

**REDUCING JAIL POPULATIONS:  
REVISITING TECHNICAL VIOLATIONS OF  
COMMUNITY SUPERVISION TO DECREASE  
JAIL ADMISSIONS AND LENGTH OF STAY**



## COUNTY GUIDE FOR REDUCING JAIL POPULATIONS AND COSTS

SEPTEMBER 7, 2022

County officials are implementing data-driven and evidence-based policies, practices and programs to decrease jail populations, reduce associated costs and meet the social and safety needs of communities. Annually, county jails process 8 million admissions and spend \$29 billion on correctional facilities.[1] The Pew Charitable Trusts <[http://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2021/01/local-spending-on-jails-tops-\\$25-billion-in-latest-nationwide-data](http://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2021/01/local-spending-on-jails-tops-$25-billion-in-latest-nationwide-data)> reported in 2021 that county corrections costs increased 521 percent from 1977 to 2017.

Through collaborative efforts such as local public safety planning boards or criminal justice coordinating councils, counties are looking at data from various departments and entities to identify factors that drive jail population growth and exploring solutions to improve outcomes.

Common drivers of jail populations include:[2]

- Bookings and/or arrests, especially for low-level charges such as misdemeanors
- Pretrial length of stay
- Technical violations of community supervision, and
- Recidivism.

### NEW RESOURCE: JAIL DATA INITIATIVE

When determining local jail population drivers, counties may choose to look at neighboring counties' data or others within their state and/or nationally as comparisons. The Jail Data Initiative <<https://jaildatainitiative.org/>> at New York University, in partnership with The Pew Charitable Trusts, is gathering data on jail populations around the country. Using online data rosters from roughly a third of the jails in the United States, the project analyzes daily populations, lengths of stay, charge and demographic profiles of those incarcerated, admissions, release statistics and more. Visit their website <<https://jaildatainitiative.org/>> to explore and compare local data metrics.



## TECHNICAL VIOLATIONS OF COMMUNITY SUPERVISION

Reducing the number of people in jail for technical violations can help decrease jail populations and improve outcomes and compliance with supervision conditions. Counties can reduce this kind of incarceration by reducing case processing times and implementing specialized caseloads.

### COUNTY SOLUTIONS AND EXAMPLES



### EXTERNAL RESOURCES



- [New Model for Collaborative Court and Community Caseflow Management—Expedite Resolutions and Improve Outcomes](#) (National Center for State Courts, 2022)
- [Policy Reforms Can Strengthen Community Supervision](#) (The Pew Charitable Trusts, 2020)
- [Reducing Jail Populations through State and Local Policy Coordination](#) (National Association of Counties and The Pew Charitable Trusts, 2021)
- [To Safely Cut Incarceration, States Rethink Responses to Supervision Violations](#) (The Pew Charitable Trusts, 2019)
- [Use of Incentives and Sanctions to Promote Compliance with Supervision Conditions during Reentry: A Implementation Strategy](#) (The Council of State Governments Justice Center, 2013)

# WEBINAR SERIES



- JAIL DATA INITIATIVE DEMONSTRATION (December 5)
- DECREASING PRETRIAL LENGTH OF STAY BY IMPROVING COURT PROCEEDINGS AND PRETRIAL SERVICES AND SUPERVISION (January 5)
- REVISITING TECHNICAL VIOLATIONS OF COMMUNITY SUPERVISION TO DECREASE JAIL ADMISSIONS AND LENGTH OF STAY (February 2)
- DECREASING BOOKINGS AND/OR ARRESTS THROUGH DIVERSION, CITATIONS AND WARRANT AVOIDANCE AND RESOLUTION (March 2)
- LOWERING RECIDIVISM THROUGH JAIL- AND COMMUNITY-BASED TREATMENT AND SERVICES (April 6)

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# SPEAKERS



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# PROBATION VIOLATIONS DURING COVID-19: A MODEL FOR EXPEDITED CASE PROCESSING

Rich Powell and Beth M. Huebner

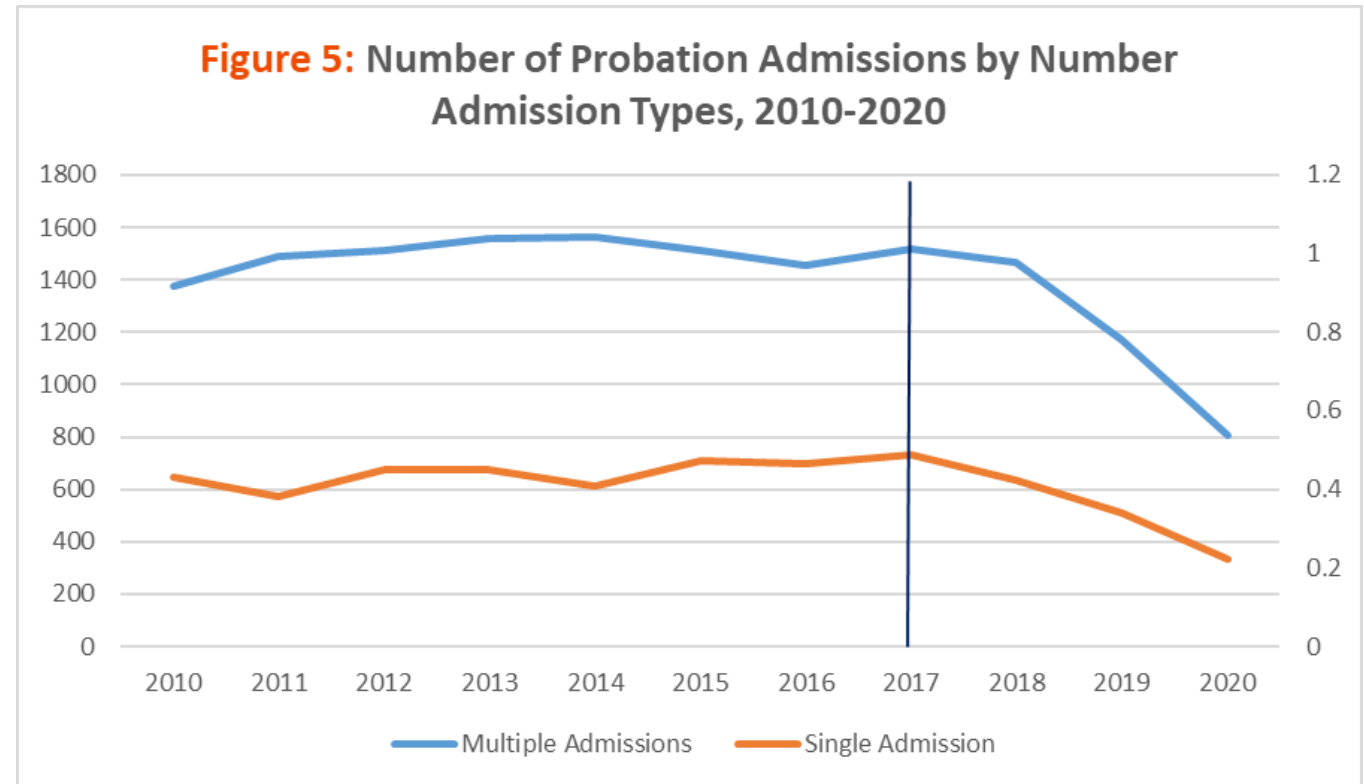
NACo WEBINAR: Reducing Jail Populations: Revisiting Technical Violations of Community Supervision to Decrease Jail Admissions and Length of Stay



