



Electronic Monitoring Application in Turkey

Deniz ÖZYÖRÜK

19-21 April, 2016

Riga, Latvia



Context

- Probation System in Turkey
- Electronic Monitoring in Turkey
- Statistics
- Electronic Monitoring and Domestic Violence Pilot

Implementation

Probation in Turkey

Suspects, defendants and offenders;

- Monitored within the society
- All kinds of services, programmes and resources
- Preventing re-offending
- Providing public safety

Probation in Turkey

- 20 July 2015 - Probation Service Code Numbered 5402
- 15 August 2005
- Regulation of Probation Service

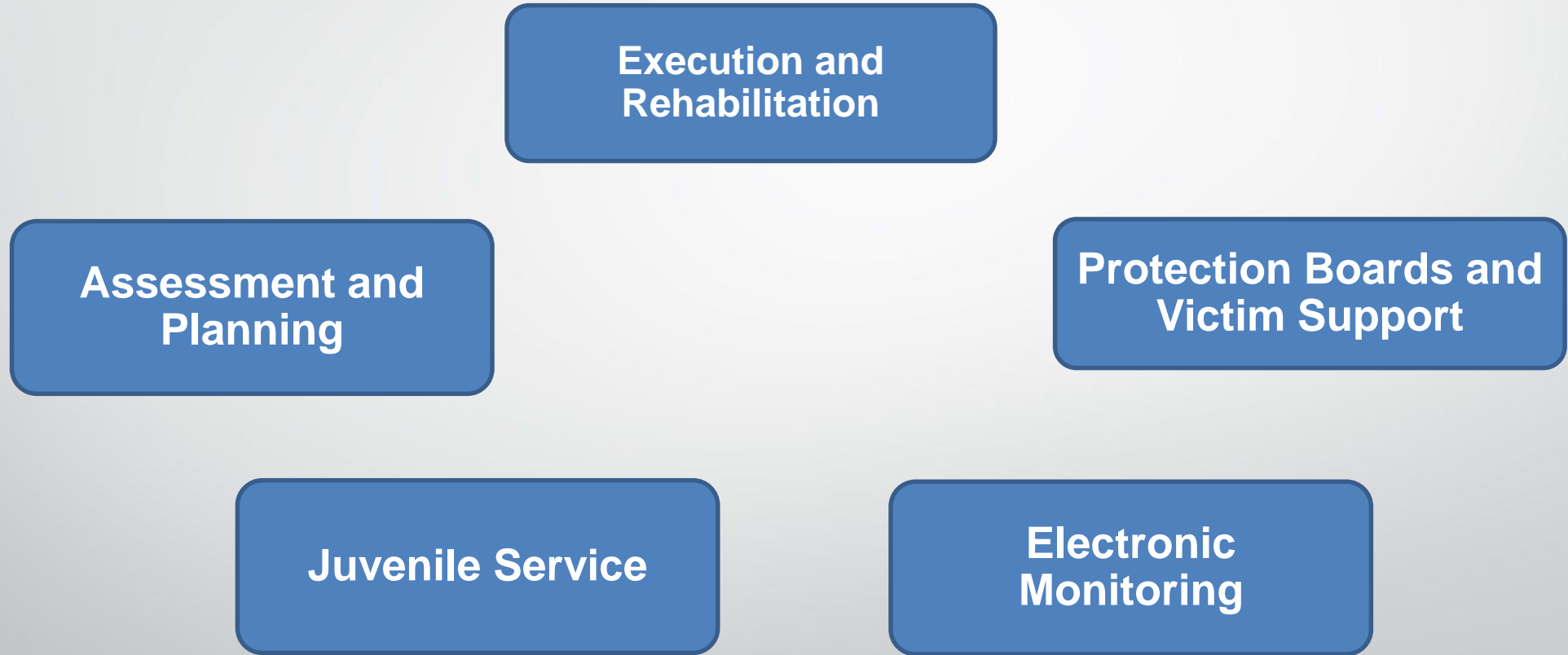
Probation Sentences

- Turkish Penal Code numbered 5237
- Criminal Procedure Code numbered 5271
- Execution of Sentences and Security Measures Code numbered 5275
- Child Protection Code numbered 5395

