

Tracking Device: How about using GPS monitoring to stop batterers?

jurisprudence: The law, lawyers, and the court.

www.slate.com

By Maura Kelly

Updated Friday, May 4, 2007, at 12:38 PM ET

GPS devices may help protect victims of domestic violence.

Last month, 26-year-old Rebecca Griego was shot and killed by her ex-boyfriend, Jonathan Rowan, as she sat in her administrative office at the University of Washington. Rowan had previously threatened to harm Griego, her sister, and their dogs, and she had gotten a restraining order. She'd also passed out pictures of him to her co-workers so they could serve Rowan the order if he showed up at the campus. And she'd moved to a new apartment and started working from home for two weeks before her death. None of this, of course, helped her.

What might have? In fact, Washington had a good tool in place: a state law that allows judges to impose electronic monitoring as a condition of a restraining order. When judges so order, the police can keep tabs on abusers with a technology best known to people who are bad with directions: the global positioning system.

Just as GPS can find a lost driver, it can also alert cops and targets whenever a domestic-violence offender enters a restricted zone, like the area surrounding a woman's home or office. Police put an electronic bracelet on the batterer that sends a signal to computer servers at headquarters if he goes anywhere he shouldn't. Then, if he violates a restraining order, they can call the woman to let her know that he is on his uninvited way. The idea is to buy women crucial time, even if it's only minutes, so they can get away. The notification loop also kicks in if the offender tries to remove or deactivate the bracelet.

In addition to their value in emergencies, GPS monitoring also may deter offenders from violating restraining orders in the first place. The Jeanne Geiger Crisis Center in Amesbury, Mass., which has been tracking the local success of GPS monitoring, has found that none of the batterers it is studying have committed any serious infractions (beyond "administrative" no-nos, like letting the batteries on their bracelets run low). Knowing the law is on to them may make batterers less likely to break it.

When you think about it from a battered woman's point of view, GPS surveillance seems like "a no-brainer," in the words of former Massachusetts Lt. Gov. Kerry Healey, who helped to push through a monitoring law in her state. Along with Massachusetts and Washington, six other states—Colorado, Florida, Louisiana, Minnesota, New Hampshire, and Utah—have laws that explicitly establish parameters for the electronic surveillance of batterers. Judges in other states may be able to use GPS monitoring too, under the theory that doing so would help to enforce the kind of protection that a restraining order is supposed to (but often doesn't) provide.

To be sure, GPS monitoring for batterers isn't a cure-all. It raises civil liberties concerns (though I didn't find anyone who was eager to press that argument). It's also possible that the occasional abuser might be so enraged by the cops keeping an electronic eyeball on him that he'd be more rather than less likely to get violent again. This issue comes up with restraining orders, too. The best solution, domestic-violence experts say, is for police to talk to victims, who can predict fairly accurately how batterers will respond to different punitive measures.

In addition, victim advocates point out that GPS monitoring can't protect women from the damage abusers can do long-distance—like leaving threatening voice messages or ruining their credit rating. But the evidence from the Geiger Center argues otherwise, because none of the guys in that study have tried to harass their victims in any way. The research is small-scale and preliminary but matches the thinking of advocates, who believe GPS monitoring will deter a range of transgressions by sending a stronger message than a restraining order that the justice system takes battering seriously.

The real barrier to GPS monitoring is paying for it. Though electronic surveillance has gotten cheaper in recent years, it still costs \$10 a day—\$300 a month per offender. (In addition to the bracelets themselves, the cost includes the GPS servers and software and the salaries for the people operating the computers.) Some states, like Massachusetts, plan to make offenders pay for the monitoring themselves. That approach could backfire, however, in the case of a guy who's also required to pay child support. While he goes to jail if he refuses to pay for GPS monitoring, all that happens if he doesn't write his child-support check is that his wages may be garnisheed. So, an abuser low on funds might logically skip child support instead of the GPS payments. And if he does go to jail, he can't earn the money to pay the child support.

Victim advocates would prefer that the government cover the cost of monitoring. They hope it will pay for itself with savings in other areas, like a reduced need for family shelters—where one-quarter of occupants are typically fleeing abuse—and fewer pricey murder trials. One potential source of funding is the federal Violence Against Women Act of 2005. VAWA is supposed to fund states to improve the investigation, prosecution, and prevention of violent crimes against women. The question is how much money Congress will put behind it. If fully funded, VAWA could mean \$1 billion for the states, some of which could go toward GPS monitoring.

Still, even if well-funded, cool new technology has its limits. Before he murdered Rebecca Griego, Jonathan Rowan went into hiding. The police never found him, so they couldn't slap him with the restraining order Griego got, and they wouldn't have been able to track him using GPS, either. For monitoring to work, the police must first get the bracelet on the offender.