



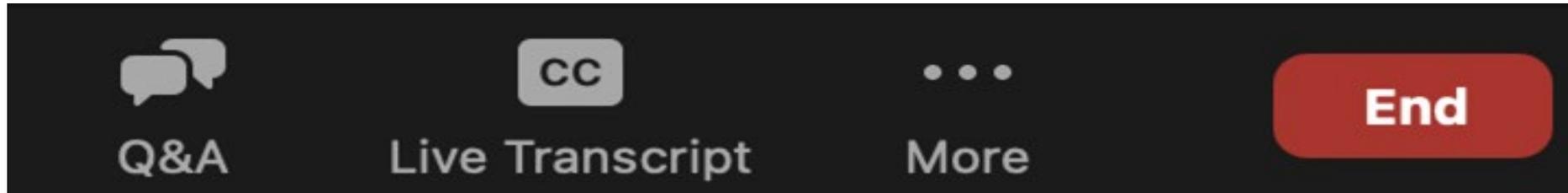
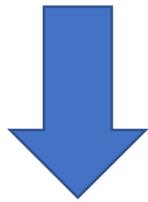
Disrupting the Probation to Incarceration Pathway:

Translating Research into Action

Zoom Webinar
December 7, 2022



To send comments or questions to today's speakers:



CLE Credit Event Code: 476739



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Reducing Revocations Challenge

OVERVIEW OF THE CHALLENGE



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GOVERNANCE**



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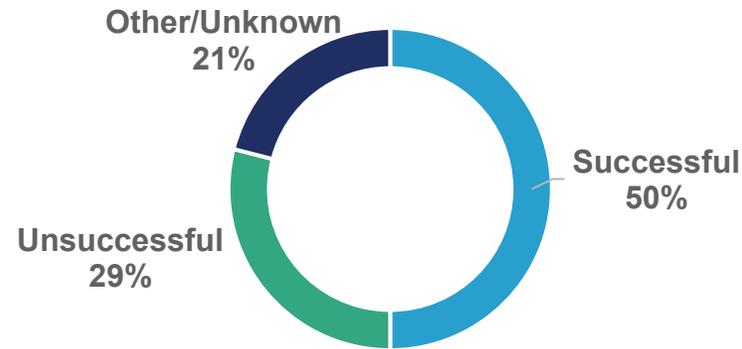
What is the Reducing Revocations Challenge?

- 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

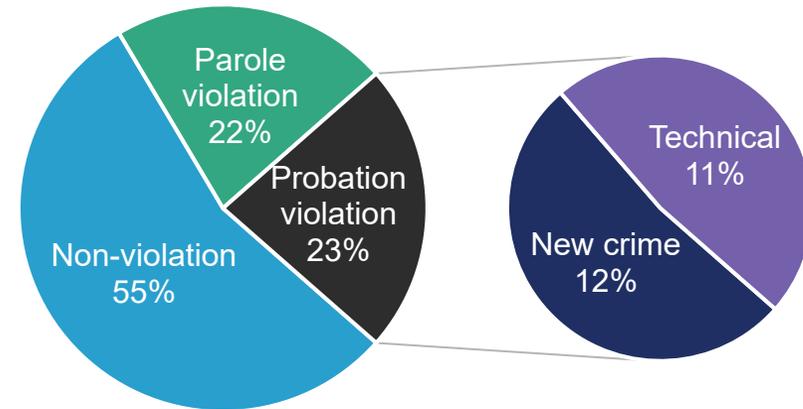
Why Did Arnold Ventures/CUNY ISLG Launch the Reducing Revocations Challenge?

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

Almost 1 in 3 probation exits are unsuccessful



Almost 1 in 4 prison admissions are due to a probation violation



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

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



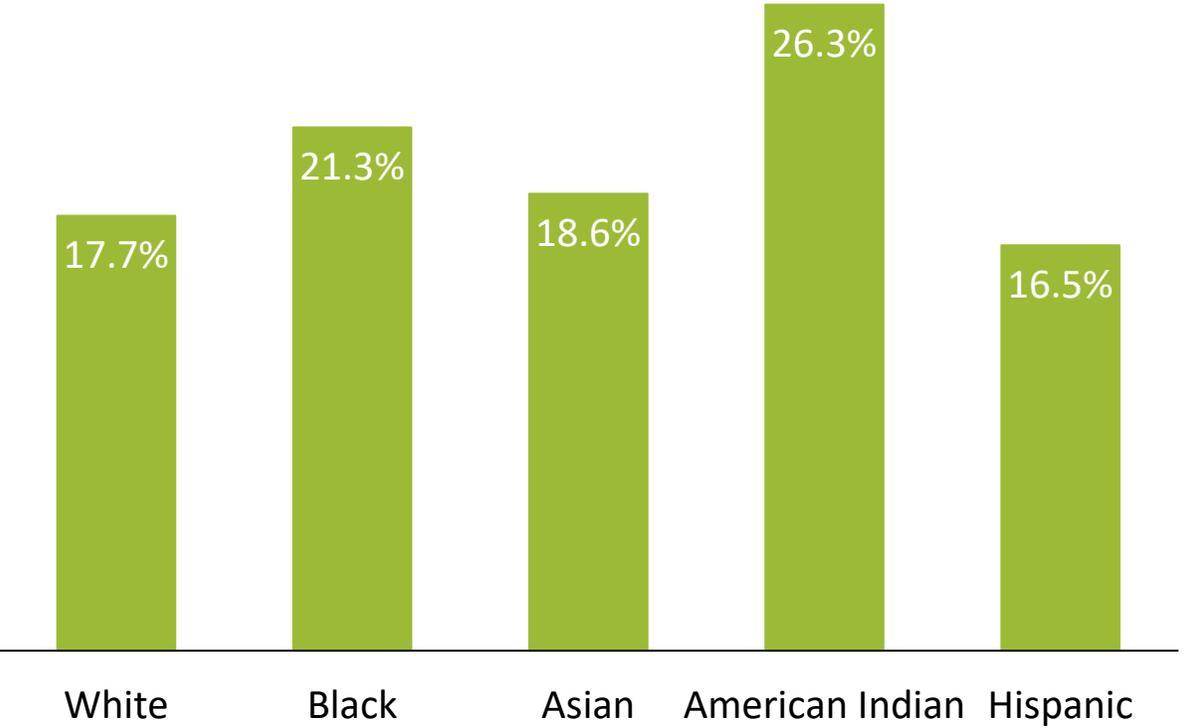
County	Number of Felony Probation Cases Sentenced (2002 – 2016)	Number of Revocations (through Dec 31, 2017)	Percentage of Cases Revoked
Ramsey	20,400	4,174	20.5%
Washington	5,230	951	18.2%
Anoka	9,387	1,316	14.0%
Scott	3,212	446	13.9%
Hennepin	31,044	3,602	11.6%
Dakota	11,386	1,165	10.2%
Carver	1,500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

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.

