Pathways to Success on Probation

Lessons Learned from the First Phase of the Reducing Revocations Challenge

October 2021

**CUNY INSTITUTE
FOR STATE & LOCAL
GOVERNANCE**

Contents

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ACKNOWLEDGEMENTS

Introduction

There has been growing agreement among practitioners, policymakers, and the general public that there are far too many people under probation supervision in the United States. Since 1980, the number of people on probation has increased more than 215 percent, from 1.2 million to 3.5 million in 2018.[1] Today, approximately one in 57 adults (roughly two percent of the U.S. adult population) is under community supervision on any given day, and unnecessarily long probation terms are required by law in many states around the country.[2] Indeed, together with parole, probation supervision accounts for the large majority of individuals under correctional control in this country.

Probation was designed to be an alternative to incarceration, yet for many people under supervision it turns out to be a pathway that inevitably leads them there.

While the reach of probation is a problem in and of itself, even more alarming are the dismal success rates for people under supervision. Nationally, nearly 30 percent of probation exits in 2016 were classified as unsuccessful, and probation revocations—many of them for technical violations that do not involve new criminal activity—have been a significant driver of jail and prison admissions for decades.[3] Almost one in four prison admissions (23 percent) are the result of probation revocations, half of which are for technical violations that do not involve new crimes, such as missed appointments or failed drug tests.[4]

Probation was designed to be an alternative to incarceration, yet for many people under supervision it turns out to be a pathway that inevitably leads them there. Although research has highlighted a range of evidence-based strategies over the years, from graduated responses to risk-needs-responsivity supervision models to reporting kiosks for low-risk individuals, success rates have not improved over time. We still know very little about how to most effectively manage and support people on probation in a manner that reduces revocations, maximizes success, and works to achieve community safety and well-being.[5] This is in part because our understanding about the factors, circumstances, and behaviors that drive probation revocations to jail or prison—including the role of technical violations and new criminal activity and what is considered in decisions to violate and/or revoke—remains limited. We also know very little about how to respond to people on probation in ways that prevent new criminal activity without over-punishing less harmful behaviors or exacerbating racial and ethnic disparities. We must move toward bigger, bolder, and more innovative solutions that respond directly to the factors that lead to probation revocations and advance equity in outcomes.

Pathway to a probation revocation

Probation revocations are the culmination of a number of decisions that occur throughout the course of a person's time on supervision.

First, the person is assigned a set of probation conditions that must be followed in order to successfully complete supervision. These conditions are set by a judge at the outset of the supervision term and can be refined over time.

When an act of noncompliance occurs, a probation officer determines how to respond to that noncompliance. Probation officers generally have two options: they can issue an informal sanction, such as community service or increasing the reporting frequency; or they can file a formal violation of probation with the court. In determining how to respond, officers will consider the nature of the noncompliance, including whether or not it involves any alleged new criminal activity.

If a probation officer opts to file a formal violation, they will make a recommendation to the judge regarding whether or not to revoke probation. As an alternative to revocation, they can recommend continuing a person's probation term (with or without additional time or additional conditions). In some cases, the office may need to get approval from a supervisor before filing the violation.

Ultimately, a judge will decide the outcome of the violation filing: revocation from probation, continued probation, or dismissal. A dismissal occurs when the judge determines that there is not enough support to demonstrate that a violation has occurred. If a person continues on probation they will resume supervision, potentially with additional conditions or for a longer period. If probation is revoked, the person will be incarcerated in either jail or prison.

With this in mind, in 2019 the CUNY Institute for State & Local Governance (ISLG) launched the Reducing Revocations Challenge (Challenge), a national initiative that aims to increase the success of those on probation by identifying, piloting, and testing promising strategies grounded in a robust analysis and understanding of why revocations occur. With the support of Arnold Ventures, over the past two years, the Challenge has supported research in 10 jurisdictions around the country to explore three key questions about local probation practices:

1. Who is most likely to have a violation of their probation filed or have their probation revoked?
2. Which types of noncompliance most often lead to probation revocation?
3. What factors are driving these outcomes and what are the potential solutions?

In each jurisdiction, the work was carried out by an action research team composed of a probation agency and a local research partner.

This brief summarizes the findings from the research work across jurisdictions. It begins with an overview of the Challenge and participating sites. From there, we present key themes that emerged from the research in two subsections. The first discusses trends that reaffirm prior learnings or assumptions about supervision revocations, especially with respect to factors and circumstances that influence who has probation violations filed and/or is revoked. The second highlights new insights that emerged in key areas that have been more difficult to explore in the past despite being critical for enhancing success on supervision. The brief ends with a discussion of policy and practice implications.

Overview of the Reducing Revocations Challenge

The Challenge is grounded in the notion that enhancing success on probation requires a robust and comprehensive understanding of why probation violations and revocations occur, and specifically how system policies and practices influence these outcomes. With this foundation established, ISLG awarded grants to 10 action research teams to explore the three research questions outlined above and develop policy and practice strategies based on their findings.

Action research teams were asked to consider a wide range of factors and circumstances in their research, including:

1. **Pathways toward revocations**: How behaviors and decisions at different process points move people toward or away from revocation of their probation;
2. **The policy and practice context**: How legal and administrative policies and the way they are implemented affect how people move through those pathways; and
3. **Individual characteristics**: Whether violations and/or revocations are more likely among people with certain demographic, legal, or other characteristics.

Special emphasis was placed on exploring the underlying behaviors that lead to probation violations and the outcomes of those violations (e.g., incarceration, probation revocation, probation restored with new conditions).

To better understand the roles of these various drivers and circumstances, action research teams engaged in a mixed-methods approach grounded in four core research activities:

- First, they conducted a **review of all relevant policy and practice documents**, including administrative policies and procedures within probation and at other criminal legal decision-making points, and broader legal and statutory policies that affect local probation practices.
- Second, they carried out a **quantitative analysis of administrative data**. This analysis included, at a minimum, data from probation, and some sites included data from other criminal legal sources (e.g., courts) as well.
- Third, they conducted a **review of probation case files**, to explore in more depth the events and decisions that lead to violations and revocations.
- Finally, they engaged in **qualitative interviews and focus groups** with a range of stakeholders, including probation officers, supervisors, judges, and

individuals with lived experience on probation. Some sites supplemented interviews and focus groups with survey work as well.

Through this combination of activities, action research teams were able to establish a comprehensive and robust picture of not just who receives a violation and/or revocation, but the nature of those violations/revocations and the factors and circumstances leading up to them. Given that the information contained in administrative case management systems is often limited, case file reviews and interviews and focus groups were particularly important for exploring the nuanced processes and trajectories that lead people to have their probation revoked and the factors that are considered in decisions to file a violation or order a revocation.

As action research teams carried out their research, they had access to: technical assistance from ISLG and a Challenge Advisory Board composed of researchers, practitioners, and individuals with lived experience; individualized support and guidance from an ISLG grant manager as the research evolved; and peer learning events with other sites where they were able to share updates and problem-solve. At the end of the research process, each action research team developed a policy or practice strategy designed to increase people's success on probation by addressing the factors that were identified as drivers of violations and/or revocations. The second phase of the Challenge will focus on the implementation and testing of a subset of these strategies.