Duties of Probation Services



Organizational Structure of Department of Probation in Turkey



Electronic Monitoring in Turkey

Suspects, defendants and offenders;

- Electronic methods and tools
- Monitored and supervised within the society
- Protecting victim and society



Electronic Monitoring in Turkey

- Without distinction among crimes
- Based on the nature of sentence



Electronic Monitoring: Pilot Applications

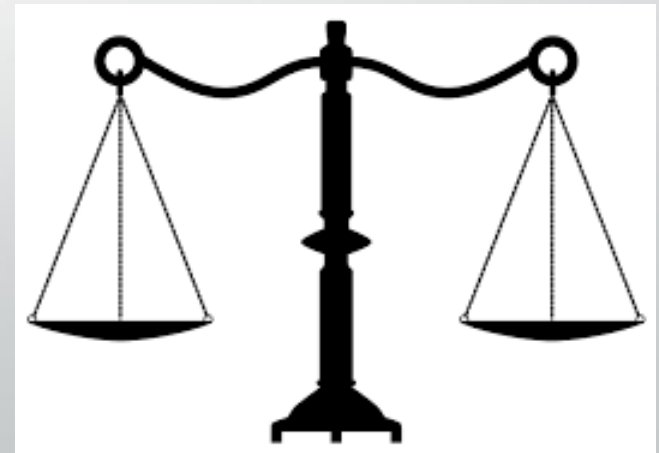
- 25 February 2012
- 10 months
- Monitoring 81 offenders



Legal Regulations

There are regulations regarding electronic monitoring;

- Probation Service Code
- Regulation of Probation Service



Establishment of Electronic Monitoring Centre

With electronic methods and tools,

- Surveillance
- Control
- Supervision



1 February 2013

Electronic Monitoring Centre

7 days 24 hours/ a capacity of monitoring up to 5.000 people at any one time / 52 personel



Electronic Monitoring Center Officers

- Assigned to cover designated geographical areas.
- Makes contact with the relevant Local Probation Services Directorate for the installation of the necessary monitoring equipment
- Responsible for making contact with the suspect / defendant

EM in Law

- Before the verdict
- In lieu of imprisonment after verdict
- Probation sanctions after imprisonment



EM in Law

Home Arrest	
be kept under supervision and observation in a house or a region	5271 s. CMK 109/3-j
be kept under supervision and observation in a house or a region	5275 s. CGTİHK 105/A-5/b
Home arrest	5275 s. CGTİHK 110/2
Prohibition to go certain places	
be prohibited from going to certain places	5237 s. TCK 50/1-d
not to be allowed to visit certain places or regions	5271 s. CMK 109/3-l
be prohibited from going to certain places	5271 s. CMK 231/8-c
not to be allowed to visit certain places or regions	5275 s. CGTİHK 105/A-5/c
Prohibition to leave certain places	
Not to abandon certain region	5271 s. CMK 109/3-k
be kept under supervision and observation in a certain region	5275 s. CGTİHK 105/A-5/b
Alcohol Ban	
prohibition from certain activities	5237 s. TCK 50/1-d



Determining the probationer to be put under electronic monitoring

- Be prohibited from going to certain places
- Not to leave certain places, regions or home
- Not to get close to specific person
- The current risk level
- The requirements of supervision
- The safekeeping needs of victim or society

Electronic Monitoring Process

After Electronic Monitoring Local Directorate decides to monitor the offender with an electronic monitoring device;

Electronic Monitoring Staff:

- Inform the offender
- Visit at home or invite to the probation office
- Configure the EM device



