

As sex crimes have emerged as a serious social problem, the EM system was introduced as a drastic measure to prevent sexual violence crimes and reduce the fear of crime.

- Electronic monitoring was introduced to reduce prison overcrowding and to decrease the national cost of corrections in the United States and other countries.
- In 1983, Florida in the United States adopted the system for the first time in the world, and currently more than 30 countries are operating it.

Enactment & Amendment

<table>
<thead>
<tr>
<th>History</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implemented 1.5 years after the legislation passed; the EM period is up to 5 years</td>
<td>Implemented 2 months earlier, the EM period is up to 10 years</td>
<td>Applied to sexual violence crimes only</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>2014</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
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</thead>
<tbody>
<tr>
<td>Jun. Additional application to Robbery</td>
<td>Apr. One-on-One contact between probation offices and sex offenders against minors for offenders of sex crimes against minors</td>
<td>Aug. Enforcement of conditional bail system by electronic monitoring; Electronic monitoring is expanded to all criminals on parole regardless of their crime</td>
<td>Jun. Special EM enforcement operation unit for violation of the Act on Attachment of Electronic Device</td>
</tr>
</tbody>
</table>
2. Operation

Organization Chart

- Korean Ministry of Justice
  - Crime Prevention Policy Bureau
    - Electronic Monitoring Division
  - Electronic Monitoring Center (2)
    - Monitoring Staff
      - Central EM Center
      - Daejeon EM Center
  - Probation Office (58)
    - EM Probation Officers
      - 18 main Probation Offices
      - 40 Probation Branch Offices

Electronic Monitoring Center Staff

- 24-hour monitoring and tracking of target offenders with officers’ constant shift rotations

Supervision of offenders on EM

- Trained Probation officers for supervision of target offenders

Special EM Enforcement Operation Unit

- Investigation on violation of Act on Attachment of Electronic Device

Process of treating violators

1. Violations
2. Alerts in EM Center
3. Initial response in EM center
4. On-site response from Probation Office
5. Termination
Electronic Monitoring Center

Tasks

1. Offender location detection, moving path tracking, and initial response on alarm notifications
2. Electronic monitoring system operation and tracking device management
3. Processing, storing, and disposal of collected data

Administrative District

Central Electronic Monitoring Center
(Dongdaemun-gu, Seoul)
Monitoring area: Seoul, Gyeonggi, Incheon, Gangwon, Daegu, Gyeongbuk

Daejeon Electronic Monitoring Center
(Jung-gu, Daejeon)
Monitoring area: Daejeon, Chungnam, Chungbuk, Gwangju, Jeonnam, Jeonbuk, Ulsan, Busan, Gyeongnam, Jeju, Sejong
**Probation Office**

**Tasks**

<table>
<thead>
<tr>
<th>Probation</th>
<th>Electronic Monitoring</th>
</tr>
</thead>
<tbody>
<tr>
<td>Probation officers prevent the re-offending of probationers by keeping close contact and promoting probationers’ rehabilitation to society with assistance in vocational training, job placement, financial support, and more.</td>
<td>Prevent re-offending by attaching an electronic device to the body of high-risk offenders (such as sex offenders) to check the location 24 hours a day and keep them under close supervision by the probation officer.</td>
</tr>
</tbody>
</table>

**Crime Prevention Unit**

‘The Crime Prevention Unit’ that consists of probation officers certified in martial arts is being operated for 24/7 in-depth supervision and emergency response.

- 26 probation offices in 2013
- → 52 in 2018
- → all of 57 in 2019

**Special EM Enforcement Operations Unit**

Special Enforcement Operations Unit composed of Special Judicial Police is operated in 2021 to establish a 24/7 immediate investigation response system for offenders who tamper with their devices or violate the conditions. This prevents the violations from leading to serious crimes.

**Community Service Order**

Community Service Order is imposed on offenders to give opportunities for compensation and atonement of the damage caused by offenses through unpaid volunteer work.

**Attendance Order**

Prevents re-offending by providing education and treatment for a period to offenders who are likely to repeat the same crime.

**Presentence Investigation**

Probation officer objectively investigates offenders and provides a basic document to the court and the prosecution office.