FIGURE 1: OVERVIEW OF CHALLENGE SITES

PROBATION POPULATION

- 0–5,000
- 5,000–10,000
- 10,000–15,000
- 20,000+
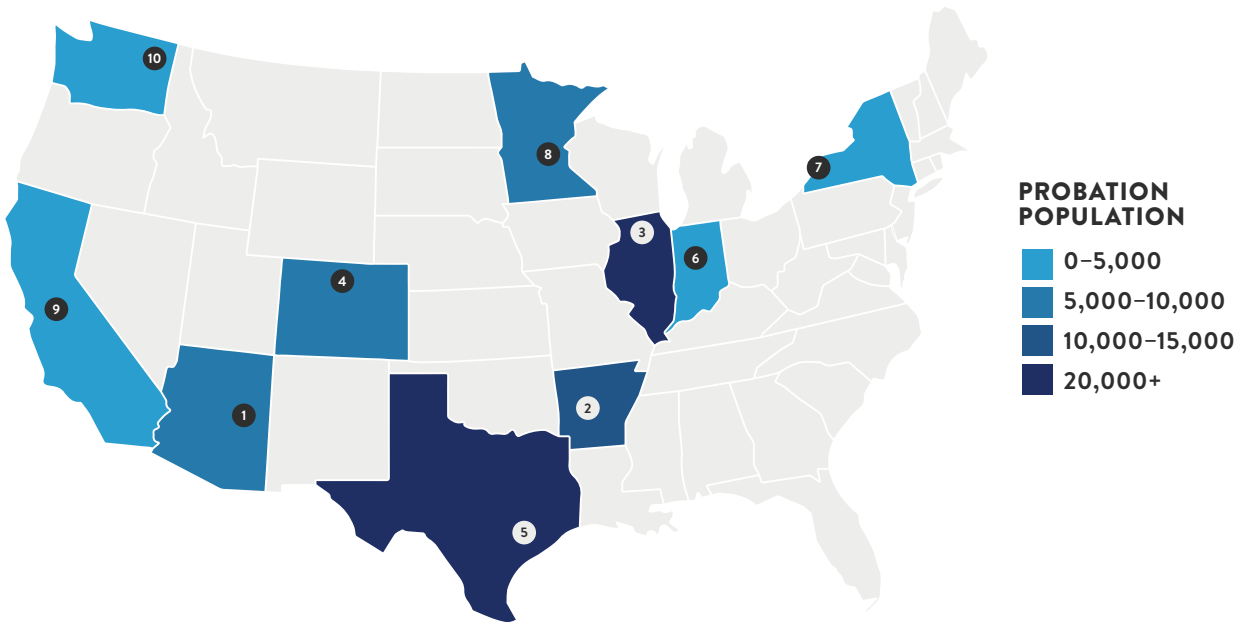
Challenge Sites

Given the localized nature of probation supervision and the vast differences in policies and practices within and across states, it was important to engage a diverse mix of sites in the Challenge. The 10 action research teams that were selected included the following jurisdictions, probation agencies, and research partners:

State Probation System

1. Pima County (Tucson), AZ: Adult Probation Department of the Superior Court in Pima County and the Urban Institute **PROBATION POP: 8,742**

2. Pulaski County (Little Rock), AR: Arkansas Division of Community Correction and the University of Arkansas for Medical Sciences **PROBATION POP: 7,068**

Local Probation Agency

3. Cook County (Chicago), IL: Cook County Adult Probation Department and Loyola University Chicago **PROBATION POP: 34,665**

4. Denver, CO: Denver Adult Probation and the University of Wyoming **PROBATION POP: 5,821**

5. Harris County (Houston), TX: Harris County Community Supervision & Corrections Department and Justice System Partners **PROBATION POP: 38,499**

6. Monroe County (Bloomington), IN: Monroe Circuit Court Probation Department and Indiana University **PROBATION POP: 1,675**

7. Niagara County, NY: Niagara County Probation Department and Niagara University **PROBATION POP: 1,410**

8. Ramsey County (St. Paul), MN: Ramsey County Community Corrections and the Robina Institute **PROBATION POP: 9,870**

9. Santa Cruz County, CA: Santa Cruz County Probation Department and Resource Development Associates **PROBATION POP: 1,744**

Municipal Probation Agency

10. Spokane County, WA: Spokane Municipal Probation Department and ideas42 **PROBATION POP: 3,285**

As shown in Figure 1, these sites represent a range of probation departments with respect to geography, size, and level of jurisdiction (state vs. local). Geographically, sites span regions throughout the United States, including one in the Northeast, three Midwestern sites, two Southern, and four in the West. Importantly, they also represent 10 unique states, each governed by a different set of legislative policies. Probation departments vary significantly in the size of their probation populations as well. When measured as the number of adults on active supervision at any point during the year (i.e., the "passthrough population") numbers ranged from 1,410 to 38,499 people on probation, with an average of 11,278 adults supervised.[6] Finally, these sites illustrate a variety of contexts under which community supervision operates, in particular with respect to level of jurisdiction. While the majority of participating probation agencies operate locally at the county level, two sites—Pima and Pulaski—included a state probation partner, and in Spokane the probation partner was a municipal agency.

In each of the Challenge sites (and similar to many probation agencies around the country), probation violations and revocations are a significant issue. Table 1 presents these rates out of the passthrough population.[7] While violation rates varied greatly across sites, the majority had a rate of more than 20 for every 100 people on probation, with rates as high as 55 per 100 in sites such as Spokane and Monroe. Revocation rates were noticeably lower in most sites, with an average revocation rate of 11.1 per 100 across sites. When presented as a percentage of violations filed, it is clear that in most sites the large majority of probation violations did not end in revocations and were, instead, dismissed or resolved in some other way. Santa Cruz and Niagara were notable exceptions to this trend, where approximately 87% and 62% of violations resulted in a revocation, respectively.[8]

TABLE 1: VIOLATION AND REVOCATION RATES AMONG CHALLENGE SITES

Site[9]	Violations		Revocations		
	#	Rate per 100 people on probation	#	Rate per 100 people on probation	As a % of violations
Cook	7134	20.6	699	2.0	9.8%
Denver	—	—	747	12.8	—
Monroe	917	54.7	230	13.7	25.1%
Niagara	147	10.4	91	6.5	61.9%
Pima	1902	21.8	404	4.6	21.2%
Pulaski	—	—	779	11.0	—
Ramsey	2928	29.7	766	7.8	26.2%
Santa Cruz	656	37.6	572	32.8	87.2%
Spokane	1825	55.5	370	11.3	20.3%

Thematic Findings Across Sites

The purpose of the Challenge is two-fold: to catalyze innovative, data-driven solutions that improve success for people on probation in individual jurisdictions and to contribute to our broader knowledge about what drives revocations and how they might be successfully reduced in other jurisdictions around the country. The research carried out in each of the 10 Challenge jurisdictions yielded great insights for individual probation departments about the drivers of violations and revocations among people on probation within their jurisdictions, including the role of local policy and practice and how violation and revocation decisions are made by local probation officers, judges, and other system actors. At the same time, a number of key themes emerged across the 10 participating jurisdictions—themes that offer broader insights and lessons learned to the field about what drives revocations and for whom.

