



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# **A STUDY OF ELECTRONIC MONITORING IN THE CORRECTIONAL AND IMMIGRATION SETTINGS**

## **Report of the Standing Committee on Public Safety and National Security**

**Kevin Sorenson, M.P.  
Chair**

**SEPTEMBER 2012**

**41st PARLIAMENT, FIRST SESSION**



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has the honour to present its

## **SIXTH REPORT**

Pursuant to its mandate under Standing Order 108(2), the Committee has studied electronic monitoring and has agreed to report the following:



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# **STUDY OF ELECTRONIC MONITORING IN THE CORRECTIONAL AND IMMIGRATION SETTINGS**

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## **1. INTRODUCTION**

The use of electronic monitoring is on the rise in Canada and around the world. The emerging application of this type of surveillance in a range of settings is attributable to the fact that electronic monitoring is considered by many as an additional working tool which complements traditional supervision methods. That said, research to date shows that electronic monitoring in and of itself is not a panacea and that its implementation must be carefully focused.

### **A. Terms of reference and review process**

On January 31, 2012, the Committee agreed to undertake a study of the use of electronic monitoring in the correctional and immigration settings, with a view to determining effectiveness, cost efficiency, and implementation readiness.

Through witness testimony, the Committee sought to learn of the advantages and disadvantages of this technology, as well as its various potential applications. For this purpose, the Committee also sought to draw upon the experience of other countries, including Great Britain and the United States. As well, the Committee also reviewed the documentation and research brought to its attention.

The Committee devoted seven meetings to this study and gathered evidence from witnesses from the departments of Public Safety, National Defence, Citizenship and Immigration, the Canada Border Services Agency, the Correctional Service of Canada, the Edmonton Police Service, the John Howard Society of Canada and the John Howard Society of Manitoba, Inc. The Committee also had the opportunity to gather the views of electronic monitoring service providers and manufacturers. The Committee heard evidence from JEMTEC Inc., Safetracks GPS Solutions Inc., the 3M Company and 3M Canada. As well, several witnesses appeared before the Committee as individuals.

### **B. Organization of the report**

The report is divided into two sections: the first focuses on the information gathered by the Committee on the use of electronic monitoring in the correctional setting, and the second on its use in the immigration setting. Each section presents a series of recommendations based on our observations.

## **2. ELECTRONIC MONITORING IN THE CORRECTIONAL SETTING**

Throughout the Committee's study, witnesses described the various uses of electronic monitoring. Many witnesses advised the Committee of the varying sizes of programs and the different types of technologies used. Provincially, electronic monitoring is mostly used on offenders serving sentences of incarceration of less than two years who

are under a probation order or a conditional sentence, or on temporary absence or parole. The Committee learned that electronic monitoring is also used in connection with bail hearings where the individual charged has not yet been convicted by a court, but whose release raises public safety concerns.

Currently, seven Canadian provinces operate an electronic monitoring program. While some of these programs are relatively small and involve fewer than 35 individuals, the Committee heard that Ontario's program involves close to 230 offenders.

In Manitoba, the government funds the Restorative Resolutions Program. Participating offenders pose a low, medium or high-risk of reoffending and are likely to receive prison sentences. If the court approves an offender's application to the Restorative Resolutions Program, he or she may then serve the sentence in the community under the Program, rather than in custody.

Electronic monitoring is also used for offenders who have served a federal sentence but were not paroled given their level of risk. The Edmonton Police Service in the Province of Alberta currently supervises these offenders who, at warrant expiry (upon termination of the sentence), enter into a peace bond under section 810 of the *Criminal Code*, with electronic monitoring as a condition.

In 2008, the Government of Canada launched an Electronic Monitoring Program Pilot (EMPP) for federally sentenced offenders. The EMPP involved 46 offenders at low risk of reoffending who volunteered for the program. The program was evaluated in 2009<sup>1</sup> by the Correctional Service of Canada (CSC). The evaluation found, however, that there was no decrease in the rate of reoffending. Some believe the reason for this is that the sample was too small and was made up of low-risk offenders.