Supported by the John D. and Catherine T. MacArthur Foundation

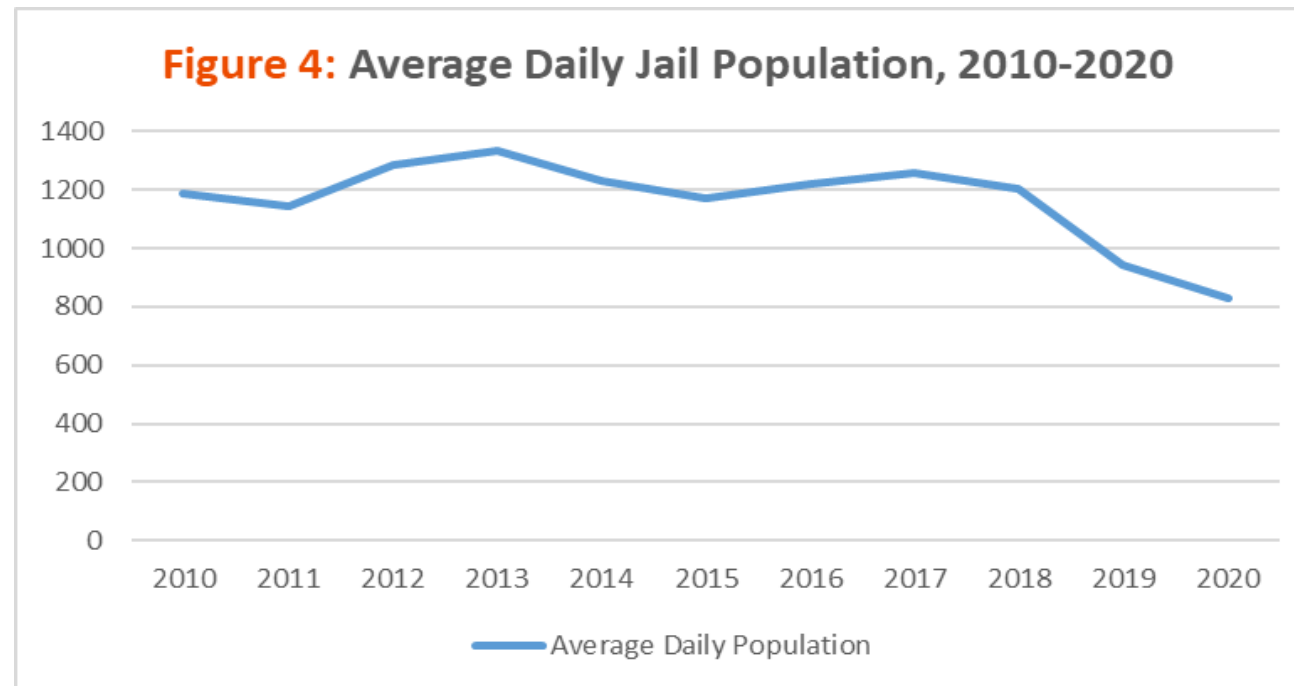
# Safety and Justice Challenge

- Strategic Planning in 2015 and first award in 2016
- Collaborative & Data Focused Meetings
- Question: Who are we mad at vs. who are we afraid of?



# St. Louis County Community Structure

- Jail Incarceration Rate: 117.7 per 100,000 population
- County Population: 1,000,362
- Jail Capacity: 1,232





# Need 1: Jail Overcrowding

- Total Capacity of the Jail 1,232
  - Serve an average of 99 days awaiting hearing
  - Women disproportionately represented for technical violations
  - 60% persons of color. Black people serve, on average, 12 additional days awaiting a pretrial hearing , and this group is more likely to have their probation revoked overall.
- Individuals in jail for a probation violation spend nearly as much time in jail awaiting hearing as individuals sentenced on a state charge

# Why Consider Probation Violations?

Probation is the largest correctional sanction — era of “mass probation”

1 in 66 adults is on probation

Increased use of jails as a sanction, even though there is **no evidence** that this behavioral response is effective

Even a short stay in jail can influence long-term outcomes

- Jails increase recidivism compared to community sanctions

Dampening effect on earnings - 13% decline in wages 9 months after a jail stay

# PROGRAM MODEL

# Probation Violation Process in Missouri



# Probation Violation Model

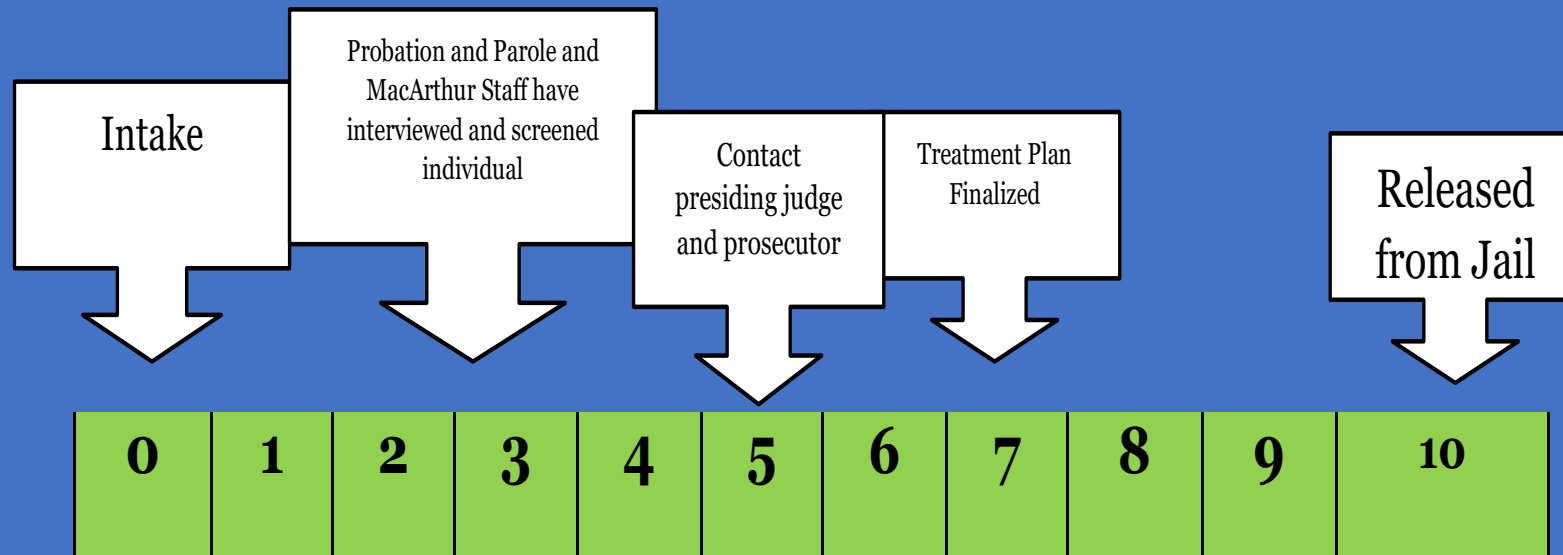
- **Assumption:** Reducing the time spent in jail awaiting probation violation hearings will reduce the jail population overall and potential unintended consequences of confinement.
- **Goal:** Client released from jail in 10 days
- **Staffing :** 2 jail case managers. In kind donations of time from probation and parole and the jail.



