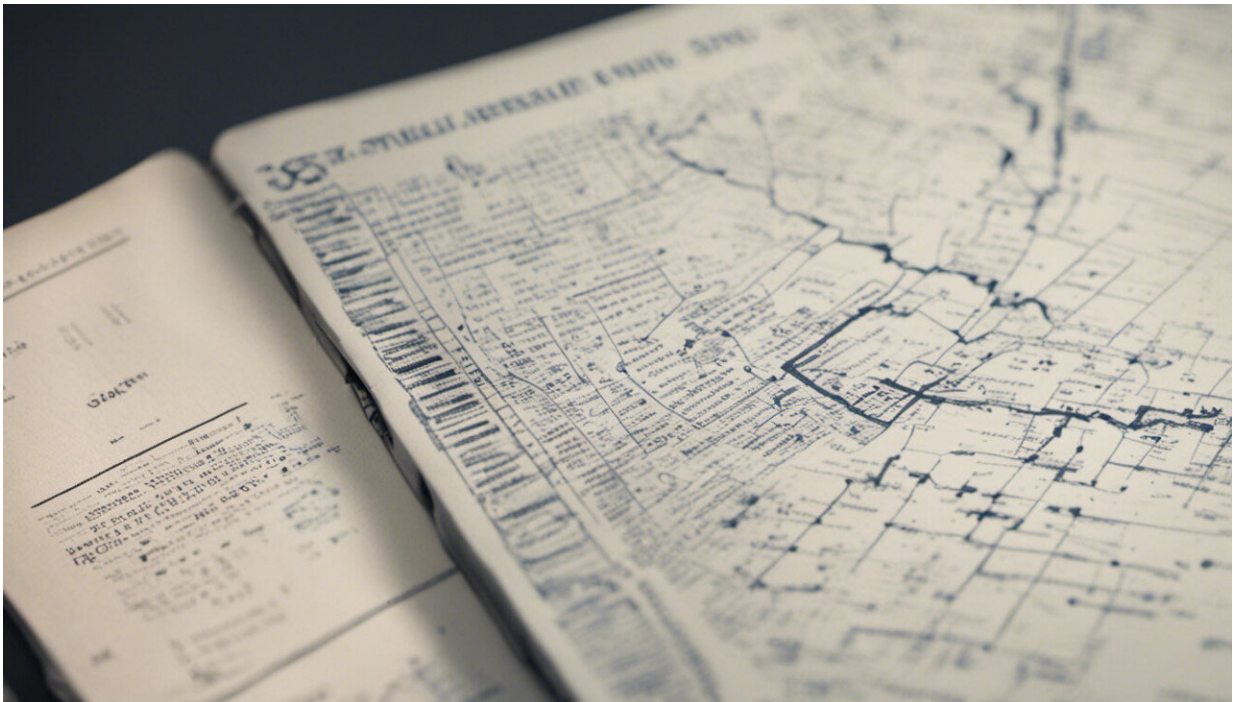


# Tracking criminals' biodata is another step towards constant surveillance for us all

June 17 2016, by William David Watkin, Brunel University London

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Credit: AI-generated image ([disclaimer](#))

For some convicted criminals, punishment doesn't end when they're released from prison. Thanks to new electronic tags, parole officers in the US can monitor recently released prisoners 24 hours a day. These don't just check if you have fled for Mexico, but can determine your precise movements.

The data harvested can be used to help prevent further crimes. Aside from making sure you observe curfews, the tags can tell if drug addicts stray into streets where they could score or track whether domestic abusers stray too close to their ex-partner's home.

But modern tags such as the [ExacuTrack AT](#) go way beyond monitoring movements. [Some systems](#) can detect physiological changes such as the presence of alcohol or drugs in your blood. In the future, there may even be ways of detecting sexual arousal and gathering other forms of bio-data that may indicate probation infringement. But the [psychological effects](#) of such constant, intrusive monitoring could arguably be seen as a kind of wearying, low-level mental torture.

The UK government is now planning to introduce similar tags for [British prisoners](#) on their release. While announced alongside other prison reforms that were seen as surprisingly liberal, the move towards greater use of tagging reveals a worrying incursion into the rights of prisoners. But it could also have wider ramifications for those of us who are unlikely to get sent down.

## **The power of HOPE**

The Ministry of Justice wants to follow the US model of sentencing called HOPE (Hawaii's Opportunity Probation with Enforcement). This was set up in 2004 as a way of reducing reoffending rates by tagging released prisoners and randomly asking them to check in with their [probation officers](#) for frequent updates. If they failed to show up, they were sent back to jail for a few days. [The results](#) appear to have been astonishing. For example, the rate of reoffending among drug users who were tagged and released fell by 93% in comparison to an untagged test group.

Although electronic tagging was not initially a main element of the

program, over the years electronic and now digitised tagging have become an essential part of HOPE, which is now widespread in the US. It is clear that the success of HOPE is at least partly dependant on the digital enhancement of electronic tagging and [other innovations](#) in areas such as GPS, biometrics and geoprofiling.



Credit: cottonbro studio from Pexels

But tagging raises all sorts of ethical questions. As well as the invasion of privacy created by the monitoring of what's happening inside people's bodies, there is also the touchy issue of data harvesting. There are already real concerns that the data harvested by wearable fitness devices

will be sold on, stolen or used for other purposes.

For example, the Cleveland Clinic hospital in Ohio recently used biometric data harvested from its employees to [impose large hikes](#) in their insurance premiums if it was deemed they were damaging their health through lifestyle choices. These concerns are so prevalent in the industry that recently the chair of the Federal Trade Commission, America's top privacy regulator, reportedly said she [refused to wear](#) a fitness tracker because of concerns relating to possible sharing of her biometric data.

Data harvested from prisoners is also at risk from being misused – and the difference is they can't refuse to wear their tags. Yet, the rise of electronic tagging comes with a warning to those outside the justice system of how their lives might come to controlled by digital bracelets in a similar way.

## **Constant rehabilitation**

As the UK government's reforms show, jails are no longer lock-ups but rehabilitation hubs. Once released, your life on the outside is perpetually monitored and observed via the virtual prison of your digital tag. As mentioned, a growing number of private companies are [issuing their employees](#) with wearable fitness trackers with a similar aim of monitoring their lifestyle to ensure they meet the firm's healthy living standards.

Some employers have even tried to introduce more draconian surveillance of their staff's biodata, for example to determine [if they are pregnant](#). This mirrors the situation already at play in Japan, where companies are tasked with regulating the waistlines of their employees and [face fines](#) if they fail to comply.

What prisons and some companies have in common is that they are centres of power and control. They claim to want to make you a better person, but only in return for access to your most personal data under their terms. In future, prisoners and workers alike may be stuck in a state of perpetual probation, trying their best, day after day, to live up to the expectations of their superiors. If they don't, they face betrayal by their bracelets and the prospect of being called up to someone important to explain their biological failings.

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