**Supervision area**

- **58 Probation Offices**
  - 18 Main Offices, 40 Branch Offices
- **Main Offices**
- **Branch Offices**
3. Tracking Mechanism

The location of offenders is determined by signals transmitted from GPS satellites via a mobile communications network to the monitoring center.

**Tracking Devices**

- Electronic Monitoring Device
  - Real-time location tracking
  - Violation detection
- Home Monitoring Unit
  - Curfew Monitoring

**Mobile Communications**

- Base Station

**Electronic Monitoring Center**

- Situation analysis, initial response, emergency assistance request

**Probation Office**

- EM Staff
  - In Person supervision and on-site visits
  - Monitoring of compliance and revocation of probation

**Police**

- Special EM Enforcement operation Unit
  - Immediate response to alerts from high-risk offenders
  - Conducting an investigation of a violator of conditions such as device tampering
- Being called in upon serious violations (device tampering) and arresting the violator through cooperation with the probation office
02

Electronic Monitoring Execution
1. **Execution Process**

**Target Crimes**

Specific Offender: Sex crimes, kidnappings, murders, and robberies
General Offender: all crimes for parolee
※ It is possible to sentence to a person under 19 years of age but the EM device cannot be attached until the age of 19

**EM Process**

- **Suspended Sentence** (1~5 years)
  - Presentence Investigation Report
    - Probation Office
  - Petition of Electronic Device Attachment
    - Prosecutor
  - Sentence of Electronic Device Attachment
    - Court
  - Enforcement of Electronic Device Attachment
    - EM Center, Probation Office

- **Post-Imprisonment** (up to 30 years)
  - Presentence Investigation Report
    - Probation Office
  - Petition of Electronic Device Attachment
    - Prosecutor
  - Sentence of Electronic Device Attachment
    - Court

- **Parole, Conditional Release** (Period of parole, up to 3 years)
  - Decision for Electronic Device Attachment
    - Probation Review Board
      - Medical Care & Custody Review Board

- **Electronic Monitoring Center**
  - Electronic Monitoring System operation
  - Tracking device management
  - Offenders’ location detection, moving path tracking and alarm notification
  - Intensive monitoring on high-risk offenders
  - Processing, storing and disposal of collected data

- **Probation Office**
  - Response to alarms, on-site supervision
  - Counselling and support for economic activities
  - Operate a 24/7 crime prevention system
  - Investigation transmission of crime in violation of the Act on Attachment of Electronic Device

- **Probation Review Board**
  - Provisional discharge
    - (Requested by the chief probation officer or the director of electronic monitoring from 3 months after the enforcement)

- **Termination of Order**
  - Expiration of court’s order
  - Pardon of sentence
  - Nullification or revocation of parole conditional release
  - Nullification or revocation of a suspended sentence

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Electronic Monitoring System
2. Duties and Obligations of Offenders on Electronic Monitoring

Duties

- Duties of offenders on Electronic Monitoring

<table>
<thead>
<tr>
<th>Article 14 Duties of the Act</th>
<th>Penalties upon Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duty of maintaining device’s intended functions</td>
<td>Article 38 of the Act</td>
</tr>
<tr>
<td></td>
<td>* up to 7-year imprisonment</td>
</tr>
<tr>
<td></td>
<td>* up to KRW 20 million fine</td>
</tr>
<tr>
<td>Duty of self reporting the sentence given</td>
<td>Article 14–2 of the Act</td>
</tr>
<tr>
<td></td>
<td>* Extension of the attachment period (up to 1 year)</td>
</tr>
<tr>
<td></td>
<td>* Additional or modified obligations</td>
</tr>
<tr>
<td>Duty of reporting the changed address or going abroad</td>
<td></td>
</tr>
</tbody>
</table>