# Probation Violation Model

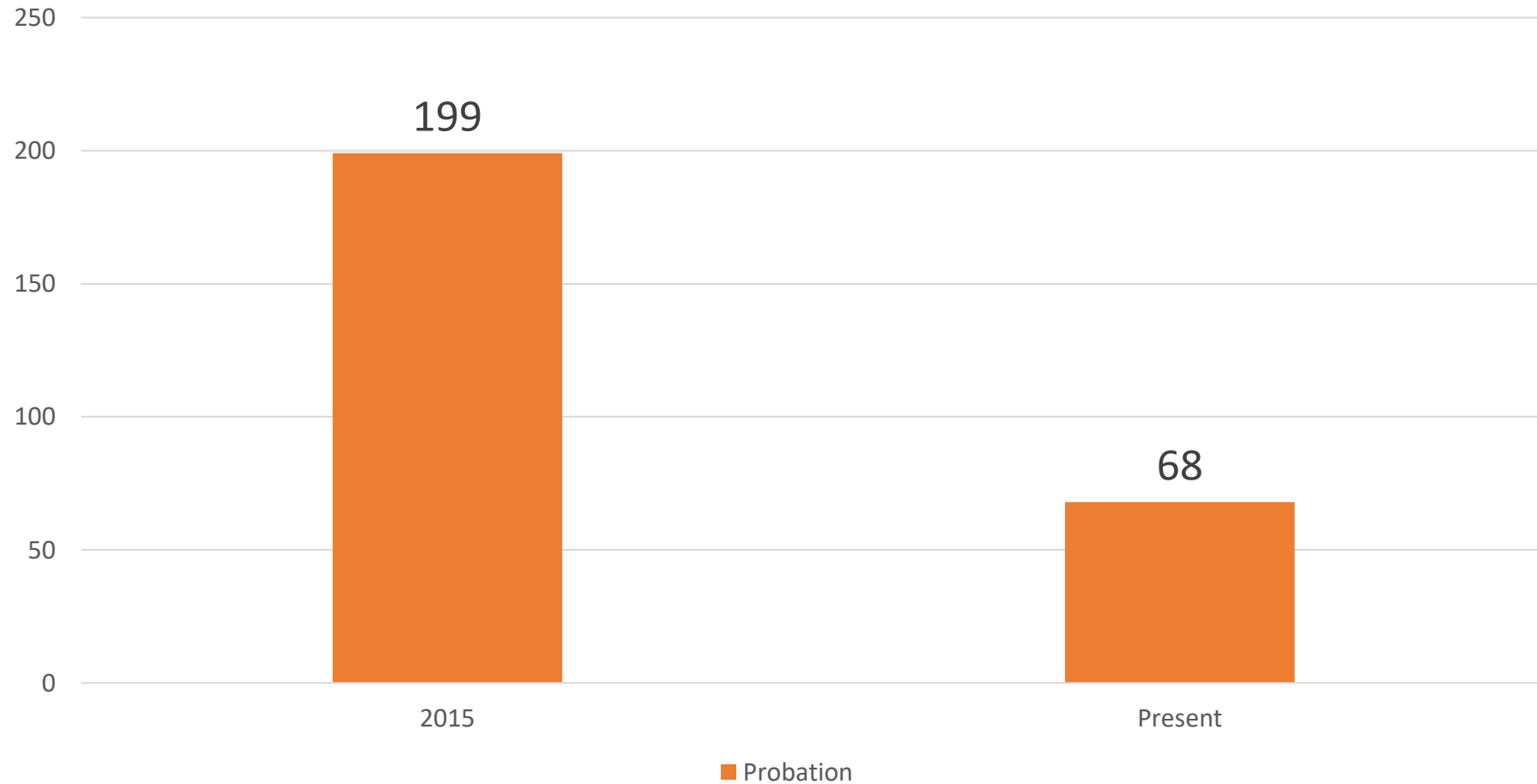
- **Phase 1:** Implemented October 2016.
  - Target Population: Individuals returned to jail on probation technical violation.
- **Phase 2:** 8/2017 – New non-violent charges considered.
- **Phase 3:** Services provided by probation
  - Traditional probation and enhanced services and supervision