Data Source: Minnesota Sentencing Guidelines Commission, *2017 Probation Revocations: Offenders Sentenced from 2002-2016 and Revoked to Prison through 2017* (January 2019).

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.

Data Source: Minnesota Sentencing Guidelines Commission, *2018 Probation Revocations: Offenders Sentenced from 2003-2017 and Revoked to Prison through 2018* (February 2020).

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

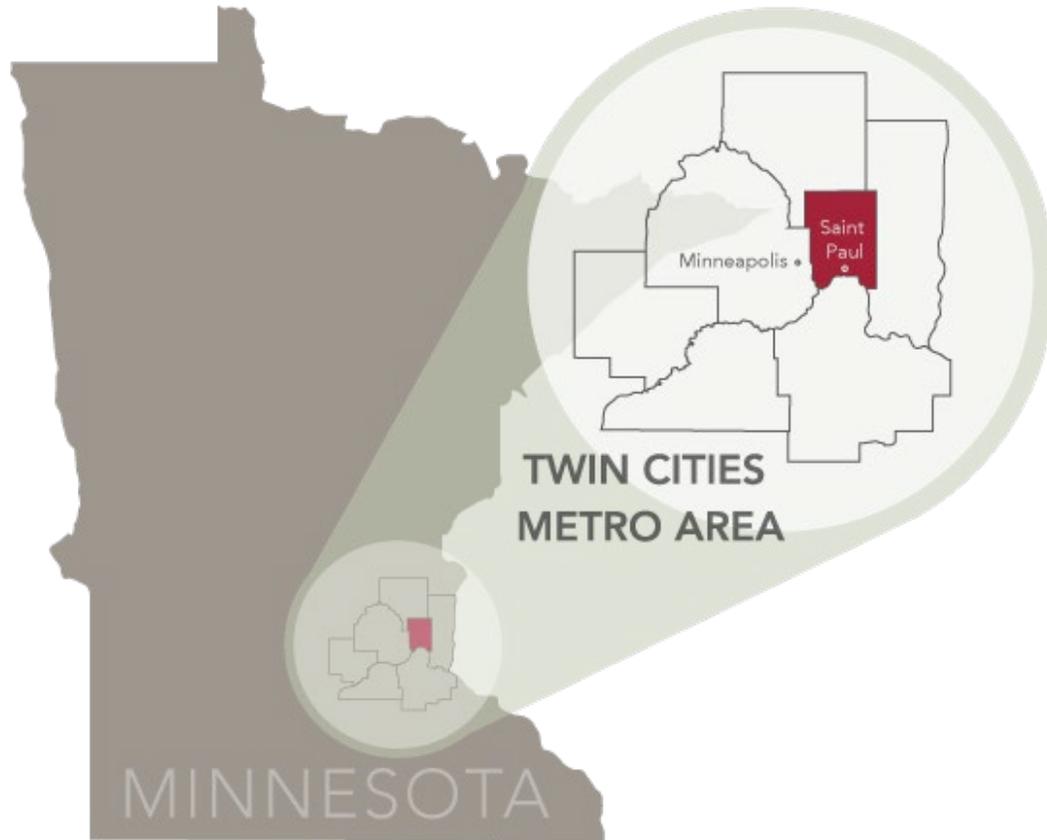
Disrupting the Probation to Incarceration Pathway: Translating Research into Action

SUMMARY OF RESEARCH FINDINGS

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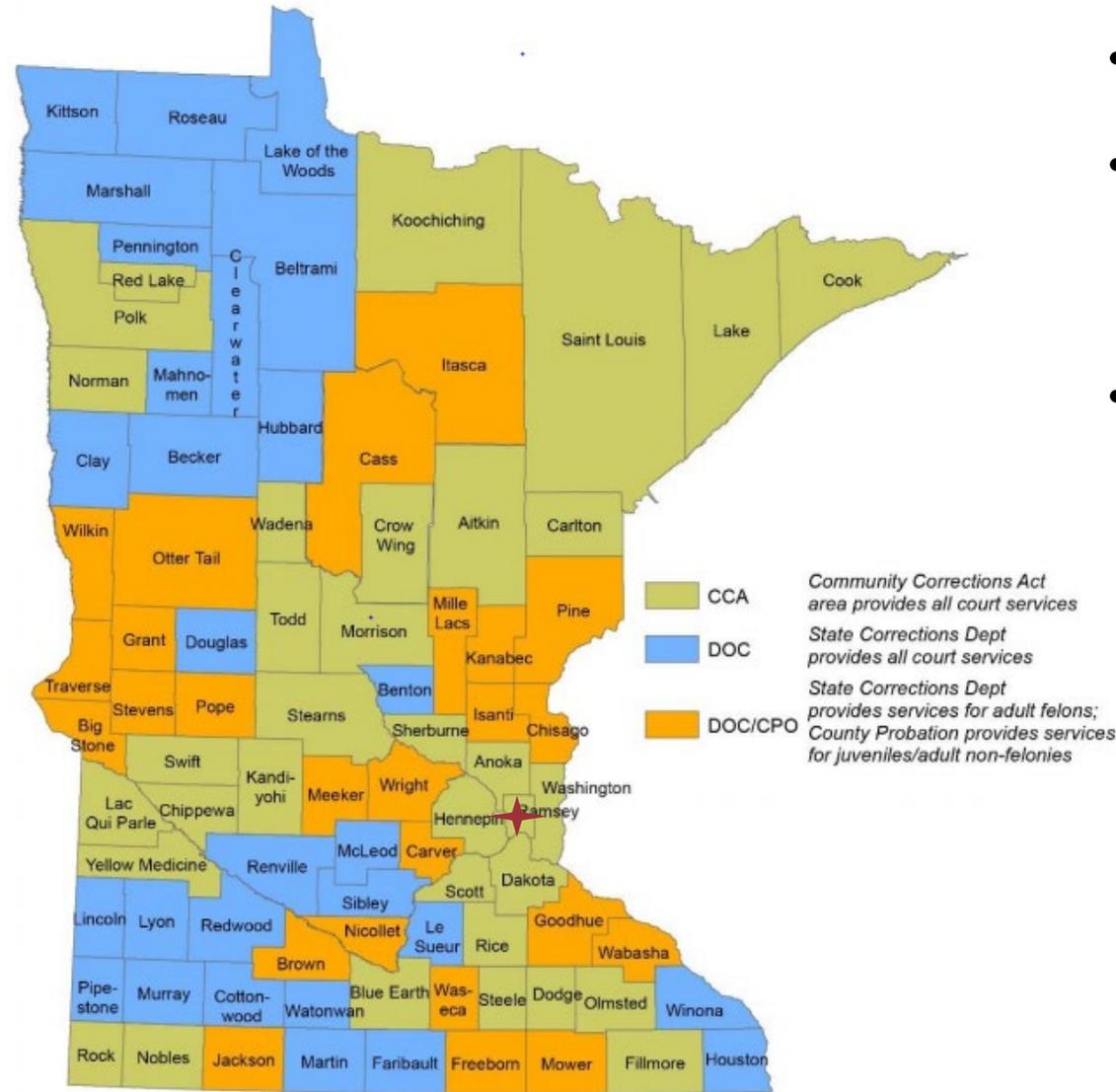
About Ramsey County, Minnesota



- 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.

