

Research in Brief

ROBINA INSTITUTE
OF CRIMINAL LAW AND CRIMINAL JUSTICE

UNIVERSITY OF MINNESOTA

July 2020

Goal-Based Supervision

KEY POINTS

- Goal-based supervision shows promise as a tool for encouraging compliance with supervision terms and reducing recidivism.
- Goal-based supervision is a correctional practice grounded in behavioral science.
- Empirical studies of goal-based supervision policies have found that individuals discharged early from community supervision had similar or lower rates of recidivism as those who served their full supervision terms.
- The details in implementing goal-based supervision can be critically important to its success.

Policy and Purpose

Goal-based supervision is a community supervision model in which the completion of specific requirements or programs is emphasized over completion of a specific supervision term of months or years. Goal-based supervision is highly prevalent in the field, with roughly three-quarters of the states having the policy in some form.¹ The model has been referred to as early termination, earned discharge, earned compliance, and earned time credit. Goal-based supervision works by setting clear expectations for probationers or parolees that they must either complete specific requirements or maintain general compliance with all conditions of supervision, and that if they do so, they will be rewarded with an early discharge or termination from supervision. In some states, the policy is formula based. For example, in Missouri, a probationer earns 30 days of credit toward a reduced probation term for every month of compliance with the conditions of supervision.² In other states, the policy is based on completion of specific conditions. For example, in Texas, probationers are awarded term reductions of differing numbers of days for earning educational degrees, making full payment of court costs, fines, attorneys' fees and restitution, and successfully completing treatment or rehabilitation programs.³ The main goal of goal-based supervision is to incentivize people on probation and parole to comply with and complete supervision conditions. Secondary goals include discharging compliant individuals from supervision so that resources can be focused on high risk, high needs individuals, and reducing supervision lengths, which in turn reduces supervision caseloads and realizes cost savings.

Summary of Research

Goal-based supervision is a correctional practice grounded in behavioral science. Behavior is learned through experience wherein actions that produce positive outcomes are reinforced whereas actions that produce negative outcomes are discouraged.⁴ Because behavior is learned, it can be influenced by environmental manipulation, such as sanctions and incentives for different behaviors. Research shows that the use of incentives in supervision is associated with the most promising outcomes (e.g. program completion, reduced recidivisms).⁵ But researchers have also found that incentive quality matters, and incentives must be perceived as high quality to the individual in order to result in behavioral change.⁶ For example, in one study,⁷ probationers were asked to rank sixteen incentives, including earned compliance credit, gift cards, and verbal praise, from most rewarding to least rewarding, and to offer a measure (from 0 to 100) of how rewarding they perceived each incentive to be. The authors found that earned compliance credits at the 30- and 15-day level were the most highly rated incentives and had a high reward value compared to other incentives. Similarly, a study involving qualitative interviews with parolees⁸ found that the prospect of release from supervision is a strong motivator. Thus, there is evidence from behavioral science that goal-based supervision that offers incentives in the form of reduced supervision time has sound theoretical grounding.

Empirical studies of goal-based supervision policies have found that individuals discharged early from probation had similar or lower rates of recidivism as those who served their full supervision terms. There are few empirical studies⁹ of goal-based supervision programs, but those that exist are instructive. One low-quality study compared a sample of individuals on federal probation or supervised release who were terminated early with a sample of individuals who served their full supervision terms matched on risk prediction index scores, criminal history category, gender, age category, and supervision district.¹⁰ The authors found that the arrest rate for those who served their full supervision term was nearly twice the rate of those who were terminated early (19.2% vs. 10.2%, respectively). While individuals in the early termination group were substantially less likely to recidivate than those who ended up serving a full term, this difference was likely due to the underlying differences between the two comparison groups – thus, it’s not clear what effect, if any, early discharge had on this outcome. Similarly, a medium-quality study¹¹ of earned compliance in Missouri¹² compared recidivism rates for a sample of individuals discharged under the policy to a comparison group¹³ of individuals discharged before the policy went into effect, and found that there was no statistically significant difference in recidivism rates in the two years after discharge (2.3% of those who earned credits recidivated after one year compared to 2.2% for the comparison group, and 5.7% recidivated after two years compared to 5.6% for the comparison group). Both studies also found that the policies resulted in meaningful reductions in supervision terms:

an average of 3.8 months in the federal study¹⁴ and 14 months in the Missouri study.¹⁵ More significantly, the Missouri study found the policy reduced the overall supervision population by 18% (from 73,555 to 60,558) and reduced average probation officer caseload sizes from 70 to 59.¹⁶ It is important to note that the discharge policies in both studies pertained only to lower-level or nonviolent felony offenses. For these populations, both studies show promising evidence that agencies can reap the benefits of early discharge and lower caseloads without decreasing public safety.

The details in implementing goal-based supervision can be critically important to its success. Though there have been few empirical studies of the effectiveness of goal-based supervision policies, some attention has been paid to the barriers to the success of such programs. For example, in an unpublished study of earned time credit in Maricopa County, Arizona,¹⁷ the authors found that although about half of those who were eligible did in fact earn time off their supervision term, the rules resulting in forfeiture for subsequent noncompliance negated much of that time, and only about 8% were terminated early due to earned time credit. The most significant barrier for probationers remaining in compliance was the requirement to remain current on financial obligations, including monthly payment of probation supervision fees, court-ordered fees, restitution, fines, and surcharges. Similarly, an informal survey of states conducted by the Minnesota Department of Corrections¹⁸ revealed implementation issues in reaching a common understanding of “compliance” for purposes

of the policy, inability of probationers to satisfy financial conditions, unwillingness of judges to discharge probationers who had achieved their goals, communicating goals to people on community supervision, and addressing the administrative burden of tracking compliance with goals or conditions.