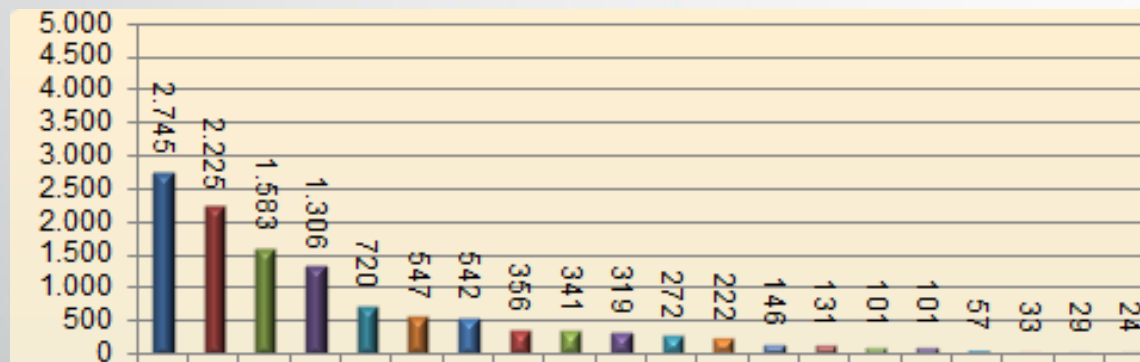
Some Statistics of EM

CURRENTLY UNDER EM	CURRENT	
	MALE	FEMALE
2.623	2.542	81

TOTAL MONITORED UP TO 25 MARCH 2016	NUMBER OF EM CENTER PERSONNEL
16.694	52

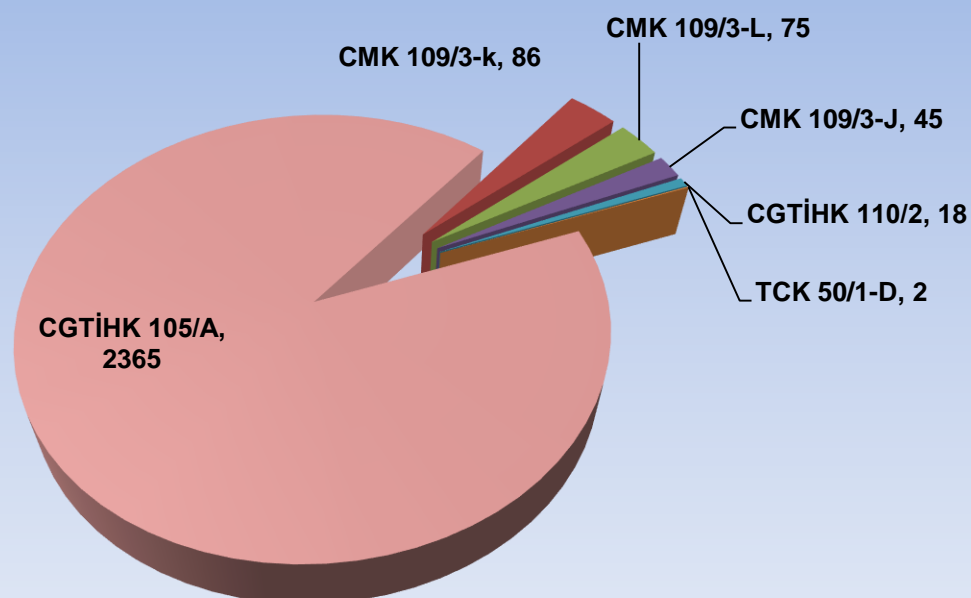
CURRENT NUMBER OF DEVICES			
HOME CURFEW	GPS DEVICES	VICTIM UNIT	ALCOHOL UNIT
2.386	199	30	8