The Committee was told that the EMPP had been launched to test certain types of equipment. "We were trying to get a sense of the equipment's capacities and limitations, to see what we needed to develop in the way of practices, protocols, policies, and training. We also wanted to find out whether using this kind of technology would assist a parole officer in managing offenders."<sup>2</sup>

The Committee is aware of a new legislative provision that would authorize CSC to "demand that an offender wear a monitoring device in order to monitor their compliance with a condition of a temporary absence, work release, parole, statutory release or long-term supervision that restricts their access to a person or a geographical area or requires them to be in a geographical area."<sup>3</sup>

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1 The report conclusions are available at <http://www.csc-scc.gc.ca/text/pa/empp/index-eng.shtml>.

2 Don Head, Commissioner, Correctional Service of Canada, *Evidence*, February 16, 2012.

3 Clause 64 of Bill C-10: An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts, 41st Parliament, 1st Session.

Clarifications provided by the CSC Commissioner regarding this new legislative provision indicate that electronic monitoring would not be imposed on all offenders, would not replace direct supervision and would not be used to reduce the federal prison population. The Commissioner indicated that although the EMPP was conducted on low-risk offenders, the type of offender targeted would be classified as moderate to high-risk and present the need to restrict the offender's movements to a certain geographical area or limit access to a specific individual or location. It was further explained to the Committee that electronic monitoring would not be a stand-alone measure, but instead would be integrated into reintegration and community supervision.

During our study, the witnesses presented three types of equipment that, based on required needs, monitor individuals subject to conditions: bracelets with a GPS<sup>4</sup> (Global Positioning System) transmitter, bracelets with a radio frequency transmitter,<sup>5</sup> and biometric devices.<sup>6</sup> The service providers and manufacturers all told the Committee that the requirements and preferences of each client vary, which is why there is a wide range of equipment to choose from. Witness testimony indicates that GPS equipment is the most expensive and that the technology involved ranges from the quite simple to the quite complex. That said, the three service providers presented the Committee with very similar costs: electronic monitoring costs about \$5 to \$22 per day.

## 2.1 Advantages and Disadvantages

Witnesses who highlighted the advantages of electronic monitoring considered it to be an additional tool for offender supervision and support programs in the community. According to these witnesses, electronic monitoring deters criminal behaviour and encourages compliance with conditions. In addition, electronic monitoring provides probation and parole officers with a desired tool to enhance offender accountability.

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4 This type of monitoring produces a log of the offender's movements by communicating with the GPS satellite system. There are two modes: active and passive. "The terms 'active' and 'passive' refer, as we understand it at this point in time, to the GPS type of systems. Active refers to the notion that the system is essentially in continuous contact with the monitoring centre. How often it actually interacts with the monitoring centre is, again, one of these operational specifications: does it need to be every five minutes, every 10 seconds? (...) A passive system, as I understand it at this point in time, is one where the path of the individual during the day is logged on the device itself and there's no communication with the monitoring centre until at some point in the day, when the device is connected up to a transmitting unit, if you will, that downloads the information to the monitoring station and you can then see where the person was during the day, but of course it's hours later." Anthony Ashley, Director General, Defence Research and Development Canada — Centre for Security Science, Department of National Defence, *Evidence*, February 14, 2012.

5 According to the evidence heard, radio frequency technology is the oldest form of electronic monitoring. It indicates whether an individual is at a specific location.

6 "For the biometric base systems, which people don't tend to talk about, you're looking at a situation where you simply want to know whether the person came home that night. You could have a biometric scan of some sort — a retinal scan, a thumbprint, or something like that — to give you the confidence that the person, at one point during the day, actually was at that site." Anthony Ashley, Director General, Defence Research and Development Canada — Centre for Security Science, Department of National Defence, *Evidence*, February 14, 2012.