# Probation Violations: Case Processing Plan

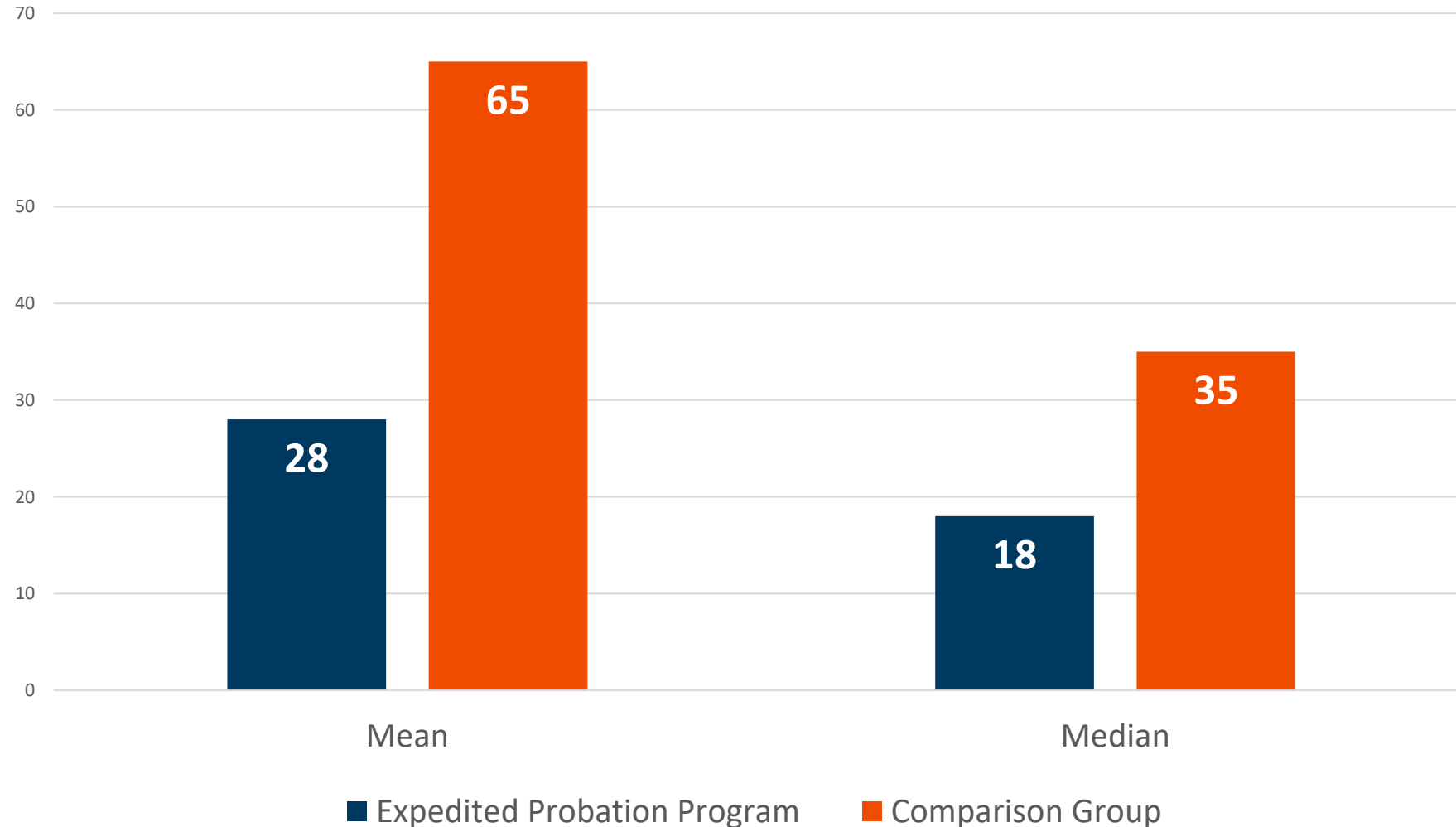


# PROGRAM OUTCOMES

# Change in the Number of People on Probation in the Jail

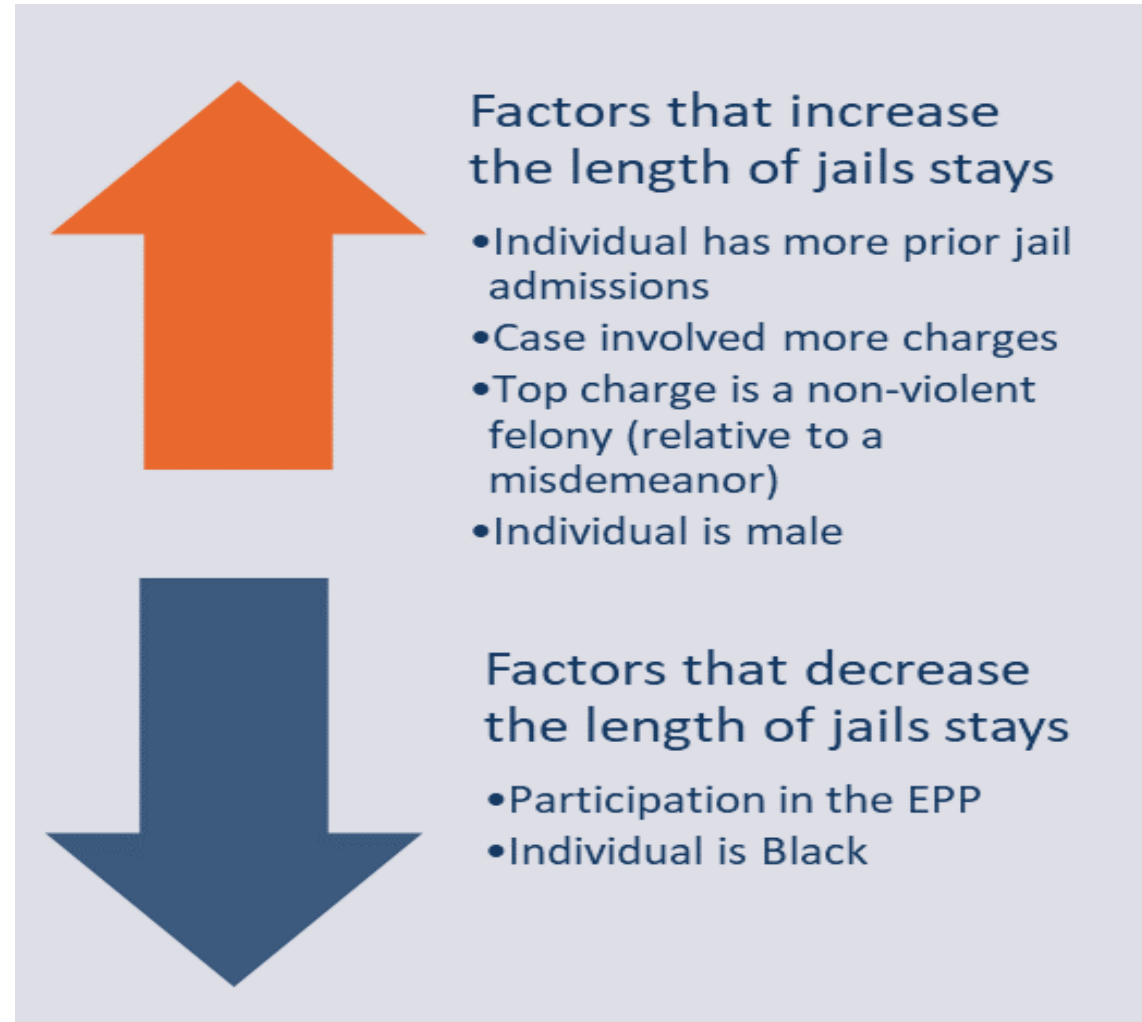