Major Types of Crime Tagged up to 1 January 2016



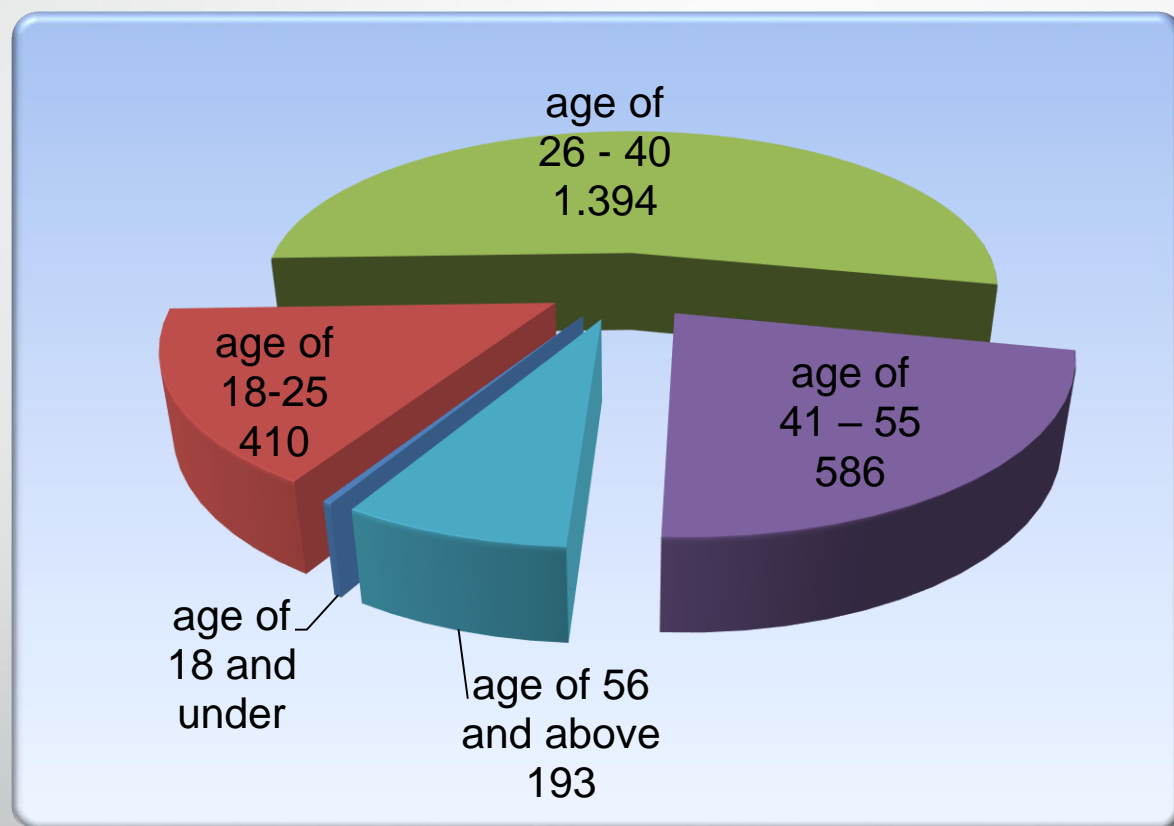
NO	Major Types of Crime	Number of Person
1	THEFT	2.745
2	ASSULT	2.225
3	DRUG USE	1.583
4	SEX CRIME	1.306
5	PILLAGING	720
6	PANDERING	547
7	THREATENING	542
8	AGAINST FIREARMS OF LAW	356
9	HOMICIDE	341
10	INSULT	319
11	DAMAGE TO PROPERTY	272
12	SEXUELASSAULT OF JUVENILE	222
13	FRAUD	146
14	VIOLATION OF INVIOABILITY OF DOMICILE	131
15	FORGERY	101
16	DEPRIVATION OF LIBERTY	101
17	VICTIM	57
18	SMUGGLING	33
19	ROBBERY	29
21	MURDER	24

Distribution of probationers, who are being monitored, in terms of relevant laws (1 March 2016)