Obligations

- Obligations of offenders on Electronic Monitoring

<table>
<thead>
<tr>
<th>Article 9–2 Obligations of the Act</th>
<th>Measures upon Violations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Curfew during the nighttime or a specific time</td>
<td>Curfew violation</td>
</tr>
<tr>
<td></td>
<td>* Up to 1-year imprisonment or up to KRW 10 million fine</td>
</tr>
<tr>
<td>Off–limits to specific areas or places</td>
<td>Off–limits violation</td>
</tr>
<tr>
<td></td>
<td>* Up to 1-year imprisonment or up to KRW 10 million fine</td>
</tr>
<tr>
<td>Restriction from residential areas</td>
<td>Residence area restriction violation</td>
</tr>
<tr>
<td></td>
<td>* Up to 1-year imprisonment or up to KRW 10 million fine</td>
</tr>
<tr>
<td>Restraining Order against specific individuals, including the victim</td>
<td>Restraining order violation</td>
</tr>
<tr>
<td></td>
<td>* Up to 3-year imprisonment or up to KRW 30 million fine</td>
</tr>
<tr>
<td>Completion of rehabilitation programs for specific crimes</td>
<td>Specific crime treatment program violation</td>
</tr>
<tr>
<td></td>
<td>* Up to 3-year imprisonment or up to KRW 30 million fine</td>
</tr>
<tr>
<td>Restrictions on the use of addictive drugs</td>
<td>Drug restriction violation</td>
</tr>
<tr>
<td></td>
<td>* Up to 1-year imprisonment or up to KRW 10 million fine</td>
</tr>
<tr>
<td>And other things required to prevent recidivism and correct the offender’s mental disorder and dysfunctional conduct</td>
<td></td>
</tr>
</tbody>
</table>
3. Supervision of Offenders on Electronic Monitoring

**Offender classification and treatment plan**

- Identify risk factors through pre-interviews six months before the release, and apply additional obligations if necessary.
- Determine the grade of treatment in consideration of the risk of re-offending, criminal methods, etc. Establish a treatment plan reflecting psychological evaluation, offender assessment, and crime profiling.

**Intensive Supervision**

Probation officer closely contacts the offenders to observe their behavior and environment, and check living conditions and violation of obligations to remove factors of re-offending for their successful rehabilitation.

1:1 Probation Supervision

Since the amendment of the Act in April 2019, 1:1 probation supervision is being applied to high-risk sex offenders under 19 years of age.

- Enhanced supervision, including 24-hour intensive monitoring and daily check of living condition

**Professional treatment program**

- Conduct psychotherapy for social adaptation in the early stages of release
- Additional psychotherapy for fundamental behavioral improvement for high-risk offenders
  (Connect with special treatment institutions and hospitals if necessary)

**Offender rehabilitation and support**

Provide residential support, vocational training, and job placement by cooperating with Korea Rehabilitation Agency and local governments for offenders’ successful re-entry into the society

**Rapid and Strict response to violators of duties and obligations**

In case of violation of obligations of the offender, Special EM Enforcement operation Unit will promptly respond to block risk factors and prevent re-offending.
4. Benefits

▶ Drastic Reduction of Recidivism Rate

• Since Electronic Monitoring was introduced and enforced, the recidivism rate of sex offenders has been declining by 1/8.

※ Before EM 14.1%, After EM 1.8%

Recidivism Rate of Sex Offenders

<table>
<thead>
<tr>
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<th></th>
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</thead>
<tbody>
<tr>
<td>14.1%</td>
<td>1.8%</td>
</tr>
</tbody>
</table>

• 24-hour Electronic Monitoring puts offenders under psychological pressure, which contributes to a decline in recidivism.

Fear of being arrested for a repeated crime 72.0%
Self-control from doing illegal activities 91.7%

*Survey on offenders on Electronic Monitoring to observe their behavior and environment, and check living conditions and violation of obligations to remove factors of re-offending for their successful rehabilitation

▶ Reduction of Prison Overcrowding and Costs

Electronic Monitoring helps reduce prison overcrowding and cost-related concerns of incarceration

▶ Useful Resource for Investigation and Trial

Electronic Monitoring provides the location of offenders fast and accurately, which can be used in criminal investigations and prosecutions
03
World-class Level Electronic Monitoring
1. Observation (of offenders) through CCTV control centers of cities

Purpose

EM center cooperates with municipalities’ CCTV control room to detect violations of probation conditions in real-time and takes prompt response prevent crimes and ensure the safety of citizens.