Further, one qualitative study¹⁹ detailed the unsuccessful simulation of an earned discharge policy for parolees in California. The earned discharge program was intended to allow individuals convicted of nonviolent offenses to “earn” their way off supervision by complying with a behavioral contract, or specific expectations. Instead, the

program that was developed involved a complex multi-stage screening process.²⁰ The authors found that the project was hampered by an unfavorable political and institutional environment, there was widespread disagreement about the factors that were most important in determining whether an individual should be released from parole, and the idea of the behavioral contract, which was theorized to be the key to incentivizing parolee compliance, was completely lost in the process. Thus, although goal-based supervision sounds simple in concept, the studies highlighted here indicate that many details must be worked out in order to implement goal-based supervision successfully.

This brief was prepared with support from Arnold Ventures.



Endnotes

- ¹ Pew Charitable Trusts. (2018). *35 States Reform Criminal Justice Policies Through Justice Reinvestment*. Downloaded from <https://www.pewtrusts.org/en/research-and-analysis/fact-sheets/2018/07/35-states-reform-criminal-justice-policies-through-justice-reinvestment>.
- ² Vernon's Mo. Stat. Ann. § 217.703 (2019).
- ³ Vernon's Ann. Texas C.C.P. Art. 42A.702 (2019).
- ⁴ Wodahl, E. J., Garland, B. E., & Mowen, T. J. (2017). Understanding the perceived value of incentives in community supervision. *Corrections*, 2(3), 165-188.
- ⁵ Mowen, T. J., Wodahl, E., Brent, J. J., & Garland, B. (2018). The role of sanctions and incentives in promoting successful reentry: Evidence from the SVORI data. *Criminal Justice and Behavior*, 45(8), 1288-1307; Wodahl, E. J., Garland, B., Culhane, S. E., & McCarty, W. P. (2011). Utilizing behavioral interventions to improve supervision outcomes in community-based corrections. *Criminal Justice and Behavior*, 38(4), 386-405.
- ⁶ Wodahl et al., 2017.
- ⁷ Wodahl et al., 2017.
- ⁸ Petersilia, J. (2007). Employ behavioral contracting for “earned discharge” parole. *Criminology & Public Policy*, 6(4), 807-814.
- ⁹ Baber, L. M., & Johnson, J. L. (2013). Early termination of supervision: No compromise to community safety. *Federal Probation*, 77, 17.
- ¹⁰ Those eligible for early termination were non-career individuals convicted of non-violent offenses under supervision for at least 18 or 42 months who had no moderate to severe violations. It was unclear from the article whether this policy functioned as an automatic time trigger for review. Baber & Johnson, 2013.
- ¹¹ Pew Charitable Trusts. (2016). *Missouri Policy Shortens Probation and Parole Terms, Protects Public Safety*. Downloaded from https://www.pewtrusts.org/~media/assets/2016/08/missouri_policy_shortens_probation_and_parole_terms_protects_public_safety.pdf.
- ¹² Individuals convicted of lower-level felonies who had served on probation or parole for at least two years could earn credits to shorten their supervision term at a rate of 30 days for each month of compliance on supervision. Pew, 2016.
- ¹³ The comparison group was developed through propensity score matching. Pew, 2016.
- ¹⁴ Baber & Johnson, 2013.
- ¹⁵ Pew Charitable Trusts, 2016.
- ¹⁶ Pew Charitable Trusts, 2016.
- ¹⁷ Griffin, M. L., Hepburn, J. R., & Ginsburg, K. (2013). *The Effects of Earned Time Credit on Successful Probation Outcomes: An Evaluation of Maricopa County, Arizona's Experience*. Unpublished.
- ¹⁸ Minnesota Department of Corrections (MN DOC). (2017). *Study of Earned Compliance Credit: Recommendations for Minnesota*. Downloaded from https://mn.gov/doc/assets/Earned_Compliance_Credit-Final_1_12_2017_tcm1089-295820.pdf.
- ¹⁹ Smith, S. M., Omori, M. K., Turner, S. F., & Jannetta, J. (2012). Assessing the earned discharge pilot project: The importance of context, capacity, and content. *Criminology & Public Policy*, 11(2), 385-410.
- ²⁰ The first screen involved identifying those parolees who had been on parole for at least 180 days, were on the lowest supervision level, and had no prior sex or violent offenses or parole violations. The individuals were then scored on a risk assessment tool, and those qualifying as low risk were singled out for an in-depth file review by department staff and supervisors. Any who passed through this stage were then screened by law enforcement. Based upon this stringent screening process, only 6 of the 499 parolees identified in the initial screening process would have been cleared for discharge had the program been live. Smith, Omori, Turner & Jannetta, 2012.

The strength of the evidence reviewed in this brief is assessed according to our Evidence of Assessment Criteria and Hierarchy of Study Design, which are posted online: robinainstitute.umn.edu/research-brief.