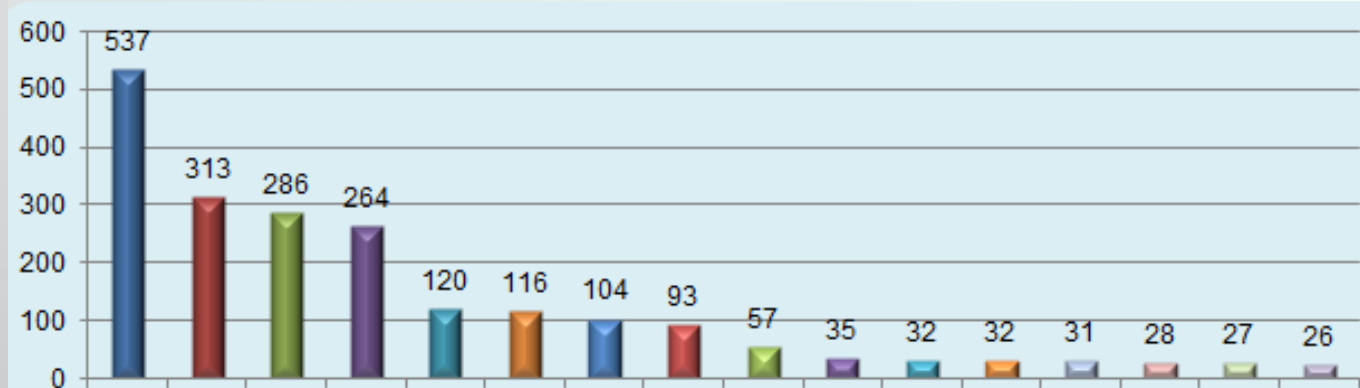


CGTİHK 105/A	2365
CMK 109/3-k	86
CMK 109/3-L	75
CMK 109/3-J	45
CGTİHK 110/2	18
TCK 50/1-D	2

Age Distribution of Probationers, who are being monitored (1 March 2016)



Crime types of those who are currently being monitored



THEFT
DRUG USE
ASSULT
SEX CRIME
PILLAGING
RAVISHING
THREATENING
SEXUALLY ASSAULT OF JUVENILE
HOMICIDE
INSULT
AGAINST FIREARMS OF LAW
DEPRIVATION OF LIBERTY
FORGERY
FRAUD
INSULT
VIOLATION OF INVIOABILITY OF DOMICILE

Devices used



Victim Unit



Victim Unit

- enables the victim to contact the monitoring center in case of emergency
- determines the location of the victim instantly
- the unit gives warning signals to both the victim and the electronic monitoring center



The offender unit

- gives warnings to both the victim and the monitoring center in case of trespassing into the banned location, or getting closer than the determined distance



Electronic Monitoring within the scope of Fight Against Domestic Violence

Fight Against Domestic Violence

within the context of the Law to Protect Family and prevent Violence against Women

- Ministry of Justice,
- Ministry of Family and Social Policies
- Ministry of Interior



Pilot Implementation Process in Fight Against Domestic Violence

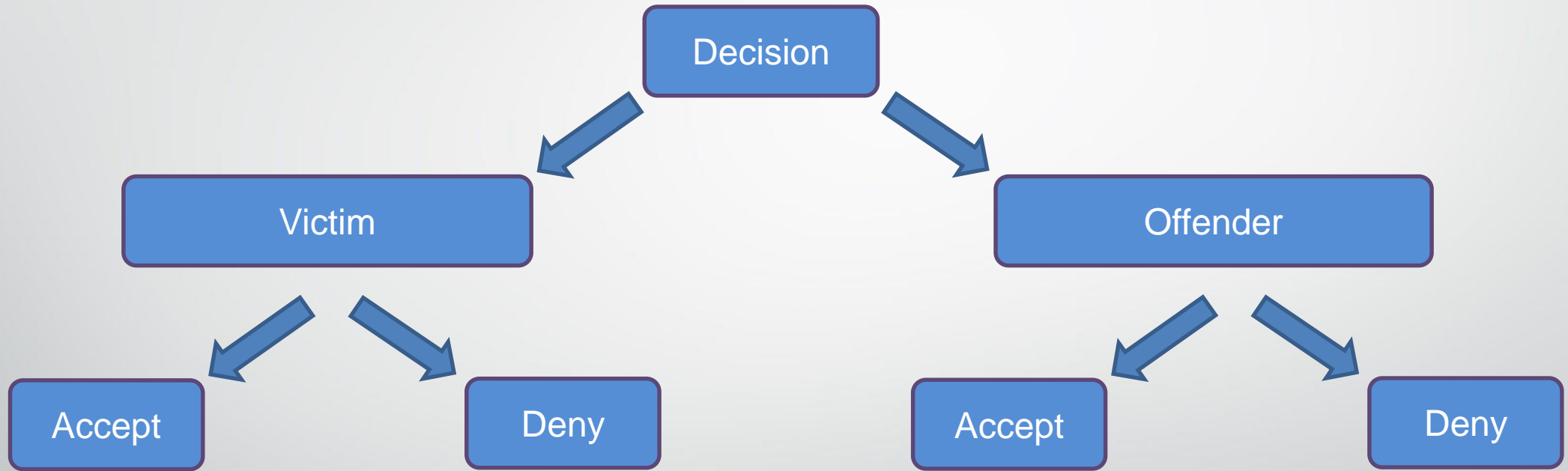
1. Establishment of a case and having a court decision (verdict)
2. The time period from the verdict to installing electronic unit
3. The process following a violation
4. Termination of the verdict and dismantling of the unit



