

## Winter News 2021



Even as the situation surrounding the COVID-19 virus rapidly evolves, the Robina Institute is continuing its work, albeit remotely. We wish you and your friends and family well.

[Support the Robina Institute](#) in furthering our mission to create transformative change in sentencing law and correctional policies and practices.

## Thank You to the Robina Foundation

As intended, the Robina Foundation dissolved on December 31, 2020. We'd like to extend our deepest gratitude for their generosity in funding the foundational work of the Robina Institute and paving the way for our current and future projects and partnerships.

## New Robina Institute Project Aims to Examine Prison Release Practices During the Pandemic



We are pleased to announce that we have received support from [Arnold Ventures](#) to examine how states have made use of new and existing release levers to reduce prison populations in the wake of COVID-19. The 18-month project will build on the Institute's previous work in identifying the [levers of change in parole release](#) and other forms of [prison release discretion](#).

As the novel coronavirus has spread across the U.S., many states have made efforts to quickly reduce their prison populations in order to reduce the number of individuals at risk for exposure within prisons. This project will utilize multiple methods to identify the various discretionary levers used across states' release people from prisons in response to COVID-19 and to examine states' experiences as they engage in these efforts. The ultimate goal of the project is to chronicle the successes and barriers states experienced in utilizing back-end prison release mechanisms, and to explore what lessons can be learned that might be applied to long-term efforts to reduce mass incarceration.

## Michelle Phelps and Ebony Ruhland Publish "Governing Marginality: Coercion and Care in Probation" in *Social Problems*

[Governing Marginality: Coercion and Care in Probation](#)  
Michelle S. Phelps<sup>1</sup> and Ebony L. Ruhland<sup>2</sup>

<sup>1</sup>University of Minnesota and <sup>2</sup>University of Tennessee

**ABSTRACT**  
While the scale and consequences of mass incarceration in the United States have been well-documented over the past two decades, sociologists have focused less attention on what practices and the operation of community supervision, especially designed for a wider range of offenders, are responsible for maintaining the system. The purpose of this article is to explore the relationship between individual and system-level factors that govern citizens in the margins. We analyze probation data from over 100 focus groups conducted in 2016-2017 with adults on probation and parole officers in several jurisdictions across the country to show the interplay of marginal and non-marginal practices. Through an analysis of the data, we find that probation and parole officers are not simply enforcers of the law, but also social workers who provide services to support and guide their clients. We argue that probation practices function as levers of control and that the state's responsibility to care for its citizens is a central theme of probation and parole practices.

**KEYWORDS:** probation, marginal justice, probationers, welfare inequality

Over the past two decades, attention to the increased scale and deep harms of the U.S. criminal justice system has multiplied, with scholars detailing the deleterious effects of mass incarceration on individuals, work, and education; repression, violence, and racism; neighborhood well-being; and the racialized distribution of punishment. The system's operation is also a central theme of this article. This article examines the ways in which probation and parole officers are not simply enforcers of the law, but also social workers who provide services to support and guide their clients. We argue that probation practices function as levers of control and that the state's responsibility to care for its citizens is a central theme of probation and parole practices.

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[Governing Marginality: Coercion and Care in Probation](#) draws on qualitative data to explore the lived experience of probation—or criminal justice supervision in the community—and its benefits and harms for justice-involved adults. The authors argue that probation can provide supportive services like access (often mandated) to drug treatment programs, case management, and employment and housing assistance. Yet this support is paired with serious time and financial constraints and the threat of revocation, which is experienced as stressful and, at times, destabilizing.

The article was written by Michelle S. Phelps, Robina Faculty Affiliate and Associate Professor of Sociology at the University of Minnesota, and Ebony Ruhland, Robina's Former Research Director and Assistant Professor of Criminal Justice at the University of Cincinnati. The paper analyzes data collected for Robina's [Probation Revocation Project](#), which conducted over 100 focus groups in 2016-2017 with adults on probation and probation officers.

## Project Spotlight: Reducing Revocations Challenge



The Robina Institute has partnered with [Ramsey County Community Corrections](#) on the national [Reducing Revocations Challenge](#) project. Our goals with this project are to map out how probation revocations occur, identify the factors that lead to revocation, and identify solutions that can help people achieve success on probation. Since launching the project, we began data collection and analysis. We also established and held three meetings with an [Advisory Committee](#) comprising corrections staff, judges, prosecutors, defense attorneys, community treatment and service providers, and community members. The Advisory Committee provided great feedback as to their thoughts on why revocations might be occurring and areas we should look into as we continue this research.

## Sentencing Guidelines Resource Center Update

The Robina Institute's [Sentencing Guidelines Resource Center](#) provides information and downloadable materials related to American sentencing guidelines systems. The Resource Center collection includes current versions of the guidelines in each jurisdiction; materials produced by sentencing guidelines commissions (training manuals, worksheets, reports, meeting summaries, and more); guidelines enabling laws and other important sentencing-related statutes; summaries of important interpretive case law; in-depth information about sentencing guidelines and commissions; and detailed profiles of each guidelines system that allow for cross-jurisdictional comparisons.

**Recently updated jurisdictions include:**

[Utah](#)

[Virginia](#)

## Congratulations and Farewell to Dr. Erin Harbinson



Dr. Erin Harbinson has accepted the executive director position for the Criminal Justice Research Institute, located in the Office of the Chief Justice, Judiciary - State of Hawaii. As an invaluable member of the Robina research team for the last three years, Dr. Harbinson's contributions to the Institute cannot be overstated. We look forward to seeing all that she will accomplish in her new position.

## Welcome to Dr. Lily Gleicher



[Dr. Lily Gleicher](#) joined the Robina Institute as a Research Scholar on January 11. Prior to joining the Institute, Lily was a Research Analyst for the Illinois Criminal Justice Information Authority where she worked on a variety of projects related to criminal justice issues around Illinois. Her research interests include implementation and sustainability of evidence-based practices, correctional treatment and rehabilitation, probation and parole, reentry, mental and behavioral health, and criminal justice and correctional policy.

## Welcome to Lily Hanrath



[Lily Hanrath](#) joined the Robina Institute as a Research Fellow on February 10. Lily received her master's degree from Pennsylvania State University and will receive her PhD from the same in May 2021. Her dissertation examines case progression on child abuse cases in law enforcement and Child Protective Service (CPS) organizations and how policies inform information-sharing and collaboration between the two systems. She has also worked on projects on the death penalty, sentencing, and bail outcomes. She is particularly interested in racial and gender disparity in criminal justice outcomes, actor decision-making, and the interplay between different divisions of the justice system.

## In the News

### [Executive Director Kelly Mitchell Publishes Article in the Federal Sentencing Reporter Focused on Her Efforts to Address Racial Disparities in Sentencing via Her Role as Chair of the MN Sentencing Guidelines Commission](#)



### [Professor Richard Frase Publishes Guide to the Major Legal Issues Posed by the Pending Prosecutions of the Four Officers Charged With the Death of George Floyd](#)



### [Research Scholar Julia Laskorunsky Quoted in Post Bulletin Article on COVID-19 and Compassionate Release in Federal Prisons](#)

