Disrupting the Probation to Incarceration Pathway:
Translating Research into Action

Zoom Webinar
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To send comments or questions to today’s speakers:
CLE Credit Event Code: 476739

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Ramsey County Community Corrections
Reducing Revocations Challenge

OVERVIEW OF THE CHALLENGE
What is the Reducing Revocations Challenge?

- National initiative dedicated to transforming probation supervision and reducing the unnecessary failures that contribute to mass incarceration through the identification, piloting, and testing of promising data-driven solutions that:
  - Prevent new criminal activity without over-punishing less harmful behaviors
  - Advance racial equity in outcomes

- Approach/Strategy:
  - Action research and solution development in multiple diverse sites
  - All solutions grounded in research findings about drivers of local violations and revocations
  - Action research teams (ARTs): partnership between probation agency and research organization
Why Did Arnold Ventures/CUNY ISLG Launch the Reducing Revocations Challenge?

- Despite evidence-based practices, violations and revocations to jail or prison remain prevalent among probation populations

  *Almost 1 in 3 probation exits are unsuccessful*

- We don’t know enough about what drives these outcomes locally

  *Almost 1 in 4 prison admissions are due to a probation violation*
Reducing Revocations Challenge Overview

**Phase I**

Action research in 10 sites

*Who is most likely to be revoked?*

*For what types of noncompliance?*

*What are the drivers?*

- Policy and practice review
- Administrative data analysis
- Interviews and focus groups
- Case file reviews

**Phase II**

Strategy planning and implementation in 5 sites

*Targeted strategies grounded in Phase I findings*

*Focus on racial equity in outcomes*

- In-depth operational planning
- Initial implementation
- Ongoing implementation and monitoring

Technical Assistance and Peer Learning
Revocation Rates by Twin Cities Area Metro Counties

Of the seven counties that comprise the Twin Cities metropolitan area, Ramsey County had the highest probation revocation rate.

<table>
<thead>
<tr>
<th>County</th>
<th>Number of Felony Probation Cases Sentenced (2002 – 2016)</th>
<th>Number of Revocations (through Dec 31, 2017)</th>
<th>Percentage of Cases Revoked</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ramsey</td>
<td>20,400</td>
<td>4,174</td>
<td>20.5%</td>
</tr>
<tr>
<td>Washington</td>
<td>5,230</td>
<td>951</td>
<td>18.2%</td>
</tr>
<tr>
<td>Anoka</td>
<td>9,387</td>
<td>1,316</td>
<td>14.0%</td>
</tr>
<tr>
<td>Scott</td>
<td>3,212</td>
<td>446</td>
<td>13.9%</td>
</tr>
<tr>
<td>Hennepin</td>
<td>31,044</td>
<td>3,602</td>
<td>11.6%</td>
</tr>
<tr>
<td>Dakota</td>
<td>11,386</td>
<td>1,165</td>
<td>10.2%</td>
</tr>
<tr>
<td>Carver</td>
<td>1,500</td>
<td>117</td>
<td>7.8%</td>
</tr>
</tbody>
</table>

Ramsey County Probation Revocation Rates by Race and Ethnicity

At the same time, individuals who were Black and American Indian had the highest revocation rates to prison.

Overview of Robina-Ramsey County Partnership

2013 - 2016
• Ramsey County Community Corrections (RCCC) is one of six jurisdictions selected by Robina as part of its profile of community supervision and probation revocation practices

2017
• Strategic goal of More Community, Less Confinement established by RCCD
• RCCC approached Robina to discuss partnering to explore revocations

2018
• Countywide strategic goal of Advancing Race and Health Equity in All Decision-Making is established
• RCCC and Robina identify initial research questions, collect data and conduct analysis
Disrupting the Probation to Incarceration Pathway: Translating Research into Action

SUMMARY OF RESEARCH FINDINGS

Lily Hanrath
Research Scholar
Robina Institute

Edward Hauck
Planning and Evaluation Analyst
Ramsey County Community Corrections
About Ramsey County, Minnesota

- 550,000 residents
- St. Paul (not Minneapolis!)
- The geographically smallest and most densely populated of Minnesota’s 87 counties
- The most racially and ethnically diverse county in the state
Minnesota’s Community Corrections Delivery System

- Minnesota has a decentralized, three-tiered delivery system.