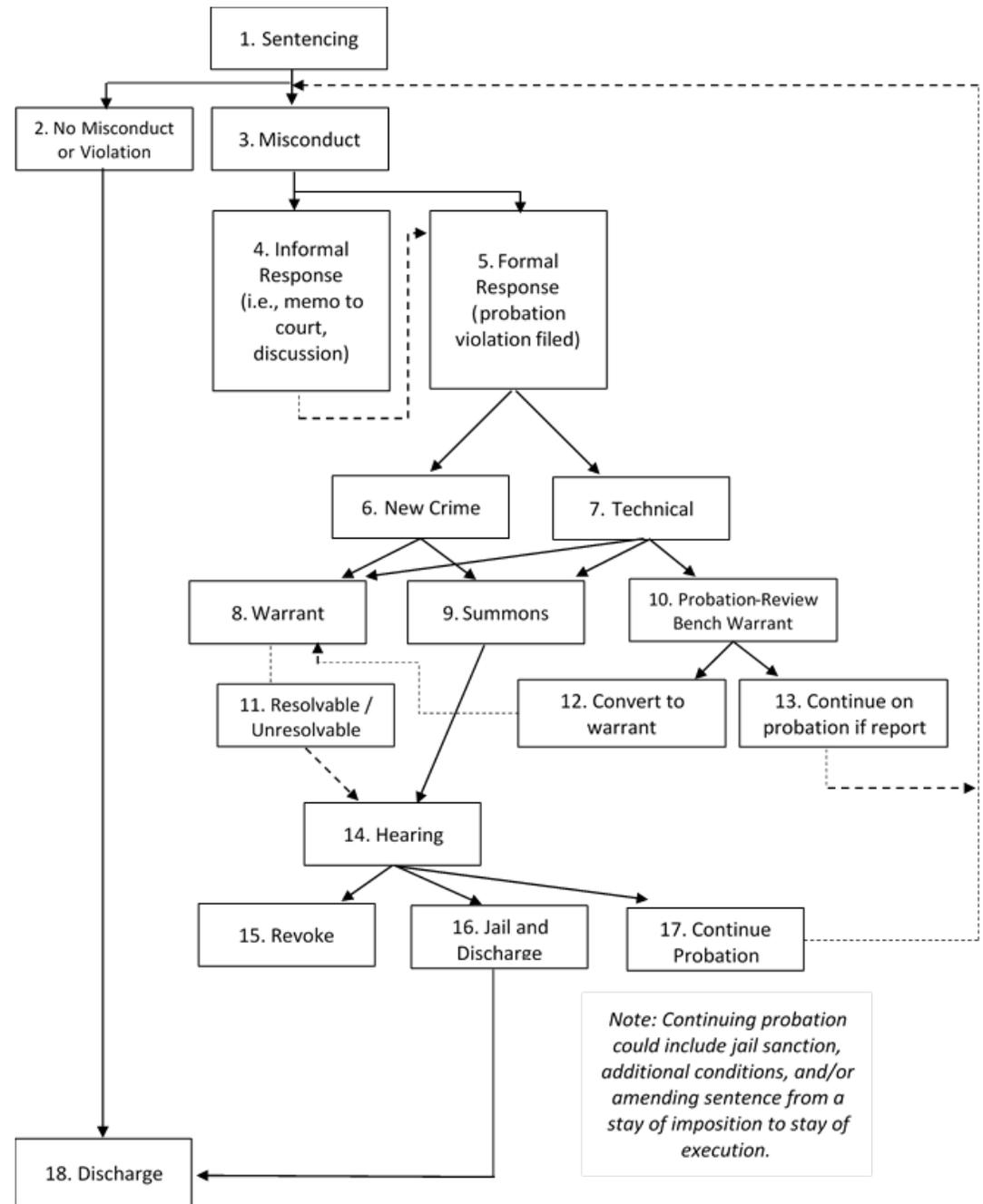


Map created by the Minnesota Department of Corrections

	Community Supervision	State Prison or Local Jail	Total Correctional Population
Population	105,600	15,900	121,600
Rate (per 100,000 adult residents)	2,430	370	2,790
National Rank	6th	45th	11 th

Todd Minton, Lauren Beatty, and Zhen Zeng, Ph.D., *Correctional Populations in the United States, 2019 – Statistical Tables* (Washington D.C., Bureau of Justice Statistics, July 2021).
<https://bjs.ojp.gov/library/publications/correctional-populations-united-states-2019-statistical-tables>