In CSC's view, electronic monitoring promotes interaction between parole officers and offenders, thereby ensuring a gradual, structured and monitored release. Larry Motiuk, CSC Special Advisor, Infrastructure Renewal Team, advised that electronic monitoring also provides long-term benefits:

We know that it may reduce the length of residency conditions. It could be used to strengthen community strategies and be integrated with such other things as parole officer engagement with the offender. We also know that it could be incorporated into a strategy that has community based programming and other supports and could support that as well. We know too that it can provide an alternative, potentially, to suspension or revocation, depending on the situation of the particular case.<sup>7</sup>

Certain witnesses believed that it could be a deterrent to criminal activity while other witnesses pointed out that this type of monitoring does not necessarily prevent crimes from being committed.

Among some of the technical disadvantages discussed, witnesses referred to problems with false alarms (sometimes because of a battery that needed recharging) and with drift (inaccuracy of data). Other disadvantages cited were weak reception and poor satellite signal quality. Witnesses also told the Committee that most GPS signals may not reach underground or inside certain buildings.

## **2.2 Additional Considerations**

Other witnesses said that electronic monitoring systems generate enormous quantities of information that they believe are likely to add to parole officer workloads. Some witnesses described complex technology that is effective when there is a good understanding of the system and proper user training. The Committee was told that these are critical to its reliability.<sup>8</sup> Steve Chapin of the 3M Company cautioned that an effective electronic monitoring system depends on more than just the device itself. He believes there is also a requirement for parole officer training, an intuitive software interface, customized case management tools, backup systems, ongoing technical support and well-developed protocols with the agencies involved. It follows that an electronic monitoring program would require a workforce with the capacity to provide ongoing support for information management and the detection of breaches of conditions.

Dr. Brian Grant, Director General, Research Branch, CSC, told the Committee that research on electronic monitoring in the correctional setting is inconclusive as to whether this method of supervision is effective:

Studies are sometimes contradictory. We get some results that are positive, some that are negative, and some that show no effect. When you take a look at all of the work that's

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7 *Evidence*, March 6, 2012.

8 Eric Canton, President and Chief Executive Officer, JEMTEC Inc., *Evidence*, March 1, 2012.

been done, what you conclude is that there's no evidence to say that it contributes to reducing recidivism.<sup>9</sup>

It is difficult to determine the effectiveness and cost-efficiency of electronic monitoring given that research and current electronic monitoring programs involve fundamentally different variables and objectives.

It must further be noted that Dr. Grant pointed to the absence of any analysis on the costs and benefits of electronic monitoring. Dr. James Bonta stated that research is also needed into high-risk offenders subject to electronic monitoring orders. He believes that this might be an effective way of dealing with high-risk offenders who pose the greatest threat to public safety.

What the Committee retains from its study is the need for research focused specifically on the Canadian federal correctional system, given that very little research has been conducted in this area. Our study also reveals the importance of establishing clear research objectives and well-considered application protocols. The Committee believes that the target group of offenders must be carefully selected, taking into account their age, sex and level of risk. We believe it is crucial to ensure that policies and practices encourage communication between parole officers and offenders, while at the same time providing parole officers with some latitude in the application of electronic monitoring. Consequently, we believe that CSC could benefit from additional research and pilot projects to identify factors which encourage the successful use of electronic monitoring in the correctional setting.

In light of these findings:

#### **Recommendation 1**

**The Committee recommends that the federal government undertake a study in regards to the cost effectiveness of electronic monitoring in the correctional setting.**

#### **Recommendation 2**

**The Committee recommends that electronic monitoring should only be used in the correctional setting when it is a cost effective solution that maximizes public safety.**

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9 *Evidence*, March 1, 2012.