# Mean and Median Number of Days Detained for EPP Participants and Comparison Group

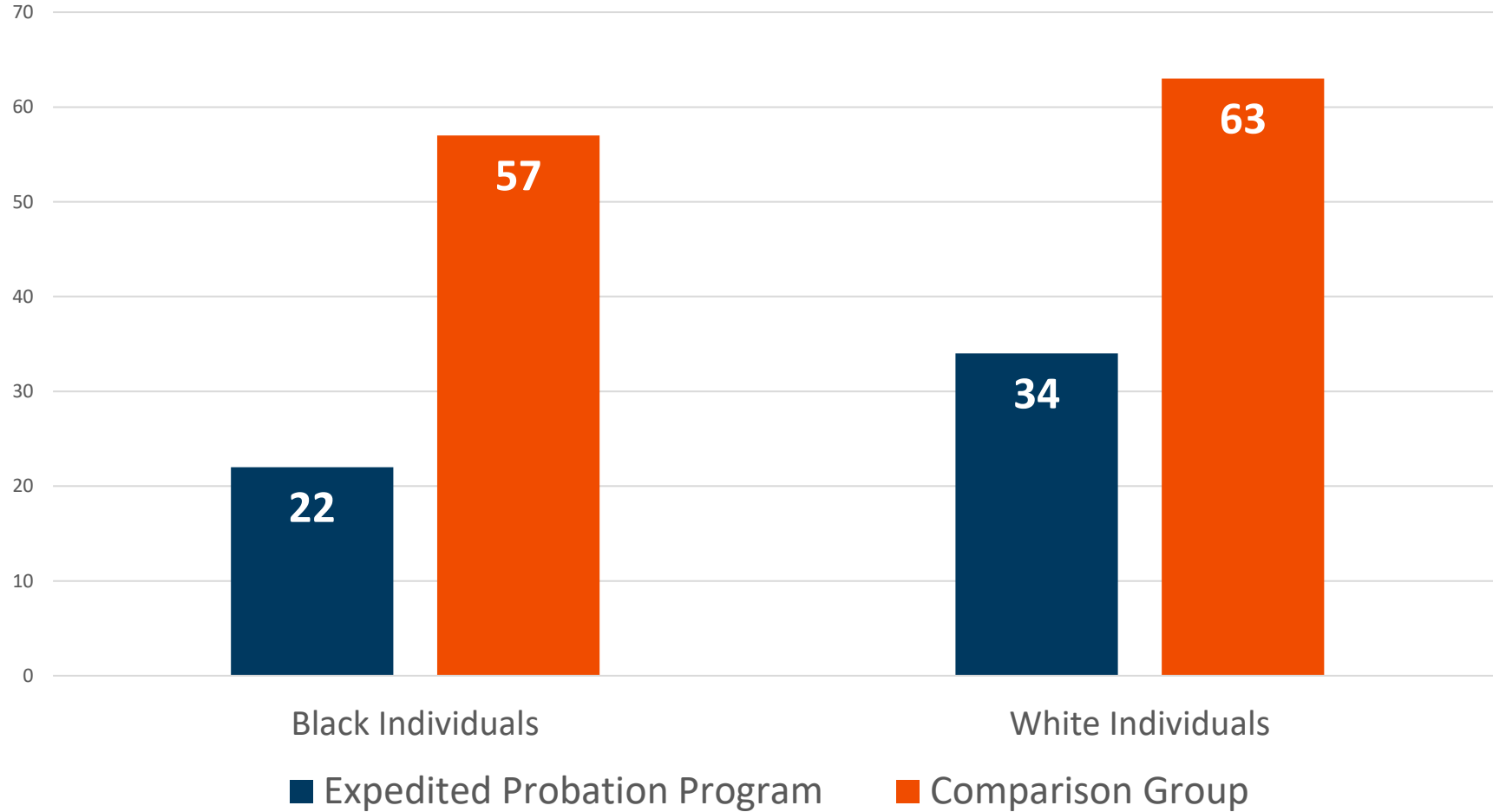




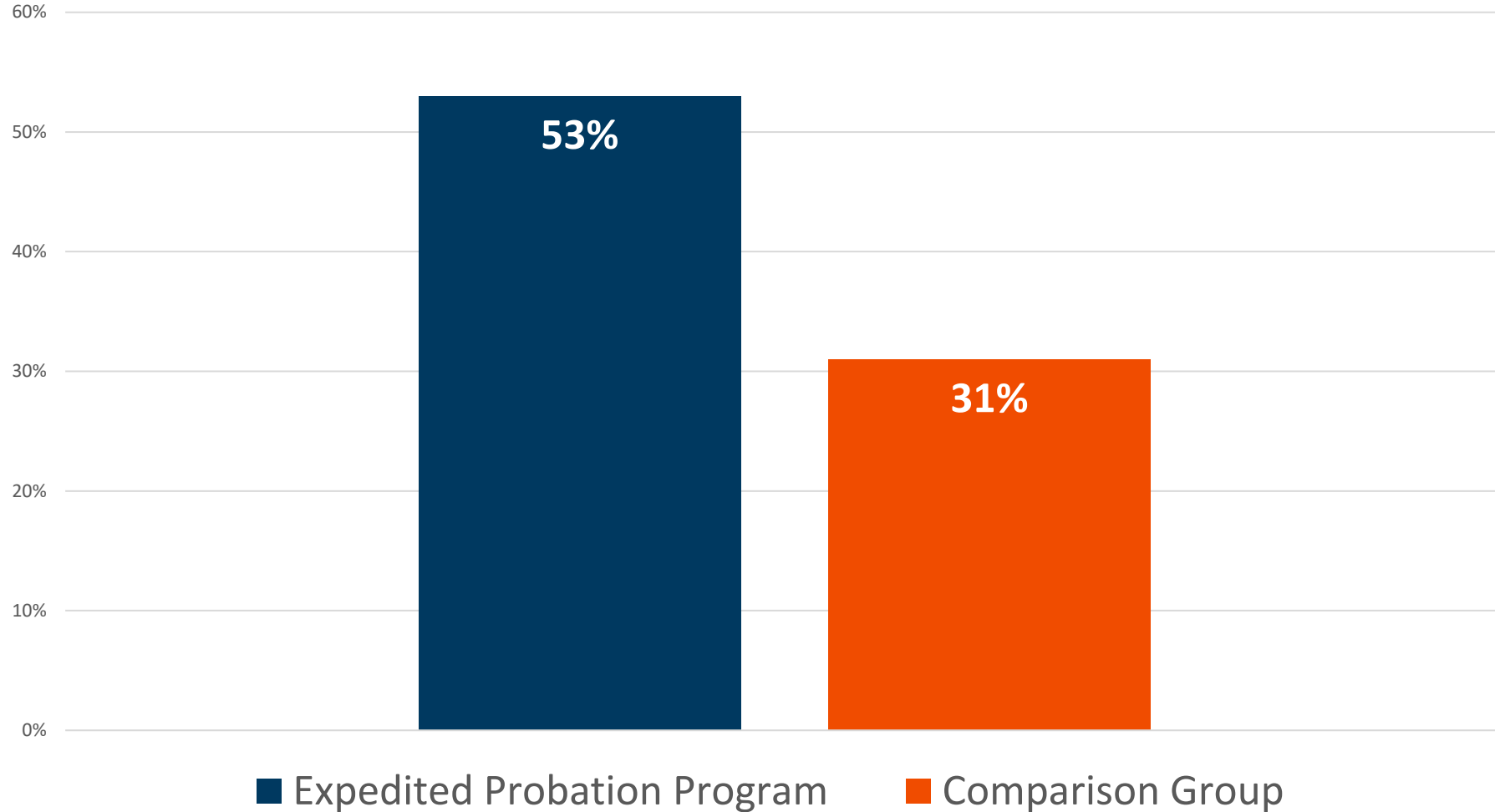
# What factors influence length of jail stays for people admitted for probation violations?