- Delivery system decisions rest with each county’s Board of Commissioners and each system has different funding streams and oversight structure.

- Minnesota has far more people on community supervision than incarcerated in local jails or state prison.

<table>
<thead>
<tr>
<th>Community Supervision</th>
<th>State Prison or Local Jail</th>
<th>Total Correctional Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population</td>
<td>105,600</td>
<td>15,900</td>
</tr>
<tr>
<td>Rate (per 100,000 adult residents)</td>
<td>2,430</td>
<td>370</td>
</tr>
<tr>
<td>National Rank</td>
<td>6th</td>
<td>45th</td>
</tr>
</tbody>
</table>

The Ramsey County Probation Pathway from System Perspective

1. Sentencing

2. No Misconduct or Violation
3. Misconduct

4. Informal Response (i.e., memo to court, discussion)
5. Formal Response (probation violation filed)

6. New Crime
7. Technical

8. Warrant
9. Summon
10. Probation Review Bench Warrant

11. Resolvable / Unresolvable
12. Convert to warrant
13. Continue on probation if report

14. Hearing
15. Revoke
16. Jail and Discharge
17. Continue Probation

18. Discharge

Note: Continuing probation could include jail sanction, additional conditions, and/or amending sentence from a stay of imposition to stay of execution.
Research questions

- What is the pathway to revocation for people on probation in Ramsey County?
- What are the drivers of probation violations and revocations in Ramsey County?

Data sources

- Legal and policy review
- Interviews (probation officers, judges, prosecutors, defense attorneys, service providers)
- Administrative data (data from probation system plus hand coded data from file review)
Data Challenges

Need for Manual File Review
The electronic data did not have all variables we were interested in tracking and analyzing, so it was necessary to conduct a manual file review to pull more detail.

Multiple Violations
Often, when a violation is filed, there are multiple allegations that the person violated probation. To simplify the analysis, research staff made judgment calls about which violation was the “driver” or main reason the person was being violated.
Study Population

- Adults who started probation in 2016 – total of 3,005 people
- Followed for 2 years

Offense Level
- Felony: 853, 28%
- Gross Misdemeanor: 1279, 43%
- Misdemeanor: 873, 29%

Race/Ethnicity
- White: 61% adults on probation, 42% Ramsey County Residents
- Black: 34% adults on probation, 2% Ramsey County Residents
- Asian: 15% adults on probation, 11% Ramsey County Residents
- Hispanic: 8% adults on probation, 5% Ramsey County Residents
- Native American: 2% adults on probation, 2% Ramsey County Residents
- Multi-Racial: 4% adults on probation, 1% Ramsey County Residents
Overall Outcomes
Prevalence and Frequency of Probation Violations

- Sixty one percent (61%) of individuals did not have a probation violation.
- Of those who did have a probation violation - 64% had just one, 36% had two or more.

<table>
<thead>
<tr>
<th>Number of Violations</th>
<th>Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td>1,824</td>
</tr>
<tr>
<td>One</td>
<td>756</td>
</tr>
<tr>
<td>Two</td>
<td>284</td>
</tr>
<tr>
<td>Three</td>
<td>105</td>
</tr>
<tr>
<td>Four</td>
<td>25</td>
</tr>
<tr>
<td>Five</td>
<td>11</td>
</tr>
</tbody>
</table>

No Violation: 61% n= 1,824
At Least One Violation: 39% n= 1,181
What About Success?: Early Discharge

We actually set reminders to review clients automatically for early discharge. We do get very busy, though, because we have a super-high caseload. Unfortunately, that's the like last thing that... but they do get... we do review everybody. It's just a matter of time of if we do it right when they're eligible or a couple of months after they're eligible. If they reach out, we address it immediately, if the clients reach out.