### **Recommendation 3**

**The Committee recommends that electronic monitoring should only be used in the correctional setting when paired with adequate programming, that it be integrated with reintegration and community supervision and that it not be used as a stand-alone measure.**

### **Recommendation 4**

**The Committee recommends that the Correctional Service of Canada examine the different types of conditions imposed on offenders in order to determine the most effective use of electronic monitoring with respect to conditional release.**

### **Recommendation 5**

**The Committee recommends that pilot projects be conducted by the Correctional Service of Canada to determine the most effective uses of electronic monitoring and that they be applied to the various forms of conditional release.**

## **3. ELECTRONIC MONITORING IN THE IMMIGRATION SETTING**

In the course of its study, the Committee heard that electronic monitoring is rarely used in Canada for immigration cases. Most of the Canada Border Services Agency's (CBSA) experience with electronic monitoring has taken place in the context of the security certificate process under the *Immigration and Refugee Protection Act* (IRPA), which involves only a handful of cases. In fact, the November 2010 final report on the CBSA's Detentions and Removals Program<sup>10</sup> states that the division responsible for enforcing IRPA reported only two immigration cases involving an electronic monitoring order unrelated to a security certificate. Currently, only three individuals in Canada are subject to a security certificate. All three are subject to electronic monitoring as a result of a Federal Court order imposing electronic monitoring as one of the conditions of their release from immigration detention.

People who make refugee claims in Canada are subject to conditional removal orders. These removal orders are cancelled if their claim for protection is successful, but if their claim is unsuccessful, their removal orders become enforceable. Peter Hill, Director General, Post-Border Programs, CBSA, told the Committee that there are currently 44,000 individuals with outstanding arrest warrants whose current whereabouts are unknown: "By and large, the majority of them — in the range of 80% of those cases — are failed refugee claimants without any criminality or security concerns. They have absconded — they have not shown up for an immigration process or they have not shown

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10 Canada Border Services Agency, CBSA Detentions and Removals Program — Evaluation Study, Final Report, November 2010.

up for their removal — so we have warrants for their arrest for removal.”<sup>11</sup> Susan Kramer, Director of Case Management for CBSA, advised the Committee:

I'd just like to add that normally for refugee claimants, or for other inadmissible people as well, they're very compliant, up until the end, okay? It's at the end that we lose that 90% of the people. It may not always be the best solution when someone has been compliant all along to use a heavy-handed approach, because you have no reason to do so. The person has been compliant all along, at every stage. It's at the end, when it's time to go, that people abscond.<sup>12</sup>

The Committee heard that when an arrest warrant is issued for these individuals, it is forwarded to the Canadian Police Information Centre (CPIC). If the individual is brought to the attention of a police officer anywhere in Canada, the officer may arrest the individual and transfer his or her custody to the CBSA. The individual is then placed in detention and subsequently removed.

Witness Claudette Deschênes, Assistant Deputy Minister, Operations, Department of Citizenship and Immigration (CIC), also drew the Committee's attention to the fact that in Canada it's often hard to know if people have actually left the country. It would appear that some individuals fail to notify officials of their departure. She described CIC's approach in this area in the following terms:

We work from the premise that the majority of people in the immigration system will follow the rules. Obviously, that is not the case for everyone. Citizenship and Immigration Canada wants to step up efforts to ensure that those we think are going to follow the rules in fact do so. All the measures that must be taken by the Canada Border Services Agency also come into play. What it boils down to is that the government could always invest more money in these kinds of measures. The idea, however, is to figure out how to manage our risks as efficiently as possible, and if there are risks, can further measures be taken to manage those risks.<sup>13</sup>

### **3.1 Feasibility Considerations**

Witness testimony indicates that, although electronic monitoring is very useful in terms of tracking an individual's movements, it doesn't necessarily prevent someone from disappearing or "going underground." Depending on the case, when removal may be accomplished in a short period of time, detention may be a preferable alternative to electronic monitoring. The Committee was also told that in other cases, conditions of release such as curfews, reporting conditions, sureties and bonds are as effective.

The Committee notes that, as in the correctional setting, the use of electronic monitoring in the immigration context may present technical difficulties associated to false alarms and device malfunctions. As well, in the context of security certificate cases,

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11 *Evidence*, February 16, 2012.