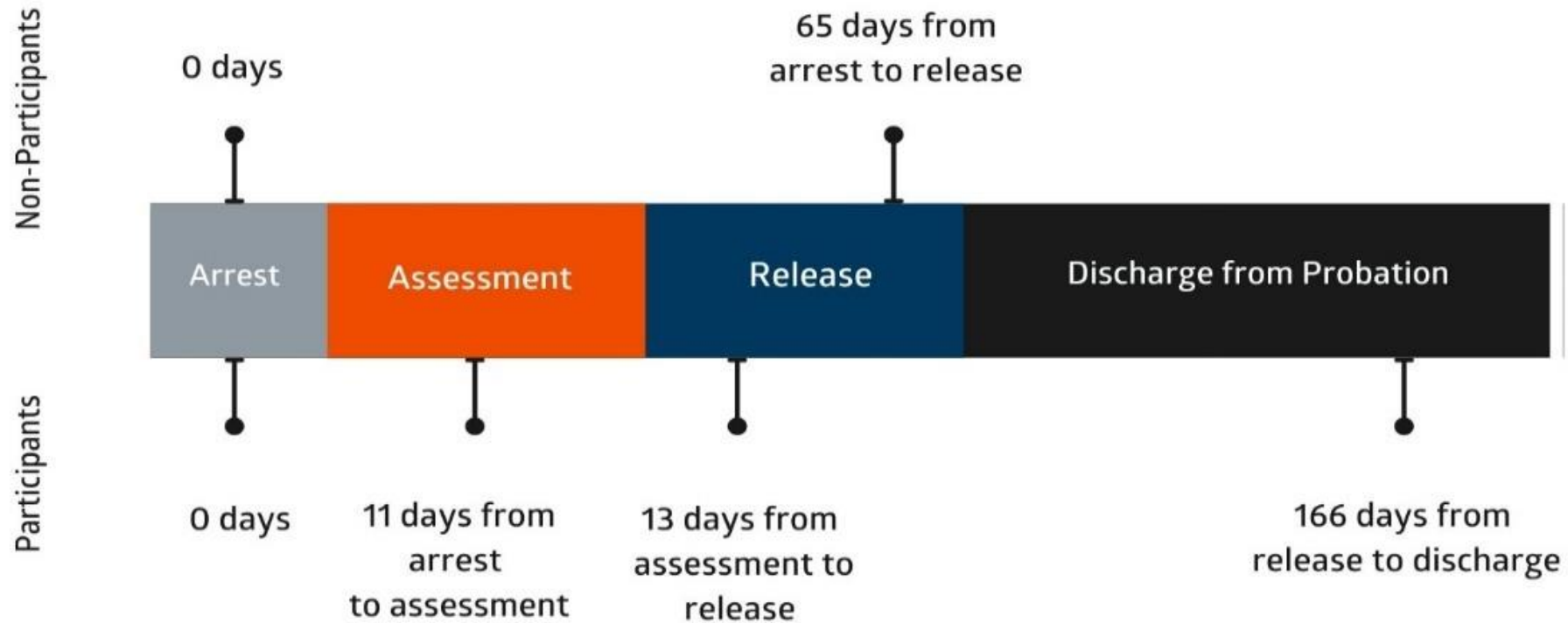
# Number of Days Detained for Black and White Participants