This section presents those broader themes across sites. First, we discuss key findings that support and reinforce existing evidence in the field regarding factors and circumstances that contribute to violations and revocations. Then, we discuss three critical areas where the research yielded substantial new insights—the prevalence of technical violations, new crime violations as a driver of revocations, and the role of assessed risk in violation outcomes.

REAFFIRMING EXISTING KNOWLEDGE AND ASSUMPTIONS

FINDING 1: Probation officers play a key role in the success of people on probation, but the nature of their working relationships varies greatly.

Probation officers in each site are directly responsible for responding if someone does not comply with the terms of their probation. They decide whether to file violations, for whom, and for what; and even though filing decisions in many sites must be approved by supervisors, officers are the primary actors driving what happens. Given this, it is no surprise that a recurring theme across Challenge sites was the key role of probation officers in determining whether someone succeeds on probation. Their influence does not end with the violation decision, however. In many Challenge sites, research found that probation officers have great influence on revocation decisions as well, with judicial dispositions largely aligned with probation officers' recommendations. Interviews with judges in multiple sites

supported the notion that officers' recommendations are central to their decision-making about how to respond to probation violations, and often their decisions agreed with the recommendations made by officers. When judges did deviate, they were generally more lenient than probation officers—it was rare for a judge to revoke probation if a probation officer had not recommended revocation. Probation officers wield this influence in part because they control what information makes it into violation filings or hearings and how it is framed. Stakeholders interviewed in Cook County, for example, noted substantial variation both in how information is presented at violation hearings and in how different courtrooms respond to violations; researchers posited that when hearings emphasize clients' unmet criminogenic needs judges may be more likely to continue probation rather than revoke a person. In Harris County, in turn, the probation department saw a shift in judicial decision-making after implementing changes to violation reports that presented facts in a more balanced way that described positive behaviors and contextualized the violations reported. Prior to the implementation of these changes, when judges were presented with a report that only included an overview of the violations, they were more likely to revoke the person's supervision, especially when the person was higher risk. When presented with the new violation report format and recommendations for interventions based on an individualized assessment, judges were more likely to keep the person on supervision.

The influence that probation officers exert over both violation and revocation decisions underscores the importance of their relationships with people on probation, yet both described significant variation in the nature of these relationships. In some cases, people on probation saw officers as sources of support and/or resources to whom they can turn with problems or needs, and who can bolster their success on probation. Indeed, people on probation in a number of sites described officers serving as key advocates, providing individual support as well as referrals to services and, in some cases, writing letters of recommendation for employment or housing.

Probation officers who were part of these supportive relationships articulated the value of the relationships as well. Specifically, officers mentioned that having a more nuanced understanding of personal circumstances and recognizing when people on probation are making a concerted effort to comply allows them to be

more flexible in their responses to noncompliance. It also increases their willingness to work collaboratively to bring people back into compliance if they make a mistake. A probation officer in Ramsey County remarked, for example:

> **"Well, just trying to keep an open communication line. When somebody does things against their conditions, you don't always have to jump down their throat immediately when it happens. Just creating a working relationship where they feel they can trust you and that you're actually trying to help them."**

Supportive relationships, however, are not universal. In several sites, people on probation reported feeling that officers were not invested in their success, in certain cases filing violations for minor noncompliance or failing to make referrals to services that would address their needs. Probation officers in many sites expressed a similar sentiment, suggesting that some officers have less tolerance for working with people they perceive as difficult or who repeatedly fail to appear or attend mandated treatment.

A number of factors may create more adversarial relationships between officers and people on probation. Notably, caseload size emerged as a barrier to relationship-building in several sites, wherein officers with larger caseloads did not always have sufficient bandwidth to provide people on probation with the one-on-one support that they needed. When this happened there was a tendency to file violations more quickly—or for more minor acts of noncompliance—compared to officers with smaller caseloads. One probation supervisor in Santa Cruz, for example, remarked that:

> **"When my staff's caseloads have gotten higher, there are more violations because there is no time to work with clients one-on-one, engage them. When there is engagement, probation officers are more into working with clients…I advocate for the smaller the caseloads, the more quality work you get with clients."**

Officers in several sites also suggested that in the absence of regular and open lines of communication, people who violate a condition of their probation may fail to report in anticipation of a punitive response.

Additionally, in the majority of sites probation stakeholders mentioned an "old school mindset" or law enforcement orientation among some officers that inclines them toward formal sanctions over incentives or other informal responses. Findings across sites also reinforced a need for more comprehensive training of all officers, even those with a more rehabilitative orientation, to ensure that they have the skills and knowledge needed to effectively support a diverse, complex, and often high-needs population. Motivational interviewing and cultural competency, in particular, were named as critical training needs.[10] With respect to the latter, several stakeholders suggested that racial bias or a general lack of cultural understanding between officers and people on probation may contribute to weaker relationships—a barrier which may be at least partially a function of probation departments whose demographic compositions do not reflect the diversity of the communities they serve. In Ramsey County, one probation officer shared:

> **"I supervised this 35-year-old Black male and I said, '…What was the most important thing to you when you got put on probation again?' He says, 'The race of my PO.' That's a big deal. That's the most important thing to him. He was a Black male client. What he expects is to be jerked around or sent to prison based on the race of his PO."**

This speaks to a larger need for officers to be trained more holistically in the experiences and barriers faced by people of color, including racial trauma and linguistic and cultural barriers, to ensure they have sufficient understanding of the probation population to enable them to succeed.

FINDING 2: Many people on probation have complicated needs, and probation does not always have the services and supports to address them.

Interaction with the criminal legal system is often the result of many intersecting factors which can make it difficult for vulnerable groups to navigate the system. People on probation are no exception to this trend. A substantial proportion of the probation population across the 10 Challenge sites demonstrated complex needs—chief among them were issues related to substance use, mental health disorders, homelessness, and unemployment—that create barriers to success. In nearly every site, people with a history of substance use had violations filed at higher rates than those without these histories, and individuals who lacked housing or employment were far more likely to experience a probation revocation. Such needs elevate the risk of receiving a probation violation and/or revocation by making it difficult for people to adhere to conditions of probation. Several probation officers noted that people experiencing mental illness may struggle to remain engaged in mandated treatment or exhibit behaviors that make them vulnerable to arrest. Similarly, unhoused people on probation are often more visible to law enforcement, increasing their risk of arrest for low-level charges, while people with low income may have difficulty attending meetings with probation officers due to limited transportation access or family obligations.

On the other hand, conditions of probation themselves can exacerbate risk factors and perpetuate a cycle of violation among individuals with unmet needs. Overly burdensome or time-consuming conditions may disrupt people's efforts to comply with other requirements of their supervision—frequent drug tests or mandated treatment, for example, may preclude people from maintaining regular employment, which is itself often a condition of probation. Efforts to comply with the former, then, create additional barriers to compliance with the latter.

Despite these well-documented needs, probation officers and supervisors in the vast majority of sites felt that the available services and resources were not sufficient to meet the needs of people on probation, particularly with respect to substance use or mental health treatment. In part this is because many service providers have limited capacity or long waiting lists, and that they can be challenging to navigate or otherwise inaccessible to people on probation. Several stakeholders in Pulaski County, for example, described drug programs as "extremely limited or non-existent," noting that substance use counselors are often at capacity and that community-based treatment can be cost-prohibitive, particularly if providers do not accept Medicaid.