The Ramsey County Probation Pathway from System Perspective



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

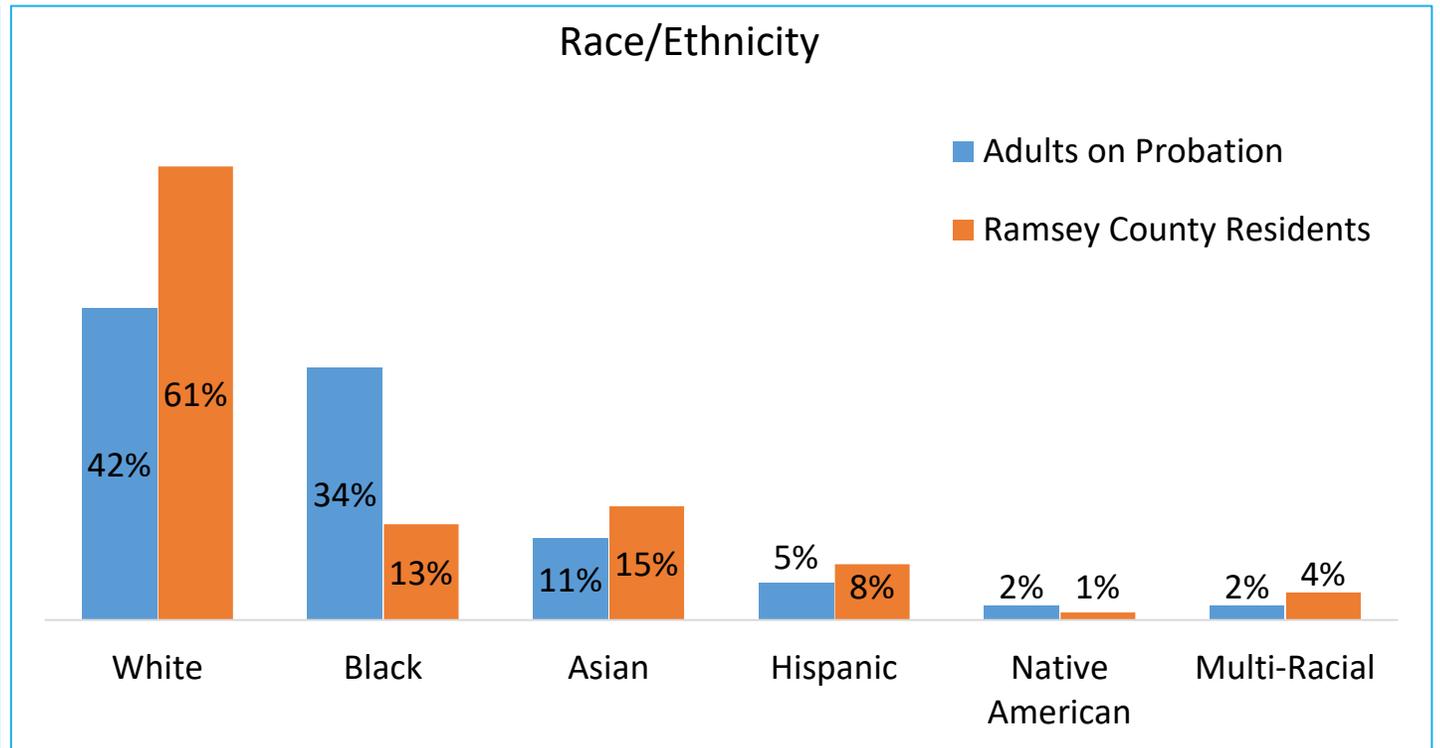
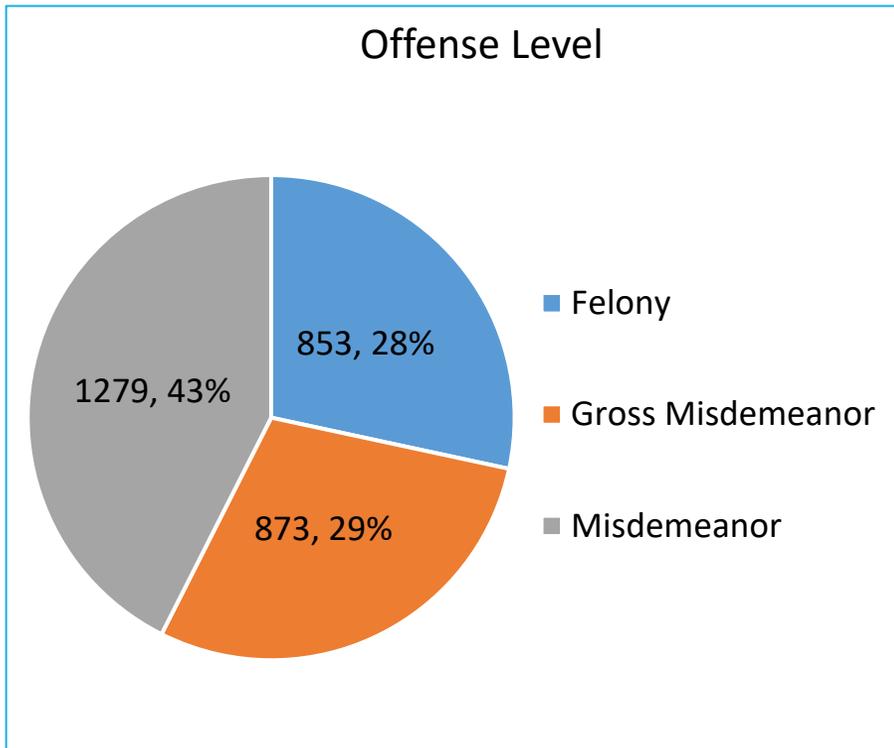
The electronic data did not have all variables we were interested in tracking and analyzing, so it was necessary to conduct a manual file review to pull more detail.

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

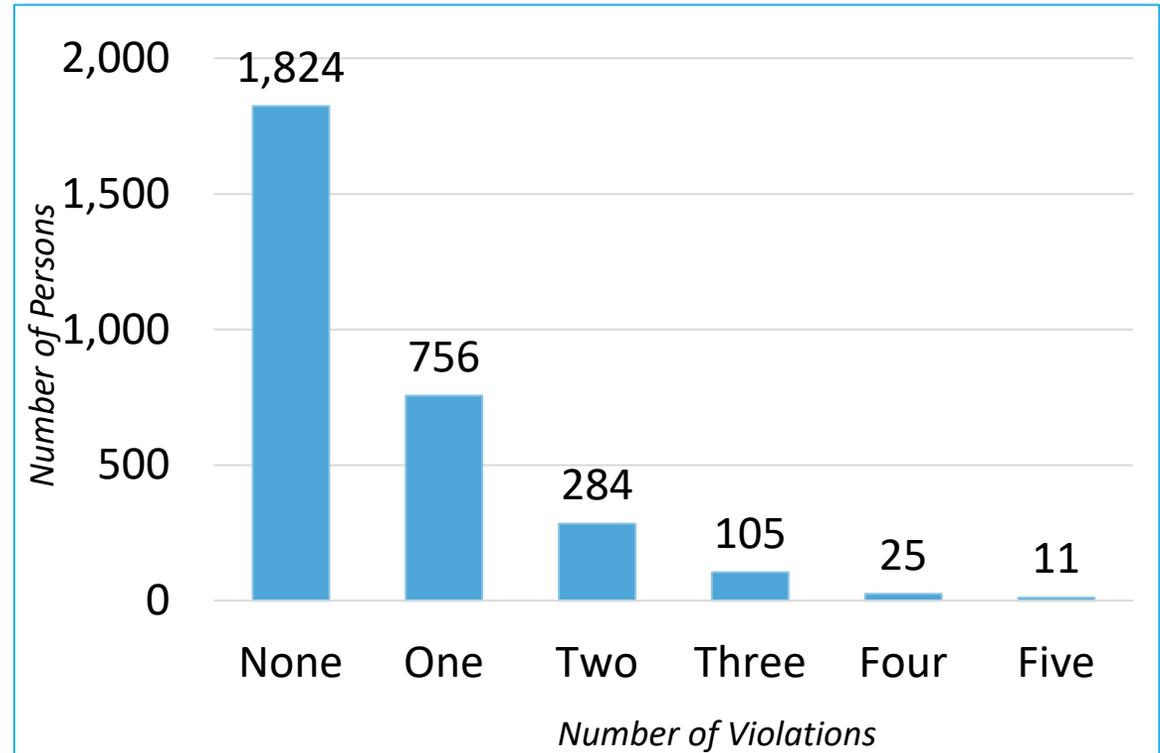
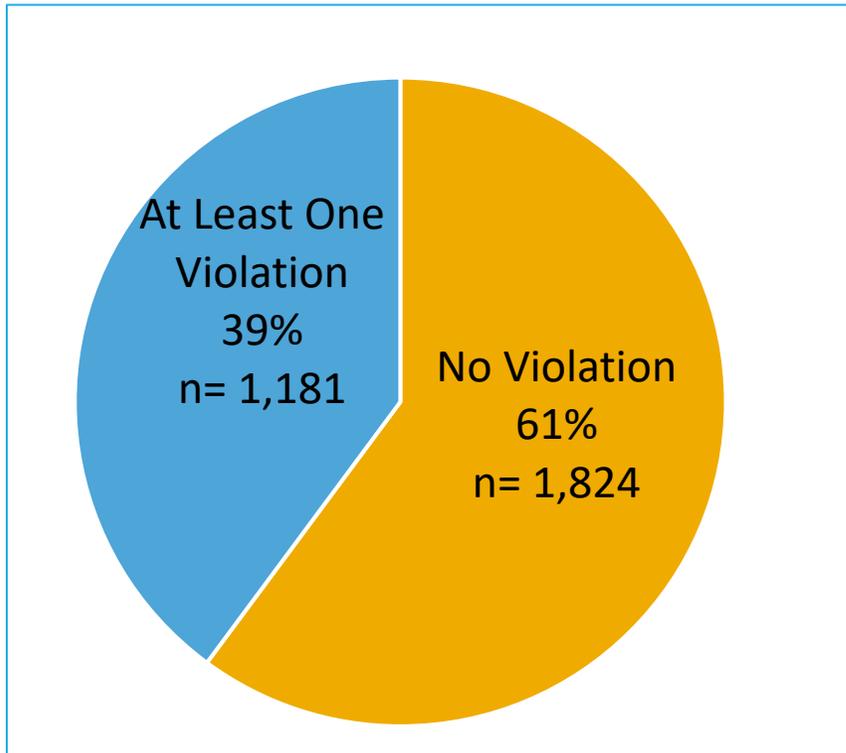
- Adults who started probation in 2016 – total of 3,005 people
- Followed for 2 years