12 *Ibid.*

13 *Evidence*, March 8, 2012.

immigration and refugee lawyer Barbara Jackman raised a concern in relation to long-term use:

My experience has been such that I would never recommend it, except on a short-term, fixed basis for individuals where it was the only alternative to continue[d] detention in the immigration context. I think it can be a useful tool in some instances, but there has to be a limited time for it.<sup>14</sup>

Ms. Catherine Latimer, Executive Director, John Howard Society of Canada, indicated that electronic monitoring could be effective in the immigration setting:

I would think it's worth testing. I don't know whether it would work or not, but it isn't burdened with the corrections problems that we see with an overreliance on electronic monitoring in the corrections area. You're trying to get people to a deportation hearing and you don't want them to disappear into the Canadian populace. So you're not, basically, trying to rehabilitate; you're trying to keep tabs on where they are. I think that's what electronic monitoring does. I don't think it rehabilitates. I think it does allow you to know where people are. So I think it might well be worth testing.<sup>15</sup>

Peter Hill explained that although the technology has only been used by the CBSA on a relatively small scale to date, electronic monitoring has been effective for meeting its needs when it has been used. The Committee was told that terms, conditions and measures used by the CBSA, such as reporting, curfews, and, on a selective basis, electronic monitoring, are used to mitigate the risks that the individual represents to the safety and security of Canadians and that their absconding presents to the integrity of the immigration and refugee system.<sup>16</sup> He noted that the potential use for electronic monitoring is very strong and that it would be a helpful tool for CBSA officers.

The Committee takes note of the documentation provided by the British High Commission<sup>17</sup> which describes the use of electronic monitoring in the United Kingdom immigration enforcement setting:

The UK Border Agency has used electronic monitoring since 2004 when the primary legislation allowing its use received Royal assent. Electronic monitoring is permitted in the UK under section 36 of the Asylum and Immigration (Treatment of Claimants) Act 2004. It is currently used as a means of increasing contact with individuals subject to immigration controls while their cases are progressed.

(...)

Internal reviews of electronic monitoring have concluded that the electronic tag is an effective tool for the Agency. Although it cannot prevent an individual from absconding, it can act as a deterrent and greatly increase the contact the Agency has with an individual.

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14 *Evidence*, March 6, 2012.

15 *Evidence*, February 14, 2012.

16 *Evidence*, February 16, 2012.

17 Document provided to the Committee, Home Office UK Border Agency, *UK Border Agency — Electronic Monitoring Overview*, May 22, 2012.

Such increased contact can be useful when an individual's case is reaching the final stages and preparations for their removal are being made.

In the United Kingdom, certain categories of persons, such as persons under the age of 18, pregnant women and women who have recently given birth are not considered to be suitable for electronic monitoring in the immigration setting. The documentation provided does not indicate the basis for these exclusions.<sup>18</sup> In this regard:

### **Recommendation 6**

**The Committee recommends that the federal government conduct a study into the existing research on the effects of electronic monitoring on pregnant women in the immigration setting.**

Peter Hill told the Committee that, premised on a thorough review, the CBSA is open to using electronic monitoring in the immigration context: "We have not undertaken a cost-benefit analysis to determine the feasibility and the cost-effectiveness of the broader application of electronic monitoring for lower-risk populations. This is, however, an area of interest."<sup>19</sup>

In light of all of these considerations:

### **Recommendation 7**

**The Committee recommends that the Canada Border Services Agency should review the use and cost effectiveness of electronic monitoring with the aim of reducing the occurrence of inadmissible individuals who are not presenting themselves for removal.**

## **4. CONCLUSION**

Like many of the witnesses who appeared before us, this Committee considers electronic monitoring to be a working tool of significant potential which complements existing community supervision methods. The Committee hopes that lessons learned thus far will help craft well-considered research objectives and protocols in order to better identify the factors which would encourage the successful integration of electronic monitoring into traditional methods of supervision.

The Committee hopes that the recommendations formulated in this report will lead to the identification of the most cost-effective and appropriate uses of electronic monitoring in both the correctional and immigration settings.

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18      *Ibid.*

19      *Evidence*, February 16, 2012.