A second challenge is that the services that are available are not necessarily reflective of people's needs. In Denver, for example, housing instability represents a significant barrier to success on probation, yet officers and people on probation both reported significant gaps in housing services. While temporary housing programs were available, resources for permanent housing assistance—as well as programs addressing the underlying causes of housing instability—were limited. As a result, Denver officers made referrals to housing assistance programs in just nine percent of cases. Even when services do exist to meet people's needs, probation officers are not always aware of them, and there is also the broader challenge that certain supervision practices may simply be at odds with treatment and other services in which people on probation are participating. For individuals with substance use issues, for example, recovery often includes relapse, which can result in violation or revocation, reflecting a misalignment between the science of addiction and the limitations of probation policy. With all of these challenges in mind, stakeholders in a number of sites expressed a need for more comprehensive officer training in needs assessments and existing interventions available in their communities so that they are able to make more appropriate referrals and facilitate access to evidence-based service providers.

FINDING 3: Racial and ethnic disparities are prominent among both violations and revocations.

Racial and ethnic disparities are as prevalent among probation outcomes as they are among other criminal legal system outcomes. Across many Challenge sites, Black individuals were disproportionately more likely to have a violation filed and/or have their probation revoked when compared to white individuals. Disparities were also apparent for Hispanic and Native American populations in some sites. Specific findings that emerged included the following:

- In Pulaski County, Black individuals were **30 percent** more likely to have their probation revoked relative to white individuals.
- In Ramsey County, Black and Native American individuals on supervision for misdemeanor offenses were **38 percent** and **142 percent** more likely to have a violation filed, respectively, than white individuals on supervision for misdemeanors (they were not more likely to be revoked, however); Black and Native American people on probation for felony offenses were **40 percent** and **103 percent** more likely to have probation revoked, respectively (though not more likely to have a violation filed).

- In Pima County, Native American individuals were **35 percent** more likely to have a violation filed and **43 percent** more likely to have probation revoked when compared to white individuals; Hispanic individuals were **17 percent** more likely to be revoked (though not more likely to have a violation filed).
- In Monroe and Cook counties, Black individuals were substantially more likely to have a violation filed, but not more likely to be revoked when compared to white individuals.

There is still more work to be done to understand what factors lead to these disparities in Challenge sites and in other probation agencies around the country. This will require more focused and in-depth research that looks more closely at how racial disparities in probation outcomes are related to different charges, legal factors, needs, and other demographic characteristics; explores the role that officer discretion plays relative to considerations that are built into probation policies; and considers the impacts of decisions that other criminal legal actors make (e.g., law enforcement arrest decisions, which often trigger violation filings). Nevertheless, these high-level findings regarding the prevalence of disparities underscore an urgent need to adopt policies and practices that will not only increase success among people on probation overall, but advance racial equity in successful outcomes.

FINDING 4: Length of time on probation affects the likelihood of success, but the relationship between the two is complicated.

Across Challenge sites, the association between time on probation and the likelihood of violation and/or revocation varied from one jurisdiction to the next, with inconsistencies in whether, and the extent to which, they were related.

In just over half of Challenge sites, longer probation terms were associated with a greater likelihood of negative outcomes. This is perhaps unsurprising: the longer people are on probation, the more chances they have to violate their probation terms. Importantly, however, time on probation appears to heighten the risk of violation more than revocation.[11] In both Ramsey County and Harris County, for example, increased time on probation was associated with increased risk of violations, but not revocations, suggesting that while people on supervision are more likely to experience a violation they are not more likely to be revoked for these violations. In Cook County, longer sentences, while associated with increased violation rates, actually reduced the likelihood of revocations. Further, when violations result in an extension of the supervision expiration date,

they can perpetuate an ongoing cycle by keeping people under supervision for a longer period and ultimately exposing them to continued risk of violations (and further extensions of probation term). In Santa Cruz, 65 percent of formal violations resulted in extended probation time, increasing term length by an average of nearly a year.

Officers in several sites reported that the amount of time an individual has spent on probation—or the amount of time left on their term—is an important factor in their decisions regarding whether to file a violation for a given act of noncompliance. Central to this decision appears to be the perception of whether sufficient time remains on a person's sentence to bring them into compliance. In Niagara County, for example, officers reported being hesitant to file violations early in people's probation terms, when they are still learning the expectations of probation, as well as when they are nearing the end of their probation terms, especially if they have shown progress over the course of their sentence. In some sites, however, the reverse was true, with officers feeling compelled to file a violation if someone is nearing the end of their term. As one Ramsey County probation officer shared:

> **"Even if officers would ordinarily prefer not to file a violation because of the low-level nature of the misconduct, they may reach a point where they must file because they are running out of time on the probation sentence."**

This suggests that if there is limited time for officers to give people second chances or work with them to course-correct, then some may believe that a violation is the only available option in the time allotted.

Regardless of sentence length, the early stages of probation were crucial in determining the likelihood of a successful exit. In Harris County, for example, the majority of revocations occurred early in the supervision term—specifically, within the first five visits for individuals serving misdemeanor convictions and the first twelve visits for felony convictions. This suggests that if individuals were to exit probation unsuccessfully, they did so earlier in their supervision period. Likewise,

in Denver, the likelihood of successfully completing probation increased by nearly 300 percent after crossing the one-year threshold. This suggests that during the first several months of a person's term, completing office visits, developing an effective relationship with the probation officer, and connecting to necessary treatment and services should be prioritized.

NEW INSIGHTS

It is not surprising that many of the key findings to emerge across sites echo trends that we have seen in probation research before. As noted above, violations and revocations have prevailed despite the existence and adoption of evidence-based practices over the years, so it makes sense that many of the underlying drivers have persisted as well. With that said, Challenge research did yield some new and deeper insights in a few areas that are critical for limiting unnecessary violations and revocations and enhancing success on supervision overall.

The first is technical violations, which were prevalent in many of the Challenge sites (as they are in many other probation agencies around the country). Research shed new light on both the nature of these technical violations and the reasons that they are filed. A second area is new crime violations and their strong relationship to revocations. Challenge sites were able to paint a clearer picture of the nature of this relationship and the role that discretion and policy play in these decisions. Finally, a third area of new insight is the role of risk as a driver of violations and revocations. In many of the Challenge sites assessed risk level was one of the strongest predictors of violations, but further investigation revealed that violations can be filed for people assessed as high risk even when there is not a clear risk to community safety.

In each of these areas the findings suggest a number of policy and practice implications, which are perhaps the greatest insight to emerge from this work. These implications are discussed in the final section of the brief.

INSIGHT 1: Technical violations are prevalent in many sites, but they are issued for a variety of reasons that do not always reflect a desire for revocation.

As shown in Table 2 below, technical violations—those issued purely for noncompliance with probation conditions that do not involve new criminal activity—are a significant issue in many Challenge sites, with rates often outpacing those for new crime violations and rising as high as 34 per 100 people on probation. In addition to the substantial rates, technical violations account for a sizable proportion of overall violations filed in a number of sites. In Monroe County, for example, they comprise 61 percent of all violations filed; in Pima County, the proportion is over two-thirds of all petitions to revoke filed; and in Niagara County, it is even higher at 90 percent of all violations. While technical violations are less likely to end in a revocation than violations that involve a new crime, the sheer volume of these violations that are filed creates a considerable number of revocations for this kind of noncompliance. In fact, in some sites, the absolute number of revocations resulting from technical violations was higher than the total for new crimes, even when the likelihood of revocation was higher for new crimes.

