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- [Technology](#)
- [Culture](#)
- [Politics](#)
- [Columns](#)
- [Blogs](#)
- [Wired Mag](#)

Text Size: [A](#) [A](#) [A](#) [A](#)

- [RSS](#)
- [Cars](#)
- [Computers](#)
- [Gadgets](#)
- [Internet](#)
- [Med-Tech](#)
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- [Software](#)
- [Wireless](#)

Attack of the Perv Trackers

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By [Randy Dotinga](#)   Also by this reporter

02:00 AM Nov, 09, 2006

If the creepy guy next door suddenly stops wearing shorts, he may have an eye in the sky to blame.

Just a few years ago, satellite tracking of convicts was a newfangled alternative to house arrest. Now, the number of American ex-offenders tracked through GPS-equipped ankle bracelets will likely triple to more than 30,000, thanks to the passage of a California ballot measure.

California's [Proposition 83](#), which easily passed Tuesday by a margin of 70 percent to 30 percent, requires many convicted sex offenders to be monitored by GPS for life. Only those who committed felonies and served time in prison will be affected.

(On Wednesday, a judge [ruled](#) (.pdf) that portions of the ballot measure are probably unconstitutional. The objections revolve around provisions that retroactively set new rules about where prior offenders may live. The electronic monitoring requirements were not immediately challenged, and remain untouched by the court's decision.)

At least 11 other states have recently considered GPS tracking legislation, with some inspired by the 2005 murder of a Florida girl, allegedly by a registered sex offender. Florida's high-profile legislation was named "Jessica's Law" in her honor, and talk-show host Bill O'Reilly has been [pushing](#) for passage of similar laws elsewhere.

But there's a hitch: The ankle bracelets -- usually accompanied by digital-pager-size transmitters -- are hardly criminal-proof. Convicts can easily cut the bracelets off and run away as their probation officer gets an alarm and tries to contact the local police. For health reasons, the bracelets aren't designed to be permanent.

"GPS will not prevent a crime," said Steve Chapin, CEO of Pro Tech Monitoring, a manufacturer of GPS tracking devices. "It's a crime deterrent. It has proven to be a good tool, but you can't oversell it --

there's no physical barrier that it creates that can prevent a crime."

Chapin said his Florida-based company tracks about 10,000 people, and he thinks other companies track a few thousand more. Offenders wear an ankle bracelet -- Chapin said it can be hidden under a sock -- and keep the transmitter nearby.

There are an estimated 63,000 to 90,000 sex offenders convicted of felonies and misdemeanors in California. According to Chapin, it's possible that about 20,000 of them will need GPS monitoring under the new law.

Chapin expects the state to adopt "active" monitoring, which tracks offenders in real time and sends out alerts if they go somewhere they're not supposed to, such as a school. The alternative is "passive" tracking, which produces reports about where offenders have been, not where they are right now.

Currently, Pro Tech charges \$6 to \$8 a day for active monitoring, and \$4 to \$5 a day for passive monitoring, equipment included. At that rate, California can expect to fork out between \$80,000 and \$160,000 per day to watch its sex offenders, although the ballot measure allows increases in court fees and other costs that offenders are billed.

GPS tracking technology allows users to create "geofences" to mark forbidden "hot zones." The monitoring systems can even be programmed so that alarms only go off if an offender spends a certain amount of time in an outlawed area instead of, say, simply driving through it at high speed on the way to somewhere else.

GPS tracking has its critics. The American Civil Liberties Union has been skeptical, although at times intrigued by an alternative to incarceration.

Donald Smith, an associate professor of criminology and criminal justice at Old Dominion University in Virginia, said it's wrong to rely on technology instead of teaching children to be cautious. "People would like alarms to go off when pedophiles go near their children," he said. "The real problem is that the pedophile is likely to be their brother, their uncle, their cousin."

On the other hand, a new study of more than 75,000 Florida convicts found that both GPS monitoring and old-fashioned, house-arrest electronic monitoring (the kind Martha Stewart endured) made convicts more likely to toe the line.

"Our conclusion is that it does help protect public safety, that these offenders are less likely to get in trouble," said study co-author [Kathy Padgett](#) of Florida State University.

GPS technology is "pretty reliable," but conventional devices often don't allow tracking inside buildings, said [Richard Langley](#), a professor who studies GPS tracking at the University of New Brunswick in Canada.

Conceivably, sex offenders could head to an indoor shopping mall and get into trouble without anyone knowing exactly where they are. But cell phones may help triangulate people's positions inside buildings, even to specific floors, and Pro Tech's Chapin predicted that his company's GPS devices will eventually allow tracking in buildings. For now, though, his goal is to make a "smaller, cheaper, lighter product."

Another company has created an [all-in-one GPS tracking device](#) that doesn't require a separate bracelet and transmitter, although it's bulky. And then there's an approach that's positively [Maxwell Smart-ian](#): At least one [model](#) is equipped with a speakerphone, allowing overseers to contact offenders via their ankles.

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