# Percent of Individuals in the EPP and Comparison Group Readmitted to Jail within a Year



# What's changed?

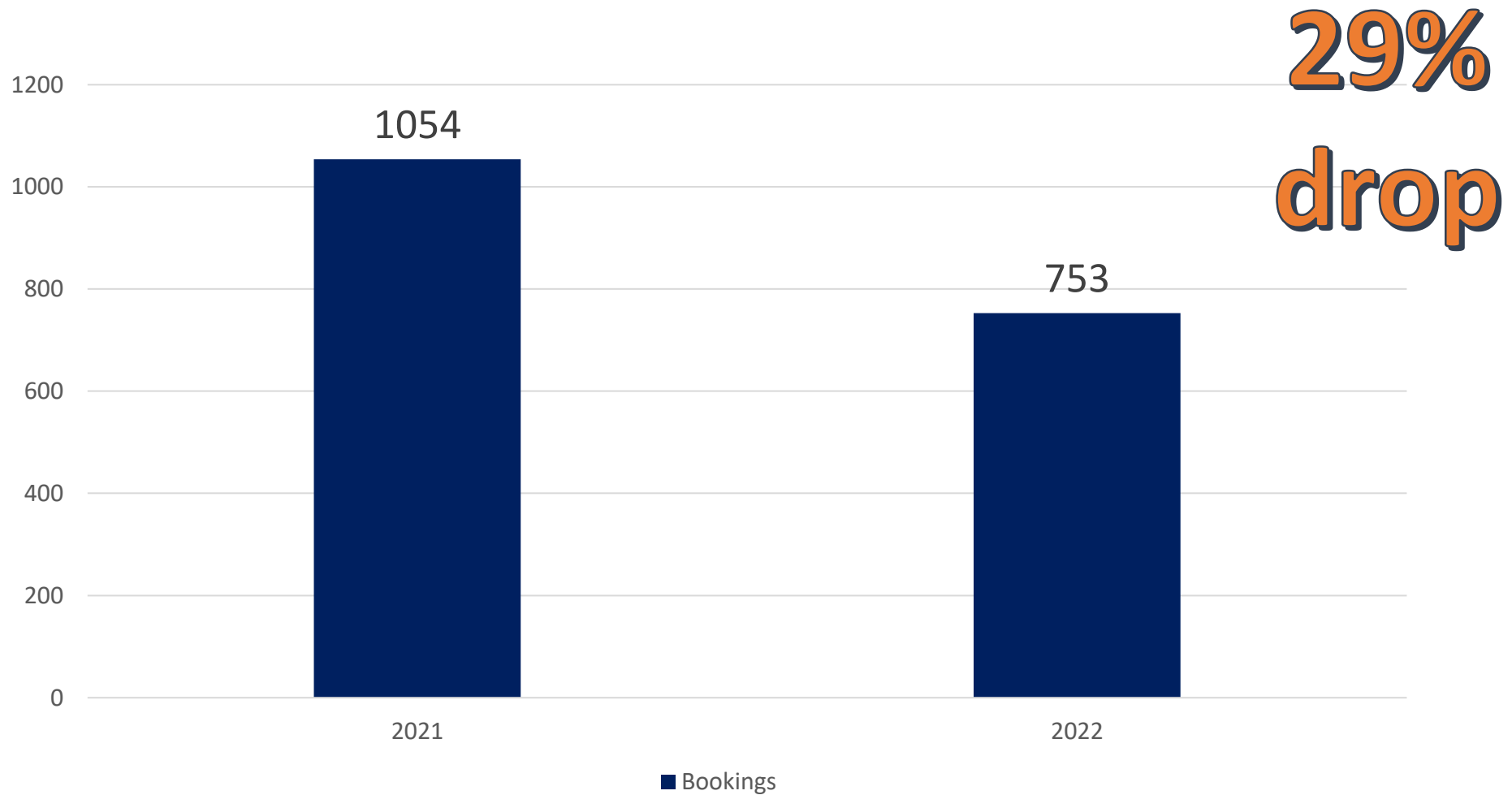


# Changes in Practice – Post Phase 1

- Use of the Ohio Risk Assessment System (ORAS) to match risk and need with probation interventions and services.
- Continued efforts to reduce the length of stay by enhancing relationships with judicial actors.
- Increase in the use of informal sanctions for violation behaviors in lieu of formal court action.



# Decline in Jail Bookings for Probation Violations



# Perceptions of Expedited Probation

- POs discussed the expedited probation program in a positive manner, citing its flexibility and efficiency
  - *“Well, it makes the process a lot easier and it's faster. You know, so you don't have the individual officers coming down and, you know, trying to take time out of their schedule to go, and you know, do the clients where we're here already, every day.”* - Officer Saint John

# REFLECTIONS & POLICY IMPLICATIONS

## Next Steps for Probation Reform

# Implementation Challenges

- Absconding as a critical event
- Right-sizing probation requirements
- *"You have clients doing a million things, and then you want them to have a job, and then you know, like boundaries, right, or balance. So now you have your probation, and you will try to manage normal life. And then, now I got an anger management class, and I got some class and then you know, all these different things, community service, and curfew, then I got to work. I'm not anti-probation, I'm saying **it's a lot for an individual potentially that has never learned how to manage the time correctly**, or, you know, prioritize things, so you throw a person who has never developed these, these systems of decision and expect now like, to make the right decision. So, there's a lot to balance." -XX*

# Policy Implications – Communication and Collaboration

- **Reduce time in the violation process.**
  - *"Because you feel like "Okay, **I'm wasting my time**. Every time I go, they keep continuing and keep continuing." Or sometimes a judge may, instead of a revocation hearing, you don't even receive anything. And they tell us it's our responsibility to look on CaseNet. That should not be our responsibility when we have other responsibilities." -Mary*



# Policy Implications – Communication and Collaboration

- **Collaborate with the judiciary.**
  - *"I think, as part of the violation process, I think **they should have POs on board with them to help make those decisions.** Even with the judges, when they meet with the judges, or whatever, have a PO sit in to help clarify some of those issues or those gaps to try to make it better. Because when they're making decisions, it's like, they're not thinking of the POS, because they're not the ones out here doing the work." - Norris*

# Policy Implications – Communication and Collaboration

- **Collaborate with the judiciary.**
  - Develop automated processes (computer system) to receive and respond to probation violations with officers.
  - Create unique dockets for probation violations.
  - Implement a consistent check-in process for the court to hold with clients
  - Design practices that enhance the role of probation officer recommendations.

# Policy Implications – Communication and Collaboration

- **Create unique dockets for probation violations.**
  - *"I worked in areas [where] they had particular probation officers who were liaisons to particular divisions, so if you have these six judges who gained a lot of criminal cases or a lot of probation violation cases, they would have **officers assigned to those divisions**, where if the judge needed information about a client or needed someone to notify a client to be in court, the judge knew who to go, who to contact. That liaison made it much more efficient... and another thing it did too [was] **built a better rapport I think between our agency and the courts.**" Larry*

# More Nuanced Focus on Revocation Hearings

- POs and clients discussed that they wished they had more input regarding revocation hearings
  - *“So, basically, when we recommend revocation in our violation report, we talk about everything from their strengths and their weaknesses, everything they have done, everything they haven’t done, and the reason why we think they’re a threat to the community. **And this is the reason why we recommend revocation. So, all of that is in the report once we submit it to the judge and the reason why we’re recommending revocation, but a lot of times once we go to court, it’s like, really, we’re just sitting there.**” - Officer Norris*

# Policy Implications—Task Allocation and Communication

- Assign specific officers to court dockets to improve the collaboration between probation and the court.
- Expand technology and policies for communicating virtually.
- Officer discretion in issuing a violation/citation for non-compliance is critical to maintaining lower levels of violation status or revocations

# WHAT IS THE ROLE OF JAIL INCARCERATION?



# MORE INFORMATION OR QUESTIONS?

BETH HUEBNER

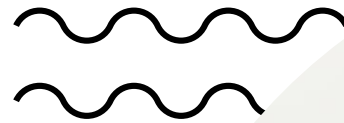
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# JUSTICE- INVOLVED WOMEN INITIATIVE

K r i s t i   W a r d



**WHAT IS THE JUSTICE-  
INVOLVED WOMEN  
(JIW) INITIATIVE?**





## **GOAL:**

To reduce recidivism by providing resources and assistance for female-centric needs to Justice-Involved Women while improving stability, safety and self-esteem.



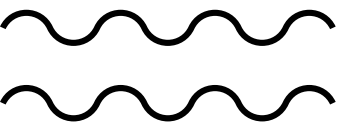
## JIW: TARGET POPULATION and the WHY

- 22% of MCAPD population are women
- Women's pathways to crime and offense patterns are different than men
- Identify unique barriers related to gender-specific issues including health and trauma

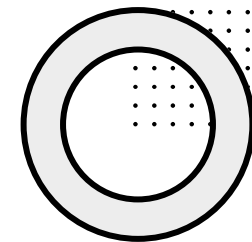
## SHIFT FOCUS AND INTERNAL REORG

- Develop caseloads without growth





# INITIATIVE DEVELOPMENT



**Creating protocol &  
screening criteria**



**WRNA**



**Building/expanding  
caseloads**



**Trauma Informed Care  
training**





## **COMMUNICATION, COLLABORATION & GRANT OPPORTUNITIES**

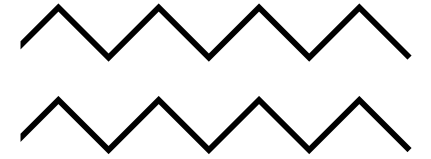
- SharePoint for Judicial Branch
- Treatment Providers: Gender-specific groups
- Community Partnerships: Womens Resources
- NIC Grant: WRNA Training







# JIW: MOVING IN THE RIGHT DIRECTION



## JIW CASELOAD

- Standard caseload ratio: 45 to 1
- Specialty caseloads:
  - Sex Offender
  - Drug Court
  - Intensive Probation
- Continuity of supervision