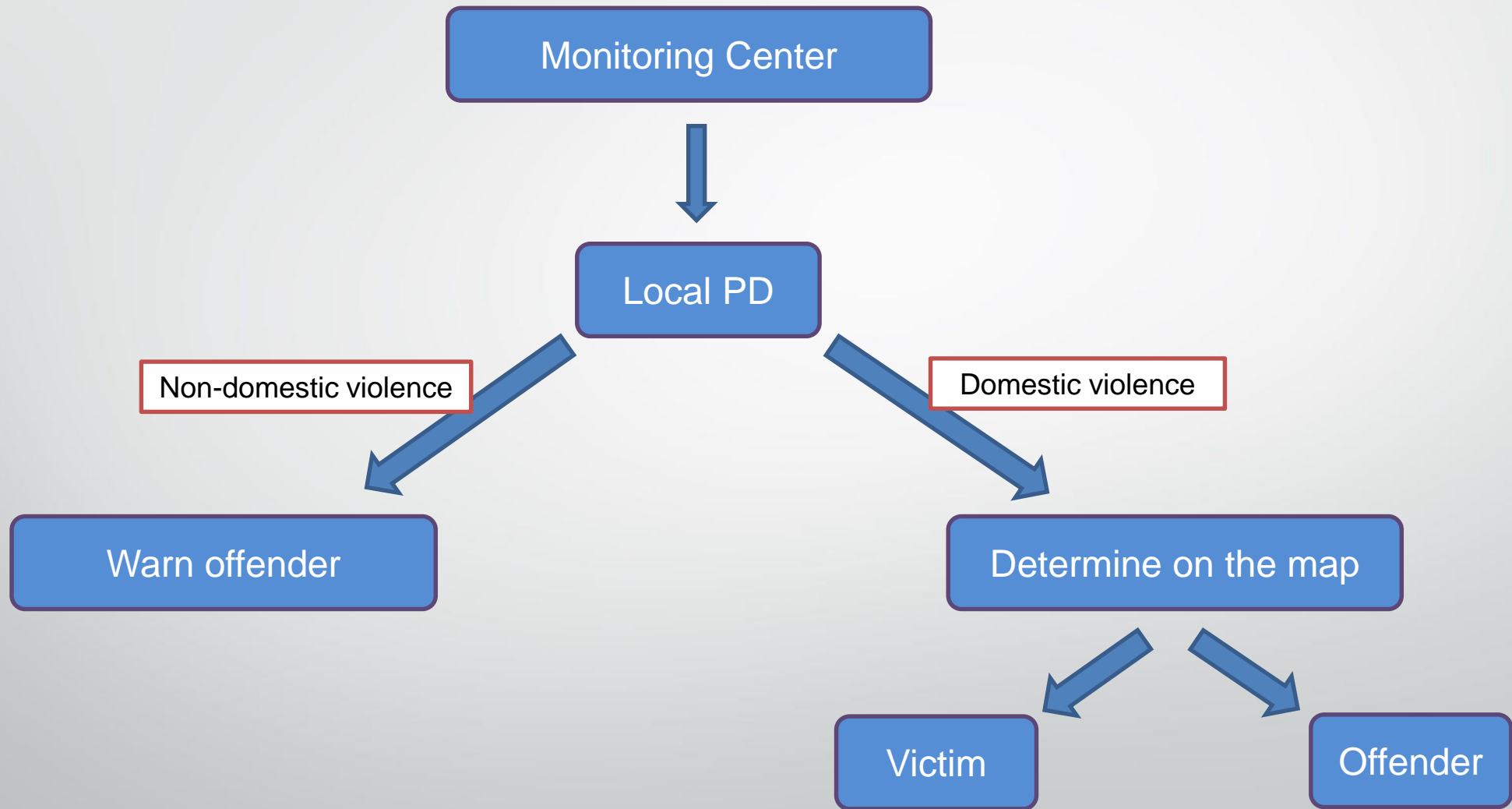
Establishment of a case and having a court decision (verdict)