TABLE 2: TECHNICAL AND NEW CRIME VIOLATION RATES AMONG CHALLENGE SITES

Site	Violations for New Crimes	Violations for Technical Violations
	Rate per 100 people on probation	Rate per 100 people on probation
Monroe	21.1	33.7
Niagara	1.0	9.4
Pima	6.1	15.7
Ramsey	15.4	14.3
Santa Cruz	21.7	15.9
Spokane	17.4	16.3

Challenge sites were able to go deeper than previous research by exploring the specific nature of technical violations, and across sites two types of underlying behaviors emerged as most prominent. The first was noncompliance related to substance use conditions (e.g., missed program participation, failed drug tests). In Santa Cruz County, for example, over half of adults under probation supervision had specialized drug and/or alcohol-related probation terms, and people with these terms had violations sustained at more than twice the rate of all other adults under supervision. Thirty-six percent of technical violations in Santa Cruz were related to substance use and program participation specifically. In Denver, nearly 48 percent of revocations stemmed from technical violations, and substance use-related violations were especially common among the revoked population, with 63 percent experiencing a missed urinalysis test and 46 percent testing positive for substance use during supervision. In Niagara County, drug use and failure to comply with substance use treatment were both among the most frequently listed reasons provided by officers when filing a violation. Site stakeholders offered a variety of explanations for the prevalence of these types of violations, many of them related to the complexity of underlying needs and/or inability of treatment programs to meet them.

The second prominent type of underlying behavior is missed appointments and failures to report. In Monroe County, more than half of people on probation (54 percent) failed to appear to one or more probation appointments, while 14 percent failed to appear to at least one court appointment. In Denver, 66 percent of people who experienced a revocation had at least one allegation of a missed appointment with their probation officer on the petition to revoke, while in Niagara County, failures to report accounted for 30 percent of the violations that ultimately resulted in a revocation.[12] In many sites, probation stakeholders suggested that failures to report were associated with broader instability among those on probation, related to a complex array of needs including substance use and mental illness, housing, employment, and transportation. People on probation also reported that probation appointments sometimes created conflicts with fulfilling employment expectations, treatment sessions, or required childcare arrangements. In some cases, these failures to report also reflect absconding, a more serious type of failure to report in which a probation officer is not able to contact or determine the person's whereabouts. Absconding is discussed in more detail below.

Challenge sites also explored why technical violations are filed so often, and research yielded a much wider array of explanations and reasons than might be expected. While punishment-oriented culture emerged as a contributing factor—indeed, officers in some sites described people who did not comply with probation conditions as not taking advantage of the chance that probation offered them to avoid incarceration—this culture-based explanation does not fully explain why

technical violations are so prevalent, at least in Challenge sites. Research also highlighted a number of other reasons that officers file technical violations that have nothing to do with a desire to end a person's probation term or to otherwise punish them.

A first point to note is that in many Challenge sites, officers do not file a purely technical violation until a number of infractions have stacked up. As a probation supervisor in Monroe County put it:

> **"I don't think we would ever revoke somebody's suspended sentence through just one thing. Generally, there's been an accumulation of behaviors that led us to this point."**

Officers described prioritizing informal responses (e.g., personal essays, curfew hours) when incidents of technical noncompliance occur. It was difficult to parse out in the research the underlying motivation for prioritizing informal responses, especially given that many Challenge sites have graduated response policies that officers are required to follow (in other words, it is unclear the extent to which officers would file technical violations more quickly if these policies did not exist). With that said, the intention of these informal responses—whether from the officer or the department—is to avoid unnecessary formal court involvement for people on probation.

Even with the use of informal responses, officers do reach a "tipping point" or "point of no return," in which the number or nature of accumulated acts of technical noncompliance necessitates filing a violation. While this tipping point was not clearly defined in most sites, probation officers in some offices elaborated on the factors and circumstances that are likely to trigger a violation. In Ramsey County, for example, this tipping point represented the point at which an officer perceived that the accumulation of technical violations constitutes "persistent misconduct." As one officer described:

> **"After a series of low-level misconducts and we've gone through the ... expectations as to what compliance is or what non-compliance looks like with the client, and we've given that verbal reprimand...if those responses have not facilitated some change at that point in time, I would look at having to do a probation violation."**

Other officers avoid filing technical violations until they have run out of other options or responses and do not know what else to do. Several officers across sites described issuing violations after trying a number of strategies to engage people, if the people are still not following the conditions of their probation after these efforts. They likened this to having their hand forced. In Niagara County, officers described that these cases sometimes involved people who appeared as if they no longer wished to be on probation (as opposed to those who appeared to be trying, but were struggling). As one officer mentioned:

> **"They just don't want to deal with us anymore. Rather take eight months in jail. I mean, because maybe now they don't even have a job because they can't drive and they've lost their employment. And so they'd rather go for eight months and get us off their back and try to start again."**

Probation officers in Pima County also described filing when people have expressed a preference to complete a jail term rather than continue probation. Another scenario they referenced involved filing for people with persistent substance use issues that they as officers felt would be better treated in an incarceration-like setting.

Still other officers described issuing technical violations as a way to reengage people in supervision without petitioning for revocation. Several sites found that officers use the filing of technical violations to serve as a "wake up call" or "second chance" to push people to get back on track—in particular those who need help for substance abuse. In a majority of officers' descriptions, issuing a violation was framed as an action taken to help people on probation get the help they need or to fulfill their supervision obligations, rather than a punitive measure or "pit stop" to an ultimate revocation. In Ramsey County, for example, officers described that they do not typically file violations for those who are "open and honest...[and] making that effort," but only seek to file when they "become defiant or recalcitrant about complying with services" in order to get them the help they require.

One final reason that officers file violations is due to absconding, which is a unique type of technical noncompliance that has its own set of considerations. Officers tend to file violations for the first instance of absconding behavior, including not being able to get in touch with the person they supervise or not having a means to communicate with them. Officers file violations more quickly for absconding when compared to other types of technical noncompliance for two key reasons. The first

is strict departmental procedures that require them to file violations at the first instance of absconding. This is the case in Denver, for example, where agency policy dictates that officers must file a revocation when it is determined that an individual has absconded. In Denver, 61 percent of people who experienced revocation for technical violations had absconding listed on the petition to revoke. Officers there also described a risk-averse mentality when it comes to absconding behavior, tending to file violations quickly because of a concern that people could be engaging in harmful or risky behaviors. In both Ramsey and Niagara Counties, officers were quicker to file violations when absconding included indicators of threat to community safety (e.g., police contact for new offenses, incomplete programming, or contact with victims).