## CURRENT STATUS

- Since JIW inception:
  - 378 placed on JIW
  - 173 present waitlist
- Standard caseload comparison indicates a reduction in:
  - Petitions to revoke with technical violations only
  - Increase in Early Termination

## GROWING

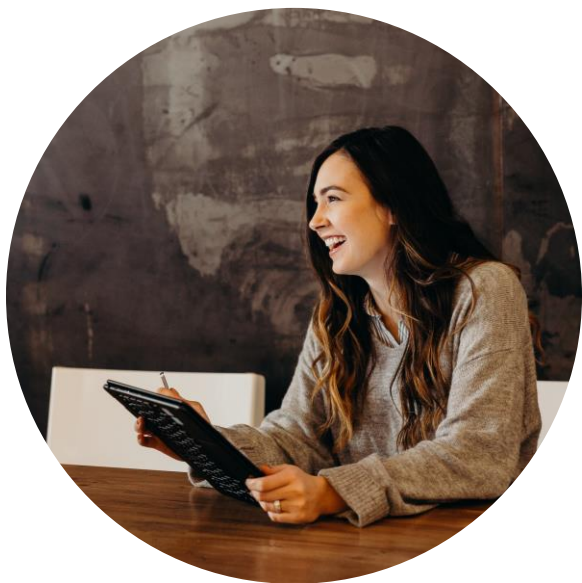
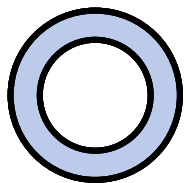
- Expansion within standard and other specialty including SMI and Re-Entry
- Target population: Jail and DOC releases
- New sentences







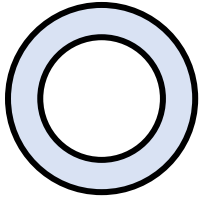
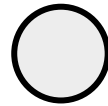
# SUMMARY



# THANK YOU

QUESTIONS?

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# REDUCING JAIL POPULATIONS

Intensive Probation Supervision

Statutory Changes

David Taylor





## TRAINING OBJECTIVES

- Explain what Intensive Probation Supervision is
- Explain the key revisions to IPS Statutes
- Understand what IPS was and what it is now
- Impacts of changes





## **IN PRISON SOON**

### **What is IPS?**

A.R.S. § 13-913 provides that intensive probation supervision is a highly structured and closely supervised probation which emphasizes the payment of restitution. Intensive Probation Supervision (IPS) will be most beneficial to those offenders assessed as medium-high and high risk. Research shows that IPS has potential negative impact for low-risk offenders.





# IN PRISON SOON

## Previous Focus of IPS

- Strict
- Structured
- Compliance Based
- High rate of immediate failure





## **I PLAN TO SUCCEED**

- Effective September 29, 2021
- A.R.S. § 13-913 provides that intensive probation supervision is a highly structured and closely supervised probation that emphasizes individualized intervention for a person who is deemed appropriate for the program.





## I PLAN TO SUCCEED

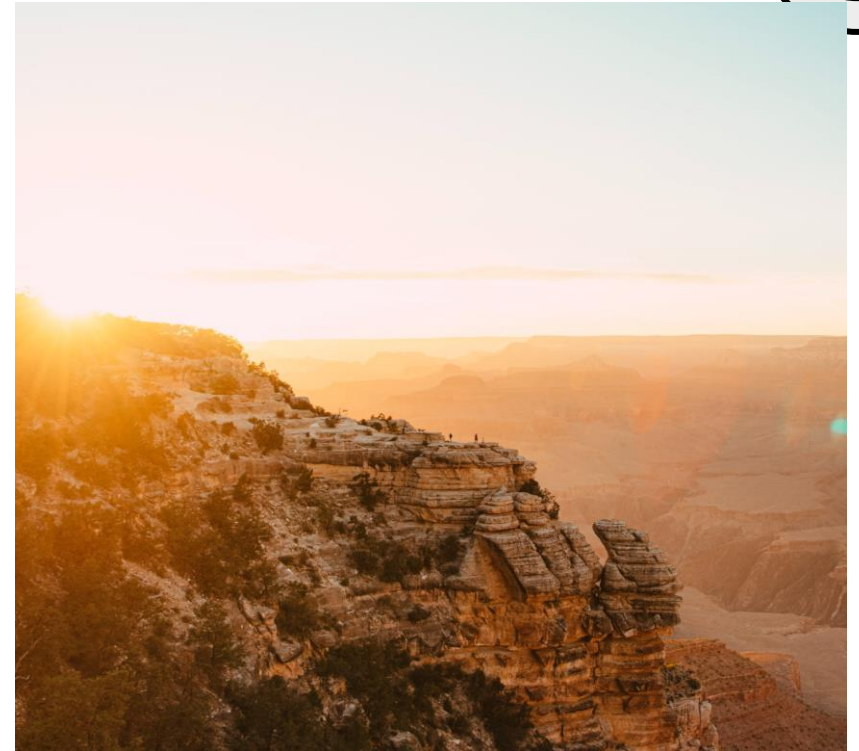
- Still Structured
- Focus is on individualized intervention
- High Risk individuals only
- More room for opportunity





## CRU TO IPS

- Community Reintegration Unit
- Outreach
- Reduction of Absconders





## INTENSIVE PROBATION SUPERVISION

- **Are we seeing success?**
  - 1 year prior to Sept 2021, we had a success rate of 65%
  - From October 2021 until July 2022 we have seen a success rate of 70%

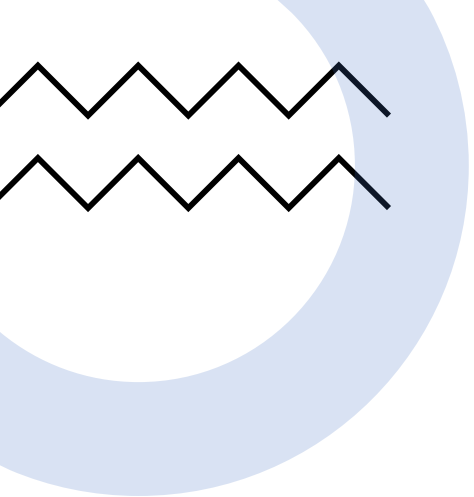




## INTENSIVE PROBATION SUPERVISION

- **Success on IPS means...**
  - Less new crimes
  - Fewer Victims
  - Another productive member of society
  - LESS JAIL DAYS!



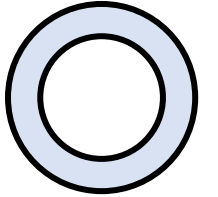
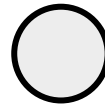


In Prision Soon  
to  
I Plan to Succeed



# THANK YOU

QUESTIONS?





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# SPEAKERS



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