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



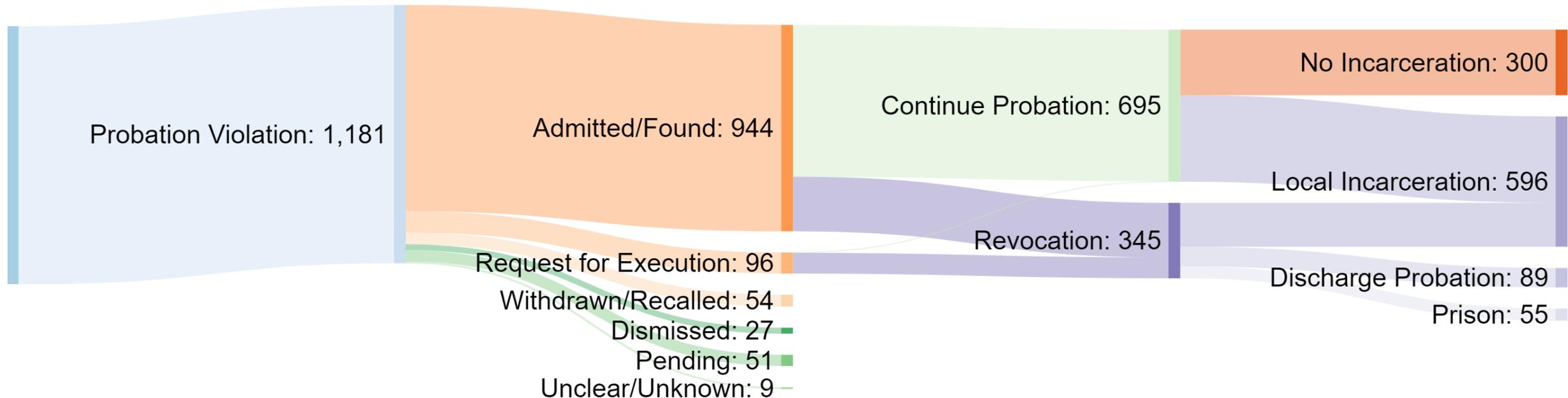
What About Success?: Early Discharge

“ 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.’