Despite the tendency to treat absconding behavior as a community safety issue, there are various other explanations for why people on probation abscond, many of them related to their needs. Several officers across sites noted that substance use is a contributing factor. Officers in Harris County, for example, perceived that people who have a string of positive urinalysis tests will abscond for fear of revocation and hesitation to address substance use needs, regardless of the offering of multiple treatment alternatives. Several officers across sites additionally expressed that absconding is also common among people on probation who are transient and/or homeless and lack ties to the community. Officers noted that their decisions to file violations took into account how different needs can contribute to the likelihood of absconding. They also considered whether or not the absconding appeared to be intentional and noted that, when allowable by policy and in circumstances where they did not perceive a threat to community safety, they were more lenient in responding to absconding driven by these other factors.

INSIGHT 2: New crimes are more likely than technical violations to end in probation revocation.

Technical acts of noncompliance accounted for substantial proportions of the violations in Challenge site, but new crimes—which are variably defined as new arrests, new charges, or new convictions across sites—emerged as the bigger driver of revocations. Despite occurring less frequently, new crimes were more likely to lead to revocation than technical violations in most sites. Moreover, in contrast to the accumulation of individual acts often leading up to the filing of technical violations, but similar to absconding, new crime violations were often filed and probation revoked for the first instance of a new crime.

A greater likelihood of new crimes resulting in revocation is in some ways not surprising, given that new criminal activity may represent a risk to community

safety that technical noncompliance such as missing an appointment or failing to maintain employment does not. One point to note however is that violations categorized as "new crime" violations encompass any new criminal activity, ranging from low-level misdemeanors to more serious or violent felony offenses. Indeed, in Cook County, the only site able to explore the nature of new crimes associated with violations, only one in four of those with information available involved violent crimes, whereas almost half involved traffic offenses. Unfortunately, given that most Challenge sites were unable to discern the types of new charges associated with new crime revocations (even in Cook County information was available in only half of cases), it is unclear what level of risk to community safety they posed. With that said, research did shed light into the policies and considerations that often go into decisions to file violations for new crimes, and these insights provide a partial picture of what this trend might reflect.

One important point to note is the varying levels of discretion that officers have between technical noncompliance and new criminal activity. As noted in the previous section, officers across sites described a great deal of discretion when it comes to filing technical violations, giving them the latitude to hold off on issuing a formal filing until they feel there are no other options (in fact, graduated response policies encourage this). This was not true for new crimes in many sites, however, or at least for more serious offenses (felonies and/or serious felonies). In many sites, officers were required or at least expected to issue a violation or immediate detention when a person on probation was alleged to have committed a new offense or a certain type of offense. In Monroe County, for example, officers are required to file a violation for any new offense; in Pulaski County, it is required for any new felony offense. In Santa Cruz, officers can respond to lower severity offenses such as non-person misdemeanors with a wide range of possible responses all the way down to verbal reprimands, but for higher severity new offenses such as weapons use or person crimes (even if they are misdemeanors), the recommended responses are revocation or court intervention with time in custody. Other system actors beyond probation can also play a role here. In Cook County, the State's Attorney's Office automatically files a violation at the time of making a felony charge any time they are aware the person is on probation, regardless of the type of felony and whether it represents a legitimate risk to community safety.

Probation policies are not the only factor driving violations and revocations for new crimes. Both probation officers and judges interviewed in multiple different sites reported that a violation or revocation was the appropriate response to a new crime, particularly if it was a serious one or related to the crime for which the person was on probation. Both types of system actors cited community safety as paramount in their decision-making, and a culture of risk avoidance among many probation officers emerged as a prominent theme in a number of Challenge sites.

According to a probation supervisor in Santa Cruz County:

> **"Probation officers get a fear-based mentality. They see noncompliance and are afraid of harm to the community."**

Violation also served a protective function for the officers in some cases, as it was seen as absolving them of responsibility should the person on probation engage in future acts of violence or otherwise harm others (e.g., drunk driving). A probation officer in Pulaski County remarked:

> **"If I'm unclear about it, I'm gonna go ahead and file a petition and then let that be up to the prosecutor because my thoughts would be, I want to cover myself. I don't want to not file a petition and then later it come back—it come back on me and that they go out and pick up a very serious charge and then I didn't follow up with it."**

Risk avoidance was also noted by other decision-makers, including judges. For example, a judge in Pulaski County explicitly discussed fear of future violence as a driver of decision-making, referencing a well-known case in which a person was convicted of a murder committed while under supervision (in that case, parole) and the backlash that resulted.

A gray area across sites was whether a new arrest or a new charge alone was sufficient for a new crime violation to be filed, or whether conviction was necessary. In some sites this depended on severity. In Ramsey County, for example, policy dictates that a violation must be filed at the time of charging if the crime is a new person or violent offense, whereas for lower-level offenses, there is more discretion and officers will often wait until conviction to file. In some sites, however, this varied depending on the officer. In Niagara County, for example, officers differed in whether they reported that any new arrest was sufficient to warrant a revocation or whether conviction on a new crime was necessary. These are important distinctions to make, as new arrests can be driven by numerous factors both within and outside an arrested person's control—including over-enforcement in many communities of color and the increased visibility that comes with homelessness—and may result in findings of innocence or other non-conviction outcomes.

INSIGHT 3: People on probation who are assessed as high risk are more likely to have violations filed, even for less serious acts of noncompliance.

In addition to the level of risk associated with different acts of non-compliance, the measured or assessed risk of the person on probation was an important consideration for probation officers in making violation decisions as well. Across sites, people assessed as high risk by an empirical risk assessment instrument were considerably more likely to have violations filed. Figure 2 presents findings from a subset of sites that were able to provide comparable descriptive data on violation rates by assessed risk levels. As shown, violation rates for those assessed as high risk were at least 40 percent higher than those for individuals assessed as medium risk. In the case of Pima, they were more than three times as high. Across the four sites, violation rates for those assessed as high risk ranged from four times to 25 times higher than those for people assessed as low risk.

FIGURE 2: VIOLATION RATES BY RISK LEVEL AMONG FOUR CHALLENGE SITES
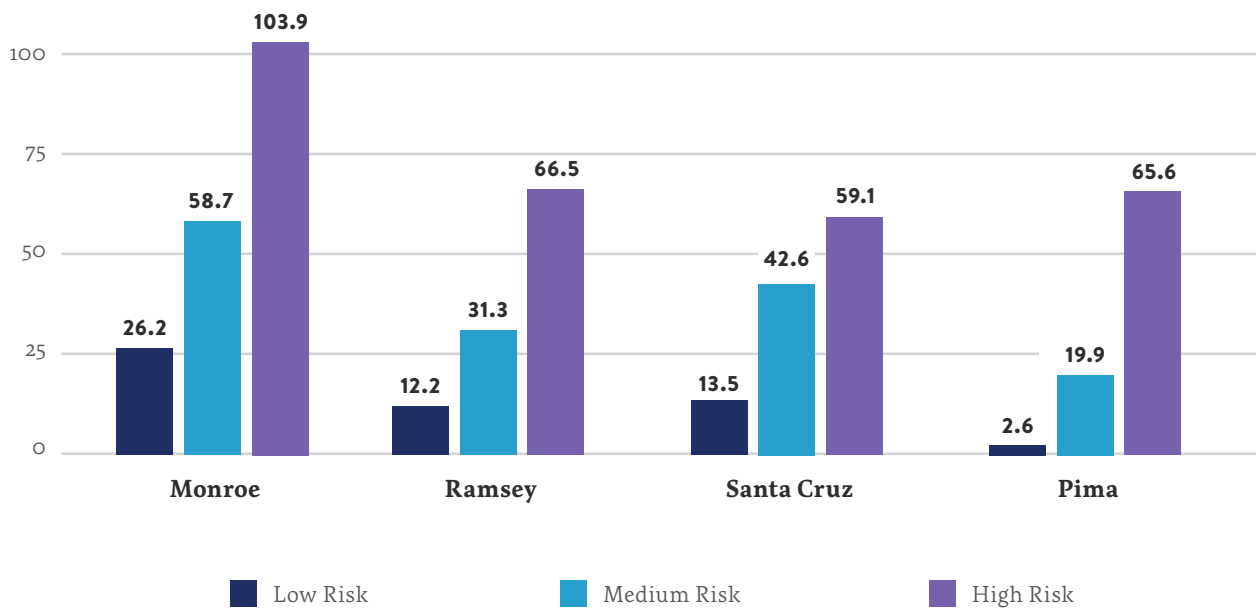
In addition to higher violation rates, in some sites people assessed as high risk were more likely to be revoked than a person assessed as low or medium risk once a violation was filed, suggesting that both probation officers and judges are impacted by assessed risk level in making decisions about specific cases. In Harris County, for example, two-thirds of the people who were assessed as high risk (68 percent) who received a violation report were revoked compared just over half (56 percent) of those assessed as medium risk, and two in five (40 percent) of those assessed as low risk.