<table>
<thead>
<tr>
<th>Before</th>
<th>After</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required to visit CCTV control center in case of violations, Time-consuming to acquire videos, Impossible to take prompt action due to time delay</td>
<td>Designated staff for CCTV monitoring, Immediate measures against violations, Possible to track the location immediately</td>
</tr>
</tbody>
</table>

※ Prompt response is possible with immediate detection of violations, such as device tampering and access to restricted areas

Monitoring through cooperation with CCTV

Cooperation with CCTV centers (from 2019)

<table>
<thead>
<tr>
<th>Completed</th>
<th>Partially done</th>
<th>Uncompleted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daejeon, Gwangju, Gangwon, Ulsan, Chungnam</td>
<td>Seoul, Gyeonggi, Gyeongbuk, Jeonnam</td>
<td>Busan, Daegu, Sejong, Gyeongnam, Jeonbuk, Jeju</td>
</tr>
</tbody>
</table>

‘CCTV Inquiry System’ using Tablet PC

The system is established that CCTV images can also be viewed using a tablet PC at probation offices.

- Probation officers can check the situation of the site and respond to the situation in the vehicle without visiting CCTV centers.
2. Protection System for Crime Victims

Anytime, Anywhere, Protection System for Crime Victims

By improving the existing victim protection service, the system now sends an alert if the offender of the restraining order is within a specified distance from the victim anywhere.

※A protection device (e.g., smart watch) is provided to victims to protect them from secondary victimization.
3. **General Public Safety Service through EM**

EM Center cooperates with municipalities’ CCTV Control Center to take prompt response to the threat from the offender by connecting municipalities’ Safe Return Home Service with the electronic monitoring system.

- Jul. 2021 : Connected with Gyeonggi-do Ansimi
- Aug. 2021 : Connected with Seoul-si Ansimi
- Oct. 2021 : Connected with Incheon-si Ansimi

**Service**

When citizens at risk shake their smartphones, the electronic monitoring system automatically analyzes the location of the people and the offenders, and responses immediately to threats.
4. Domestic & international Recognition toward Electronic Monitoring

» International attention for benchmarking
  • Introducing the Electronic Monitoring System to the Philippines and Saudi Arabia
  • Collaborating with law enforcement agencies from France and Japan
  • Supporting Mongolia and other countries to adopt Korean EM System

» Visits from citizens and students
  • Publicizing the understanding of the EM System
  • Operating Electronic Monitoring work experience program for students
  • Introducing the EM System to residents and major media

» Cooperation with related agencies
  • Maintaining cooperation with the Office of Education and the National Police Agency to prevent crimes
  • Implementing the visit program to strengthen the cooperation with the National Assembly’s judiciary committee and the Ministry of Economy and Finance
  • Promoting Cooperation between probation offices and police departments

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1) Director of Public Prosecutions of Saudi Arabia (Oct. 2019)
2) Prosecutors of the Public Prosecutor’s Office of Tokyo and Kobe (Jul. 2021)
3) Prosecutors of the Public Prosecutor’s Office of Mongolia and Philippines (Sep. 2021)
4) Korea Foundation for Educational Welfare (Mar. 2021)
5) Students of department of Police Administration in Dongguk University (Nov. 2021)
6) Students of National Police University (Dec. 2021)
7) National Mental Health Center of the Ministry of Health and Welfare (Nov. 2021)
8) The National Assembly’s Judiciary Committee (Nov. 2021)
Electronic Bail System

**Bail with Condition of Electronic Monitoring**

Need to promote the bail system to guarantee the accused person’s rights to defense counsel and prevent them from being disconnected from social life.

- A wristwatch type electronic device, which is about half the size and weight of the current ankle bracelet, can be attached with the consent of the accused.

**Electronic Bail Process**

**Subjects**
- Accused person in detention pending trial

**Investigation**
- Request Bail Decision Investigation if needed

**Decision (Court)**
- Impose conditions of Electronic Bail such as home detention, curfew, and residence restriction

**Enforcement (Probation Office)**
- Attachment of the Electronic Device
  - Notify the duties and guide instruction of the Electronic Device
  - Immediate notification of the violation of bail conditions when attachment order cannot be executed due to a criminal’s refusal to attach an electronic device or unknown location
- Monitoring and notification of violation of conditions of Electronic Bail
- Immediate notification to court and prosecutor in case of violation of the conditions of Electronic Bail

**Termination of Order**
- When the warrant of detention expires
- When the release on bail is rescinded
- When the EM bail becomes ineffective due to the changes of bail conditions
- (Removal of the Electronic Device with completion of bail)
Electronic Monitoring System
Crime Prevention System for Public Safety

Ministry of Justice
Crime Prevention Policy Bureau