- Probation Officer
The Probation Violation Pathway

- The majority of probation revocations resulted in local incarceration (58%).
- Additionally, in cases where the violation was found and probation was continued, more than half (57%) also received some period of confinement. Thus, jail was the default sanction for a violation.
Jail as the Default Sanction for a Violation

In most cases, when you feel like there’s still room and time to work with them, that you just feel they need an immediate consequence for the behaviors that they’re showing right then and then you can continue to work with them after that. I always tell my clients like, ‘Once this violation is done, you get a fresh start. You’re a clean slate again and we’re working from the beginning time almost.’

- Probation Officer
Jail as the Default Sanction for a Violation

I am hard-pressed to think of more than a few occasions where I've gone to court and the recommendation has been something other than, ‘They should go to jail.’ It's not... ‘they sat in jail for five days...This is enough.’ It is a minimum, go serve 30 days, go serve 120 days....I always see the recommended consequence being the same.

- Defense Attorney
Probation Violations

<table>
<thead>
<tr>
<th>Category</th>
<th>No Violation</th>
<th>At Least One Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>All</td>
<td>1824</td>
<td>1181</td>
</tr>
<tr>
<td>Felonies</td>
<td>567</td>
<td>370</td>
</tr>
<tr>
<td>Gross Misdemeanors</td>
<td>306</td>
<td>483</td>
</tr>
<tr>
<td>Misdemeanors</td>
<td>887</td>
<td>392</td>
</tr>
</tbody>
</table>

- No Violation
- At Least One Violation

Percentages:
- 0% 10% 20% 30% 40% 50% 60% 70% 80% 90% 100%
First Probation Violation Outcome

- Misdemeanor: 153 Continued, 182 Revoked (54% Revoked)
- Gross Misdemeanor: 186 Continued, 79 Revoked (30% Revoked)
- Felony: 356 Continued, 84 Revoked (19% Revoked)
- All: 695 Continued, 345 Revoked (33% Revoked)
Context for Misdemeanor Revocations

"I would have continued to give that person opportunities to try to complete these things because you're not committing new offenses and you're not a risk to public safety because you're not having police contact. That's my bigger thing. Now, I don't have any time left to give you these opportunities and we've had conversations about them. Now it's really up to the judge..."

- Probation Officer
PO Recommendation vs. Court Decision

- **New Crime**
  - PO Rec. 51%
  - Court Decision 41%
  - Difference: +8%

- **Technical**
  - PO Rec. 64%
  - Court Decision 36%
  - Difference: +8%

- **Compared Data**
  - Court Decision vs. PO Rec. for New Crime: +8%
  - Court Decision vs. PO Rec. for Technical: +8%
POs May Change Their Recommendations

“...My whole reason why I want to be at court is for the client. I like to be there. I like to see them before the hearing and talk to them because that’s when I find out... if this is someone I haven’t seen in six months or a year and a half, or two years... people can be on warrant for a long time... and I see them. I want to know what’s been happening over the last year or six months, what happened? [...] a lot of times I’ve changed my recommendation based on that.

- Probation Officer
Outcomes by Race
Probation Violations by Race and Offense Level

Felony Cases

- All: 483
- White: 170
- Black: 209
- Asian: 46
- Hispanic: 23
- Native American: 13

Gross Misdemeanor / Misdemeanor Cases

- All: 698
- White: 236
- Black: 287
- Asian: 48
- Hispanic: 36
- Native American: 25
- Multi-Racial: 24

* Indicates less than 5 people in this group.
## Revocations by Race and Offense Level

The table below illustrates the distribution of revoked cases by race and offense level, comparing felony cases to gross misdemeanor / misdemeanor cases.

<table>
<thead>
<tr>
<th>Race</th>
<th>Felony Cases</th>
<th>Gross Misdemeanor / Misdemeanor Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All</td>
<td>White</td>
</tr>
<tr>
<td></td>
<td>356</td>
<td>345</td>
</tr>
<tr>
<td></td>
<td>White</td>
<td>134</td>
</tr>
<tr>
<td></td>
<td>Black</td>
<td>148</td>
</tr>
<tr>
<td></td>
<td>Asian</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td>Hispanic</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>Native American</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>Multi-Racial</td>
<td>*</td>
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<td>6</td>
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<td></td>
<td></td>
<td>8</td>
</tr>
</tbody>
</table>

- **Indicates less than 5 people in this group.**

- The blue bars represent continued cases, while the orange bars represent revoked cases.