Research findings from sites suggest that the relationship between assessed risk level and higher likelihood of violations is driven by a number of factors, one being supervision parameters. Supervision level is generally guided by assessed risk, with people assessed as high risk assigned more conditions, closer oversight, and more reporting requirements, all of which provide more opportunities to both be noncompliant and be observed being noncompliant. This idea was supported by findings in many sites that level of supervision was also an important driver of violations and/or revocations in many sites. In Pima County, for example, people on intensive supervision were three times more likely to have violations filed and six times more likely to be revoked than those on low standard supervision (meaning those on the lowest level of non-intensive supervision). Specialized conditions or caseloads relating to substance use, mental health, gangs, or domestic violence, among others, were also related to higher rates of violations and revocations in some sites. However, practices—and responses—were not uniform across sites.

Despite the association between more intensive supervision parameters and violations, the extent to which people assessed as high risk are, in fact, more likely to be noncompliant than those assessed as lower risk is not clear. In Denver, it did not appear that people assessed as high risk engaged in a greater number of acts of noncompliance, and while new crimes and absconding were more likely among this population, they were still not highly prevalent (15 percent of people assessed as high risk had violations filed for a new crime compared to eight percent of those assessed as medium risk. Moreover, 18 percent had violations filed for absconding compared to 15 percent of those assessed as medium risk). Whether this relationship holds in other sites cannot be ascertained, but qualitative research across sites suggests that responses to people assessed as high risk are more severe, even when their behaviors are not.

Probation officers described often having lower thresholds for filing violations for these individuals—even for the same behaviors—and how they filed violations more quickly, giving these individuals fewer opportunities to change their behavior. A probation supervisor in Monroe County noted:

> **"Some may file early based on the nature of their caseload and the nature of the risk of the individual who's being supervised. Somebody who is a very high risk, and they're on community supervision, and they violate, the response may be very appropriate to file a probation violation immediately, so there [is]—an immediate response to something."**

One additional reason for this difference is that in many agencies risk level is built into graduated response tools as an automatic consideration for how to respond. This means that these graduated response tools recommend more intensive responses for people assessed as high risk than they do for people assessed as low risk that engage in the same type of noncompliance. For example, in Ramsey County's Response to Offender Misconduct Protocol, the recommended responses for low-level misconduct (e.g., single positive drug test, failure to obtain employment) are similarly low-level sanctions like a verbal warning or increased reporting for people assessed as medium risk. But for people assessed as very high risk, the recommended responses for the same behaviors range from a sanctions conference to a violation filing or even incarceration. Reconsideration of how assessed risk factors into recommended responses and specifically graduated response tools may be an avenue toward reducing violations and revocations in a way that does not negate a probation agency's commitment to community safety, particularly when the behaviors themselves are low-level acts of noncompliance. As one probation officer in Denver put it:

> **"Risk has to be broken down into little pieces, such as how much risk or how dangerous is your client? It is one thing to determine if they will commit another crime, but it is hard to tell if someone is dangerous. We hope to be good and do our best to piece things together."**

Policy and Practice Implications

This research provides new insights that deepen our understanding of what leads to probation violations and revocations and, in particular, how this varies for behaviors and people who are considered more or less "risky." Understanding these different pathways is critical to creating clearer routes toward success and racial equity in outcomes, while at the same time protecting community safety. The key to this is to understand both the nuanced considerations that go into violation and revocation decisions under different circumstances and how different policies and practices contribute to these decisions.

The research carried out by Challenge sites could not answer every question about what leads to violations and revocations—indeed, there is still more to be explored, especially with respect to the nature of violation behaviors among people assessed as high risk compared to low risk and related to new crime violations. Nonetheless, the new insights that did emerge in these critical areas—drivers of technical violations, new crime violations and revocations, and violations among people assessed as high risk—suggest several implications for policy and practice, discussed below.

TECHNICAL VIOLATIONS

Despite advances that have been made in the field over the last several decades, technical violations continue to impede success for people on probation. They were prevalent in many of the Challenge sites (as they are in many other probation agencies around the country) and, while findings show that technical violations are generally less likely to lead to revocation than new crime violations, they nonetheless are an important determinant of overall revocation numbers because of the much higher volume that are filed. This is a concern given the lower potential risk to community safety among people with technical violations, and while one might assume that technical violations in any jurisdiction could be explained largely in terms of a punishment-oriented culture among officers, research across sites revealed that this is sometimes, but not always, the case. In fact, officers also issue technical violations for reasons that do not involve them wanting to revoke a person's probation, including when they feel they have run out of other options.

The various drivers and reasons behind technical violations suggest that the best way to reduce them is by both limiting opportunities for technical violations to occur and providing probation officers with more alternative tools for engaging

people in supervision. With respect to limiting opportunities, the biggest way that jurisdictions can do this is by limiting the scope of probation conditions overall and ensuring that the conditions that are applied are connected directly to people's specific goals and community safety. Reducing conditions is, of course, the most direct way to minimize opportunities for technical violations because it shrinks the pool of behaviors that are considered noncompliant in the first place. It also has the potential to eliminate some of the conflicting requirements that may drive technical noncompliance (e.g., people on probation must hold a steady job while at the same time appear for drug testing during working hours). In situations where conditions cannot be changed, another way to do this is to put policies into place that limit the circumstances under which formal technical violations can be filed.

The various drivers and reasons behind technical violations suggest that the best way to reduce them is by both limiting opportunities for technical violations to occur and providing probation officers with more alternative tools for engaging people in supervision.

These types of policies would go a step further than graduated response policies: For example, with graduated sanctions, a probation officer may be required to use several informal responses before resorting to a formal violation for technical compliance among people assessed as low risk, but based on the research here, jurisdictions should consider going beyond this by placing broader restrictions on certain types of technical noncompliance, regardless of assessed risk level. Finally, a more focused strategy is to revise drug testing policies in ways that move away from mandatory testing for everyone to more targeted testing of people with substance use needs, and non-violation-based responses to positive tests that addresses, instead of punishes, the underlying cause.