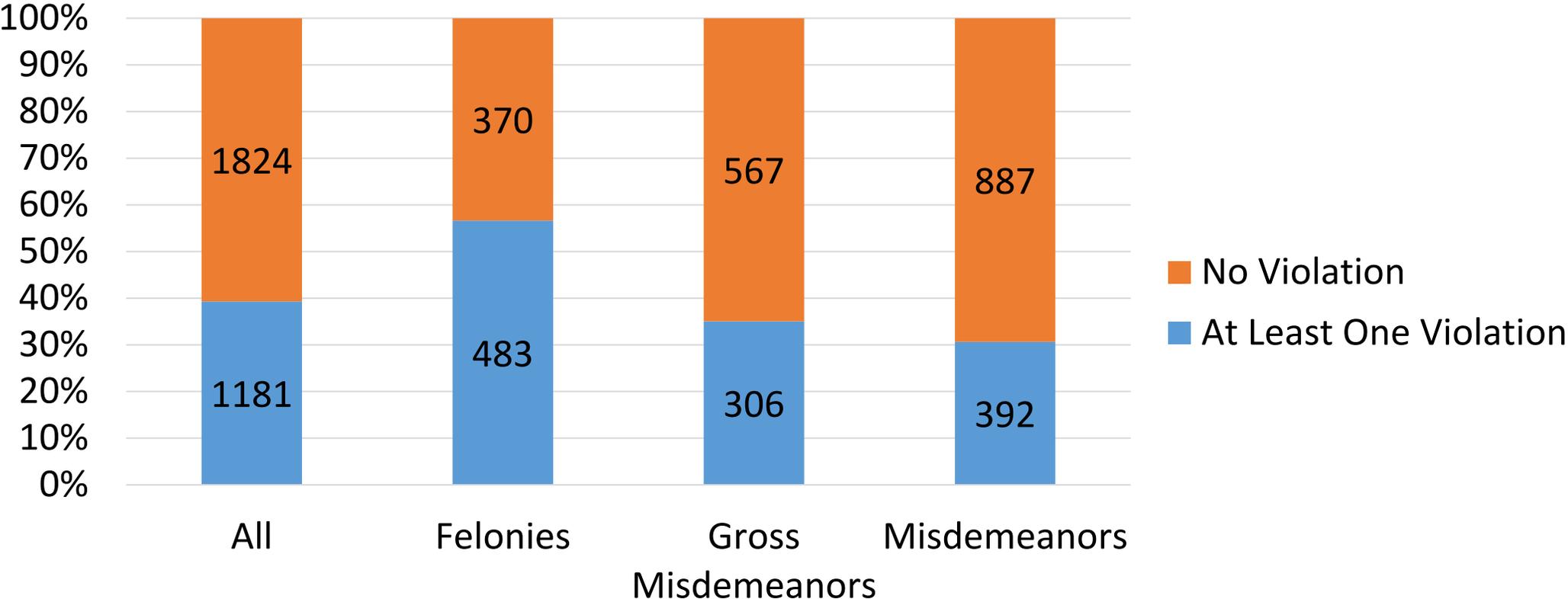
- Probation Officer

Jail as the Default Sanction for a Violation

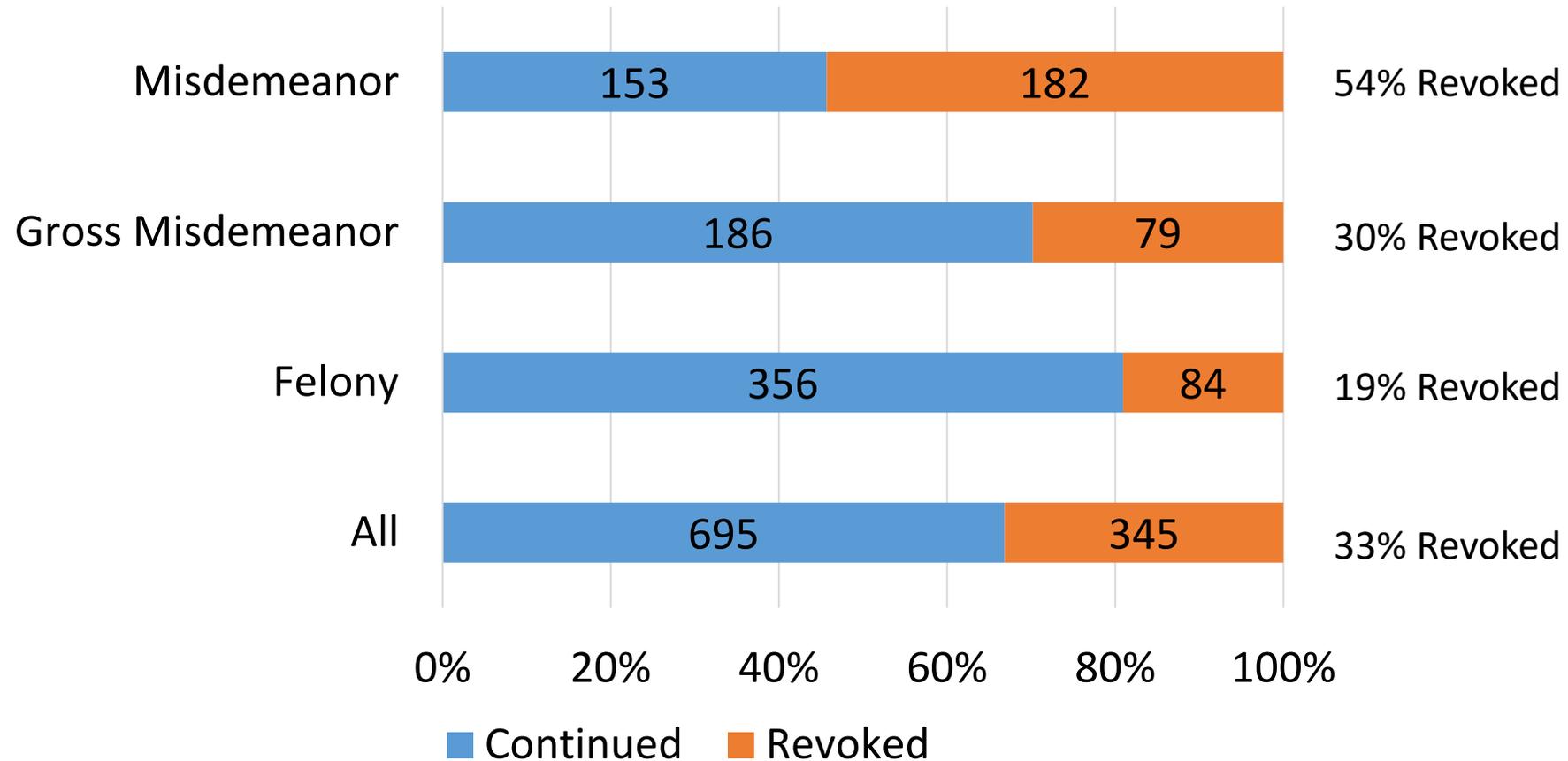
“ I am hard-pressed to think of more than a few occasions where I've gone to court and the recommendation has been something other than, ‘They should go to jail.’ It's not... ‘they sat in jail for five days...This is enough.’ **It is a minimum, go serve 30 days, go serve 120 days....**I always see the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