# **LIST OF RECOMMENDATIONS**

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<b>Recommendation 1 .....</b>	<b>5</b>
<b>The Committee recommends that the federal government undertake a study in regards to the cost effectiveness of electronic monitoring in the correctional setting.</b>	
<b>Recommendation 2 .....</b>	<b>5</b>
<b>The Committee recommends that electronic monitoring should only be used in the correctional setting when it is a cost effective solution that maximizes public safety.</b>	
<b>Recommendation 3 .....</b>	<b>6</b>
<b>The Committee recommends that electronic monitoring should only be used in the correctional setting when paired with adequate programming, that it be integrated with reintegration and community supervision and that it not be used as a stand-alone measure.</b>	
<b>Recommendation 4 .....</b>	<b>6</b>
<b>The Committee recommends that the Correctional Service of Canada examine the different types of conditions imposed on offenders in order to determine the most effective use of electronic monitoring with respect to conditional release.</b>	
<b>Recommendation 5 .....</b>	<b>6</b>
<b>The Committee recommends that pilot projects be conducted by the Correctional Service of Canada to determine the most effective uses of electronic monitoring and that they be applied to the various forms of conditional release.</b>	
<b>Recommendation 6 .....</b>	<b>9</b>
<b>The Committee recommends that the federal government conduct a study into the existing research on the effects of electronic monitoring on pregnant women in the immigration setting.</b>	
<b>Recommendation 7 .....</b>	<b>9</b>
<b>The Committee recommends that the Canada Border Services Agency should review the use and cost effectiveness of electronic monitoring with the aim of reducing the occurrence of inadmissible individuals who are not presenting themselves for removal.</b>	



# APPENDIX A LIST OF WITNESSES

Organizations and Individuals	Date	Meeting
<p><b>As an individual</b></p> <p>Mike Nellis, Emeritus Professor, Criminal and Community Justice, University of Strathclyde, School of Law</p>	2012/02/09	23
<p><b>Department of Public Safety and Emergency Preparedness</b></p> <p>James Bonta, Director, Corrections Research Unit</p>		
<p><b>As an individual</b></p> <p>Paul Gendreau, Professor Emeritus, University of New Brunswick, Visiting Scholar, University of North Carolina</p>	2012/02/14	24
<p><b>Department of National Defence</b></p> <p>Anthony Ashley, Director General, Defence Research and Development Canada - Centre for Security Science</p> <p>Pierre Meunier, Portfolio Manager, Surveillance, Intelligence and Interdiction, Defence Research and Defence Canada - Centre for Security Science</p>		
<p><b>John Howard Society of Canada</b></p> <p>Catherine Latimer, Executive Director</p>		
<p><b>John Howard Society of Manitoba, Inc.</b></p> <p>John Hutton, Executive Director</p>		
<p><b>Canada Border Services Agency</b></p> <p>Peter Hill, Director General, Post-Border Programs</p> <p>Susan Kramer, Director, Case Management Division, Operations Branch</p>	2012/02/16	25
<p><b>Correctional Service of Canada</b></p> <p>Don Head, Commissioner</p>		
<p><b>Correctional Service of Canada</b></p> <p>Brian Grant, Director General, Research Branch</p>	2012/03/01	27
<p><b>JEMTEC Inc.</b></p> <p>Eric Caton, President and Chief Executive Officer</p> <p>Michael Nuyen, Project Manager</p>		

<b>Organizations and Individuals</b>	<b>Date</b>	<b>Meeting</b>
<b>As an individual</b> Barbara Jackman, Immigration and Refugee Lawyer	2012/03/06	28
<b>Correctional Service of Canada</b> Larry Motiuk, Special Advisor, Infrastructure Renewal Team		
<b>Department of Citizenship and Immigration</b> Claudette Deschênes, Assistant Deputy Minister, Operations Caroline Melis, Director General, Operational Management and Coordination	2012/03/08	29
<b>Edmonton Police Service</b> James Clover, Project Manager, Electronic Operations, Behavioural Assessment Unit		
<b>SafeTracks GPS Solutions Inc.</b> Robert Aloisio, Director of Business Development		
<b>3M Company</b> Steve Chapin, Vice-President, Track and Trace Solutions Elise Maheu, Director, Government Affairs	2012/05/15	40

# REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the Committee requests that the government table a comprehensive response to this Report.