A second critical component of reducing technical violations involves providing probation officers with more tools for engaging people. Fundamental to this is establishing a robust foundation of services and supports that can address the interconnected needs of many people on probation. Even with such a foundation in place, however, many need help staying engaged, in particular those with substance use needs, who consistently came up in site research as a challenging population and one for whom technical violations were commonly issued. Working with people with substance use issues will likely always be a challenge, but there are steps that probation departments can take to try to deal with these issues outside of the formal violation process—for example, knowing that relapse is a part of recovery, establishing a policy to not file violations for every dirty urine test or missed treatment session; offering warrant forgiveness to those who abscond because they are using drugs and afraid to show up at appointments; or doing drug

tests at fixed rather than random intervals. More flexible policies can help keep people on probation engaged by letting them know that probation's intention is to help them and work with them.

Adapting policies may not be enough, however, especially for those on probation who are distrustful of probation or the criminal legal system more generally. Communication and outreach are equally critical, and probation departments must think strategically not only about how to message these kinds of changes to people on probation and their families, but how to build trust with them. Credible messengers have the potential to make a significant difference here given their ability to relate to those on probation. They can also be helpful in connecting people on probation to services and keeping them involved in programming more generally, which can reduce technical violations by addressing underlying needs that often create barriers to success.

NEW CRIME VIOLATIONS AND REVOCATIONS

While technical violations are prevalent in many sites and contribute to the volume of revocations that occur, site research showed that new crime violations have a greater chance of ending in a revocation outcome. This is not surprising, given that violations that involve new crimes could present a significant community safety risk. With that said, new crime violations can include a range of different types of offenses or charges, from low-level misdemeanors to more serious offenses involving physical harm or gun use. Similar to technical violations, officers tend to have a fair amount of discretion in filing violations for new misdemeanor charges; but research revealed that there is not the same level of discretion for more serious offenses, including in some cases felony offenses. Many departments have formal or informal policies of automatically filing violations whenever "more serious" new crimes are alleged to have occurred, with severity defined quite differently site to site. Beyond that, the research revealed a perception among at least some officers that issuing violations in response to new crimes is the best way to ensure community safety.

It is clear from the prevalence of new crimes among revocations that addressing them is critical for significantly reducing revocations overall.

Unfortunately, with the exception of the limited findings from Cook County, it is not clear from the research what types of new crimes are tied to revocations in Challenge sites, or the extent to which they reflect low level offenses or more serious charges. This is an important question that needs to be further explored in future research. However, even without knowing how new crime revocations break down, it is clear from their prevalence among revocations that addressing them is critical for significantly reducing revocations overall. Providing services and

supports that address underlying criminogenic needs among people on probation, such as substance use, mental health, housing, and employment, is central to decreasing the prevalence of these types of noncompliance. Beyond that, probation departments and other system actors should reconsider policies around automatically filing violations for new offenses, which reflect a range of different severity levels and, therefore, a range of different community safety implications. While automatic filing may be a necessity for some charges, there may be others where probation officers can have more discretion to consider contextual factors and circumstances, including the track record of the person on probation. The point at which a new charge triggers a violation filing is also important, especially given that arrest charges can be dismissed and that disparities exist in both policing and arrest practices.

VIOLATIONS AND REVOCATIONS AMONG PEOPLE ASSESSED AS HIGH RISK

Finally, risk was a recurring theme across Challenge sites—both the varying ways in which risk was perceived by probation officers and how the perceived risk of a person on probation affects their likelihood of success on probation. One of the most consistent findings to emerge was that people assessed as higher risk are more likely to have violations filed (and sometimes more likely to be revoked). With that said, violations among people assessed as high risk are not always for more serious acts of noncompliance. Indeed, qualitative work in many sites illuminated a strong risk avoidance mentality among many officers and other system actors including judges, as well as a tendency to issue violations more quickly among people assessed as higher risk for lower-level noncompliance. This is not surprising considering that risk level is built into many graduated responses tools, but it does raise questions about the utility of filing violations on those assessed as high risk more often, especially given that most empirical risk assessment tools measure risk for any new arrest and not violence specifically.

> As we learn more about both risk assessment tools and perception of risk among probation officers, however, it has become clear that there can be downsides to over-emphasizing empirically assessed risk, especially when it comes to responding to low-level technical noncompliance.

For years, best practices have encouraged the incorporation of risk as a consideration in graduated response tools. As we learn more about both risk assessment tools and perception of risk among probation officers, however, it has become clear that there can be downsides to over-emphasizing empirically-assessed risk, especially when it comes to responding to low-level technical noncompliance. The site research does not suggest eliminating risk as a

consideration in probation supervision, but it does suggest considering it in a thoughtful and nuanced manner that takes into account both how it is being measured and what it truly reflects.

It is also critical to consider the importance of training for probation officers around what risk is, what risk assessment tools measure (and do not measure), and how to effectively respond to people assessed as high risk in a manner that maximizes success and preserves community safety and well-being. Officers who have an understanding of risk that does not reflect an accurate understanding of what risk assessment tools measure are not only in danger of responding more severely to people assessed as high risk when it is unnecessary, but also making decisions out of fear. Training on these issues can help facilitate a more strategic weighing of risks and benefits.

Next steps in the Challenge

All of the research undertaken by Challenge sites is toward a broader goal of informing the development of bold and innovative policy and practice solutions for increasing success on probation. Now that the research has been completed, a subset of the action research teams will be funded by Arnold Ventures to implement the solutions they identified in a second phase of Challenge that will launch in the fall of 2021. CUNY ISLG will continue to provide oversight and support to the action research teams as they undertake this work, along with other experts that include current and former probation leaders and a racial equity technical assistance provider. Assessing strategies for racial equity impacts will be critical throughout the implementation period, and action research teams will be expected to both track performance metrics and set up qualitative feedback loops to monitor the rollout and effectiveness of strategies on the ground. Information about the strategies and their impacts will be shared publicly as implementation gets underway.

Endnotes

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6. The number of adults on active supervision excludes anyone out on a warrant for the full year. Action Research Teams reported population data for the most recent year available (either 2018 or 2019, as available).

7. Rates were calculated by dividing the number of formal violations filed (or revocations) during a one-year period by the probation pass-through population for the same year.

8. In Santa Cruz County, a vast majority of individuals (approximately 91% in 2019) who are revoked are restored to probation, typically after serving between 30–60 days in custody.

9. Harris County only reports violations and revocations for closed probation cases; therefore, violation and revocation rates are not comparable to the other sites.

10. https://nicic.gov/projects/motivational-interviewing; https://csgjusticecenter.org/wp-content/uploads/2021/05/Achieving-Cultural-Competence-in-Behavioral-Health-and-Criminal-Justice-Programming.pdf. Cultural competency is the ability to understand and appreciate the experiences of people from different cultures or belief systems; and to effectively communicate, interact with, and support them.

11. In fact, Spokane was the only site to report that individuals with longer sentence lengths were more likely to experience revocation.

12. In Niagara County, failures to report include absconding cases.

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