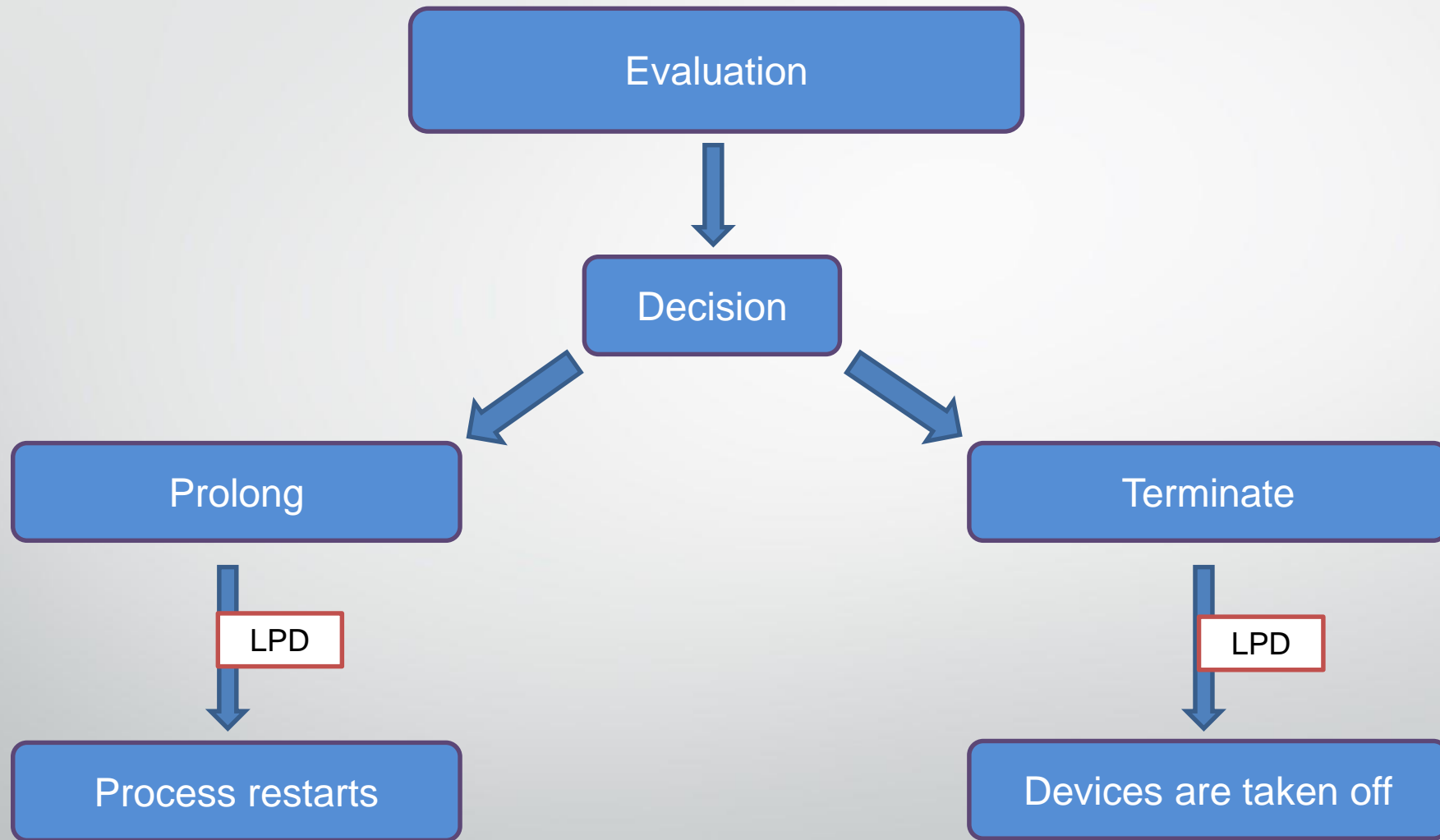
The time period from the verdict to installing electronic unit



The process following a violation



Termination of the verdict and dismantling of the unit



The aim of the pilot implementation

to disseminate the technical based surveillance across the country.





Issues to Discuss

- How to improve the EM process of domestic violence?
- What are the differences in other countries of using EM in domestic violence?



THANKS!

deniz.ozyoruk@gmail.com

General Directorate of Prisons and Detention Houses
Department of Probation
Turkey