- Defense Attorney

Probation Violations



First Probation Violation Outcome



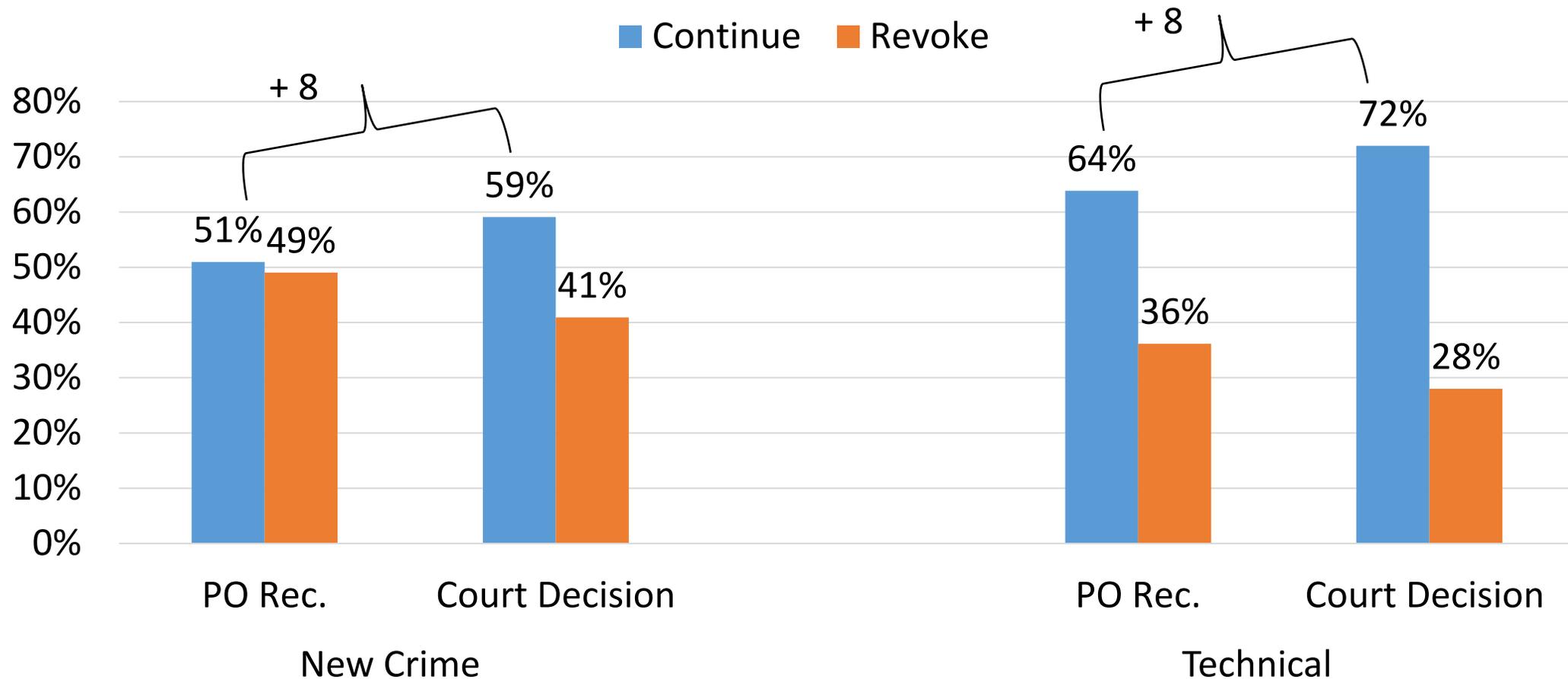
Context for Misdemeanor Revocations

“

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



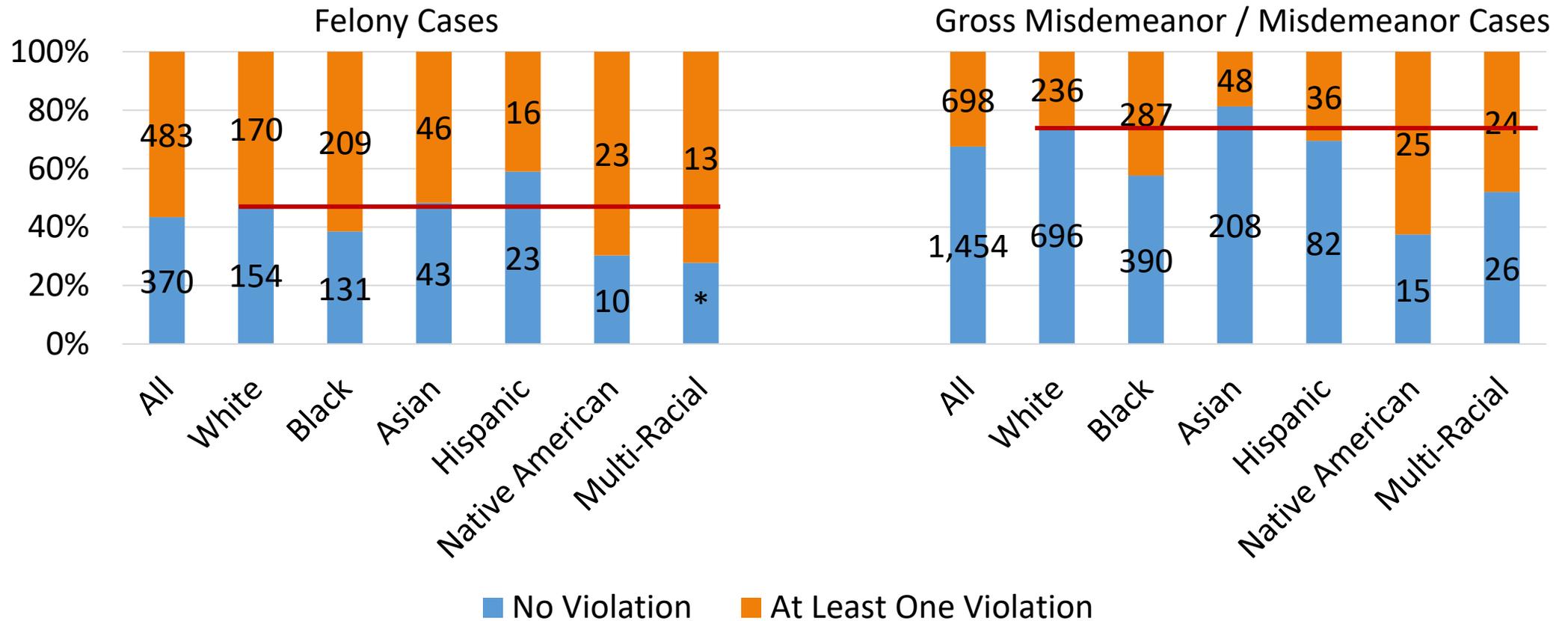
POs May Change Their Recommendations

“ 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

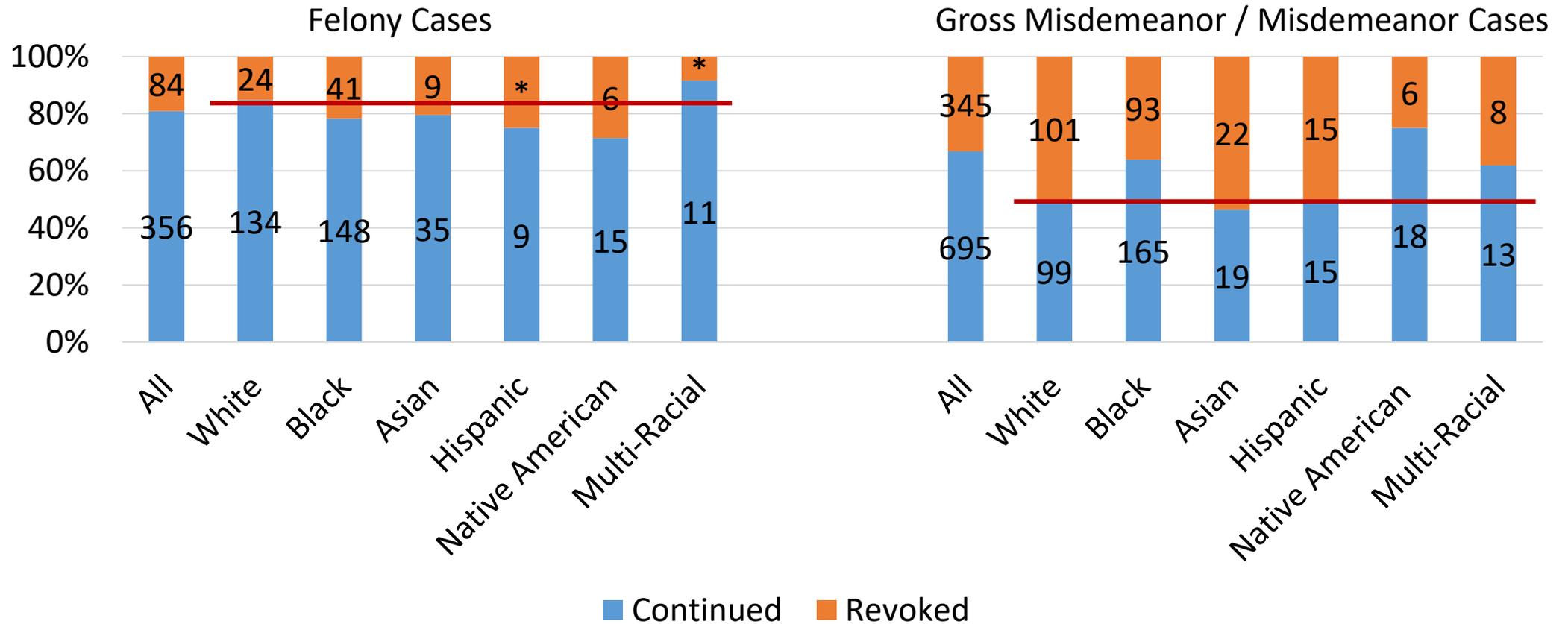
Outcomes by Race

Probation Violations by Race and Offense Level



* Indicates less than 5 people in this group.

