

The Electronic Monitoring System in Poland in the Years 2009-2022 Assessed by Convicted Offenders and Specialists. Challenges, Opportunities, Prospects

There are currently about 71,000 inmates in prisons in Poland. The penalty of absolute imprisonment, although often perceived as the only adequate response to a crime, carries a number of consequences for the convicted persons, as well as for their families. Overcrowded prisons are also a big problem for the justice system. Therefore, the world began to search for non-isolation alternatives to imprisonment, one of them is electronic monitoring. For convicts who have committed serious crimes, imprisonment is inevitable, but for those who have committed less serious acts, an alternative may be to serve a sentence in the Electronic Monitoring System (EMS) and avoid some of the negative consequences of prison isolation. In Poland, electronic monitoring is not a separate punishment. It primarily constitutes a means of serving a prison sentence, and involves the use of monitoring equipment to exercise control over a convicted offender who is outside the penal institution.

In 2020, about 12,000 convicted offenders entered the EMS, whereas 44,000 motions for permission to serve a sentence in the system were filed. Moreover, EMS data also show that there are significant differences in how the EMS is used in particular judicial districts. In 2020, a total of 9,857 installations were carried out, with the most in the Katowice district (1,954) and the least in the Rzeszow district (319). In the light of these facts, it is important to both empirically investigate the reasons for the refusal of judges' decisions (including the individual socio-demographic characteristics of convicts applying for EMS consent), and to examine the differences and their causes in the practice of EMS application in individual regions of Poland. The first research problem is therefore to examine the practical dimension of using EMS in Poland.

At the same time, another important aspect to consider is the adverse effects suffered by offenders during incarceration. Social isolation, including isolation in prison, is an unnatural situation that has detrimental consequences in the physical, social and mental spheres. We do not yet know enough, however, about the impact of electronic monitoring on the lives of those who go through it. Foreign studies indicate that, while electronic monitoring was intended to be free of the discomforts and effects of imprisonment, that is not entirely the case. Additionally, the consequences faced by individuals cohabiting with offenders serving their sentence in EMS have not been thoroughly explored. Therefore, it seems important to examine the ailments experienced by convicts and their family members in the Polish conditions of electronic supervision, and this is the second research problem that I want to solve.

The aim of my research is to comprehensively examine the functioning of the Electronic Monitoring System in Poland from the perspective of employees of the justice system and convicts who have experience of serving a sentence of imprisonment in EMS. The aim is also to isolate the ailments experienced by convicts serving a sentence in this system. In order to achieve the intended goals and answer the research questions posed, I will conduct an analysis of the literature, applicable regulations and statistical data (in Poland and selected foreign countries), and then conduct 35 expert interviews with employees of the justice system (judges, Prison Service officers, probation officers, lawyers, employees Electronic Supervision Office), 20 interviews with convicts who have experience of serving a sentence of imprisonment in EMS and 10 with family members of convicted persons. The results of my research will be published in the form of scientific articles in international and national journals, as well as presentations at national and international scientific conferences. The final analyzes will be presented in a comprehensive report on the practical dimension of EMS in Poland.