### Notes:
- The data represents a subset of felony cases and gross misdemeanor / misdemeanor cases.
- The distribution is compared across different racial categories:
Race and the Probation Pathway

Racial rage and anger look the same, but they aren’t the same. I can go to anger management class, go through it with flying colors, and still end up with a problem later on because I never got a chance to deal with that accumulation of being degraded and devalued not only within my everyday work, but by the system itself. The system is just another level of devaluing me as a Black man, which feeds my rage. If I didn't recognize my rage, then my rage ends up being my worst nightmare.

- Community Service Provider
Outcomes by Violation Type
One-third of probation violations were driven by a new crime/offense; two-thirds were due to technical violations of probation terms and conditions.

Failure to maintain contact with probation was the most common driver of technical noncompliance.
New Crime Violations

“...our department policy says if somebody has a formal, criminal-complaint, person offense, we file a violation and we ask that they’re held pending the resolution to that new matter. We have a huge public safety issue when offenders are putting their hands on your people. That’s the only policy that we have that says you absolutely have to file a violation.”

- Probation Officer
Lacking Basic Needs as the Driver of Violations

The sense that I get about probationers and defendants is that it’s never one issue, right? **It might be chemical dependency, plus housing, plus employment, plus who knows what else.** I wonder how well those various needs are being addressed.

- Prosecutor

Most of my clients live in a world that’s very much about today. “Where am I going to be today? Where am I going to sleep today?” The more long-term planning presents challenges, even when it comes to contact, because they may have a phone number that works today, but that phone number is not going to be on in three months.

- Defense Attorney
Underlying Reasons for Failure to Maintain Contact

...the people who are intentionally absconding seem to be few and the people who are absconding frequently are the people who are struggling with things like mental illness and homelessness, maybe both. The other thing that I look at, and unfortunately it seems like it’s so many of the cases — whether or not there’s a drug charge involved — is chemical dependency. When I see absconding, I don’t think much about absconding.

- Prosecutor
Quick questions about the data?
Chris Mba
Racial and Health Equity Planner
Ramsey County Community Corrections

Judge Reynaldo A. Aligada, Jr.
Judge
Second Judicial District of Minnesota

Corey Hazelton
Assistant Division Director of Adult Field Services
Ramsey County Community Corrections

Leah Bower
Research and Evaluation Supervisor
Ramsey County Community Corrections

Lyle H. Iron
Mocassin GCDF
Outreach/Re-Entry Coordinator
American Indian OIC/Takoda Institute

Chris Mba
Racial and Health Equity Planner
Ramsey County Community Corrections
Three Lane Strategy for Increasing the Success of People on Probation

<table>
<thead>
<tr>
<th>Lane</th>
<th>Vision</th>
<th>Target Population</th>
<th>Potential Strategies</th>
</tr>
</thead>
</table>
| Lane 1 | Equitably reduce correctional footprint | Cases in which people do not need to be on probation | • Identify cases that could be unsupervised  
• Review cases with long probation sentences  
• Develop early discharge policies |
| Lane 2 | Equitably amplify social, health, and welfare services and reduce technical violations | Cases in which people may currently be over-supervised, and need a high level of social services/supports | • Increase collaboration between social services and corrections  
• Incorporate incentives and other policy changes into response protocols  
• Reduce the number of probation conditions and individualize conditions to target criminogenic needs. |
| Lane 3 | Equitably promote behavioral change and prevent reoffending by providing correctional interventions | Cases in which people are recommended for prison but receive probation or are at a high risk for reoffending | • Create navigator positions  
• Study failure to maintain contact and develop interventions  
• Update guidelines for the use and duration of confinement as sanction. |
Time to First Probation Violation

- Most probation violations occurred within the first year of probation, most often within the first 6-8 months.
- After a year, the number of people with a violation drops dramatically, so the early days of probation are a critical time for connecting with that person or providing interventions that might prevent violations.