Revocations by Race and Offense Level



• Indicates less than 5 people in this group.

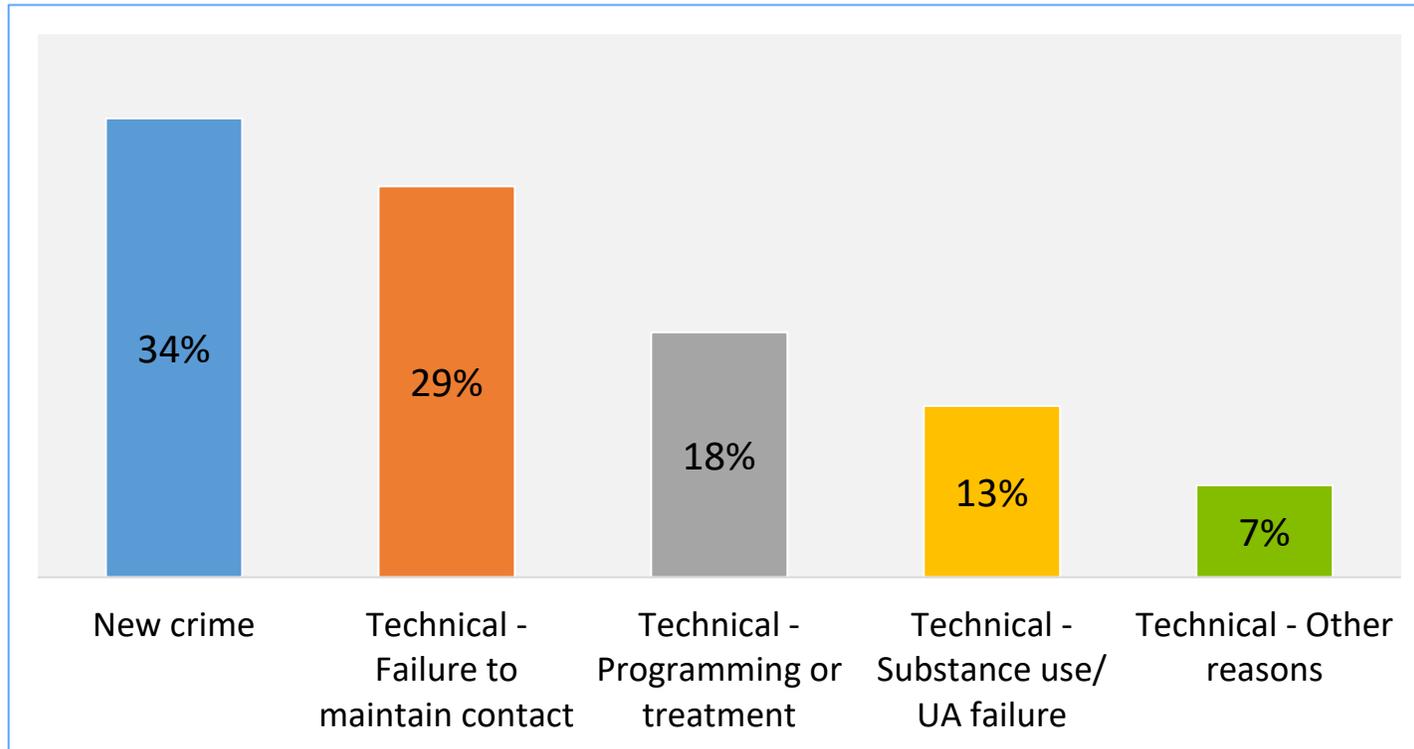
Race and the Probation Pathway

“ 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 devaluating 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

What are violations for?



- 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?





**Judge Reynaldo
A. Aligada, Jr.**

Judge

Second Judicial
District of
Minnesota



Corey Hazelton

Assistant Division
Director of Adult Field
Services

Ramsey County
Community
Corrections



Chris Mba

Racial and Health
Equity Planner

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Leah Bower

Research and
Evaluation
Supervisor

Ramsey County
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**Lyle H. Iron
Moccasin GCDF**

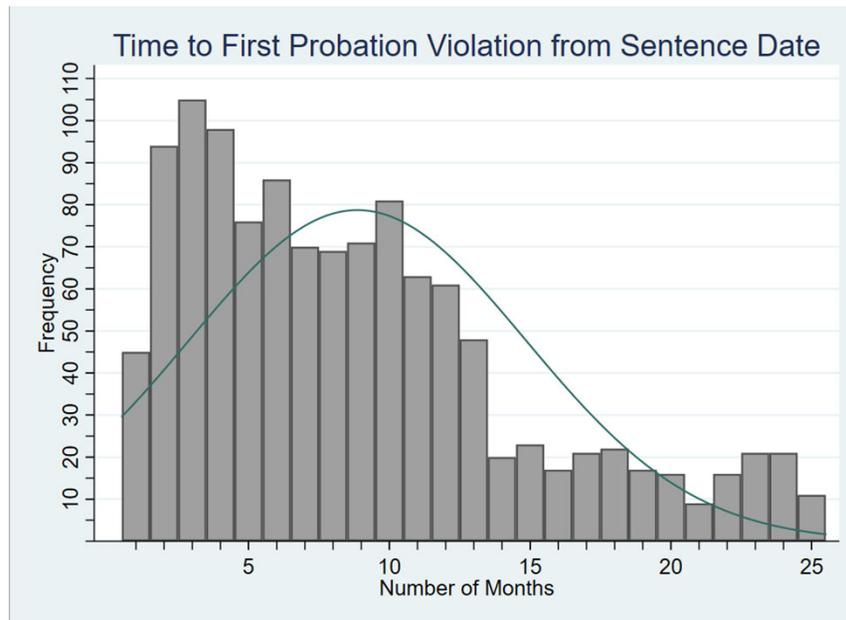
Outreach/Re-Entry
Coordinator

American Indian
OIC/Takoda
Institute

Three Lane Strategy for Increasing the Success of People on Probation

	Lane 1	Lane 2	Lane 3
Vision	Equitably reduce correctional footprint	Equitably amplify social, health, and welfare services and reduce technical violations	Equitably promote behavioral change and prevent reoffending by providing correctional interventions
Target Population	Cases in which people do not need to be on probation	Cases in which people may currently be over-supervised, and need a high level of social services/supports	Cases in which people are recommended for prison but receive probation or are at a high risk for reoffending
Potential Strategies	<ul style="list-style-type: none"> Identify cases that could be unsupervised Review cases with long probation sentences Develop early discharge policies 	<ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> 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.