A copy of the relevant *Minutes of Proceedings* ([Meetings Nos. 23, 24, 25, 27, 28, 29, 40, 41, 46 and 47](#)) is tabled.

Respectfully submitted,

Kevin Sorenson, M.P.

Chair



# DISSENTING OPINION OF THE NEW DEMOCRATIC PARTY OF CANADA

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2012-06-21

The Public Safety Committee heard extensive testimony on the effectiveness of electronic monitoring in both a correctional setting and an immigration and refugee setting. Unfortunately the majority of the recommendations in the committee report do not accurately reflect that testimony. While Conservative members of the committee want to steam ahead with studies, trials, and expansions of the use of electronic monitoring in both correctional and immigration settings, New Democrats heard a much more limited endorsement from witnesses for the potential uses of this technology.

New Democrats have continued to support corrections and conditional release programming that is proven to be cost-effective and results in reduced recidivism. We do not support wasting taxpayer money on technologies and strategies that are not proven to reduce crime. Therefore, the New Democrat members of the committee support the use of electronic monitoring only on high risk offenders and only when it is paired with adequate programming. This is the option that witnesses consistently told us would have the highest return for dollar invested and make the greatest contribution to public safety. Unfortunately, the report's recommendations do not reflect the specific testimony we heard — that electronic monitoring is not cost-effective or useful for use with low or medium risk offenders.

The government's own witnesses made it very clear that electronic monitoring is not effective for low risk offenders. The government's own Public Safety website states that "as long as EM programs target relatively low risk offenders, and many of them do, they are unlikely to offer a cost-effective alternative to incarceration." Almost every witness also stressed that electronic monitoring is not effective as a standalone tool. Instead, it needs to be integrated with rehabilitation programming. The committee heard again and again that adequate programming is the key to reducing recidivism and increasing public safety. Again the Public Safety website also offers support for the conclusion reached by New Democrat members of the committee that "Correctional interventions that aim to reduce criminal behaviour are more likely to come from the application of treatment programs rather than intensive monitoring programs."

While New Democrat members of the committee believe that criminals and offenders should be held accountable, we do not agree with the criminalization of immigrants and refugees. This is not reflective of Canadian values, nor is it reflective of the basic principles of international human rights. Therefore, the New Democratic members of the committee oppose any recommendation to invest resources into monitoring immigrants and refugees who have not committed any criminal acts. Most, though not all, witnesses came to the conclusion that the application of this technology in an immigration enforcement setting would not be an effective use of resources, especially as most rejected immigrants and failed refugees claimants present little or no risk to the public.

The committee heard that technical studies of the effectiveness of the use of electronic monitoring within a corrections and conditional release setting have been inconclusive and that there are serious concerns regarding the effect of substituting electronic monitoring devices for human interaction. New Democrats members of the committee believe that, in a time of constrained resources in our corrections and immigration systems, no further resources should be expended on pilots and/or trials of electronic monitoring at this time, and especially not on trials involving low or medium risk offenders or immigrants and refugees.

New Democrat members of the committees did vote in favour of the two recommendations in the report which we felt accurately reflected witness testimony. The NDP supports recommendation 2, that “electronic monitoring should only be used in the correctional setting when it is a cost effective solution that maximizes public safety.” The NDP also supports recommendation 3, that “if used in a corrections setting, Electronic Monitoring should be paired with adequate programming and not used as a standalone measure but integrated with reintegration and community supervision”.

New Democrats listened to the evidence presented at committee and therefore can support the expansion of the use of electronic monitoring only in the context of working with high risk offenders who are also engaged in rehabilitation programming. Conservatives do not appear to have listened to the witnesses. Instead they appear to have approached the complex issue of electronic monitoring of individuals with a preconceived idea that somehow we can save money in Corrections and Immigration enforcement with the technological fix of electronic monitoring. New Democrats want to see a more balanced approach that is focused on finding real solutions that are evidence-based, cost-effective and actually help keep the public safe.