



INDIANA UNIVERSITY

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REDUCING PROBATION REVOCATIONS CHALLENGE (2021) Monroe County, Indiana

BACKGROUND

Since 2019, Indiana University and the Monroe Circuit Court Probation Department have served as an Action Research Team (ART) to participate in the Reducing Revocations Challenge from Arnold Ventures and City University of New York Institute for State and Local Governance.¹ This challenge intends to create a deeper understanding of the factors and behaviors that contribute to revoked probations. In turn, this knowledge forms a foundation to advance policy and practice solutions to manage probation populations in a manner that reduces revocations and maximizes supervision success, while protecting public safety.

Monroe County is one of 10 ARTs nationwide that are engaged in their own researcher-practitioner partnerships to complete an in-depth review of the drivers of probation revocation. These jurisdictions include: Cook County, Illinois; the city and county of Denver, Colorado; Harris County, Texas; Niagara County, New York; Pima County, Arizona; Pulaski County, Arkansas; Ramsey County, Minnesota; Santa Cruz County, California; and Spokane County in Washington state.

This brief reports the core factors shaping Monroe County's probation violation and revocation trends.

METHODOLOGY

We used multiple methods to identify how and why probations were revoked. We completed systematic reviews of supervision policy and procedures. We did an analysis of administrative records for over 4,300 clients ordered to probation between 2014 and 2019. This analysis identified probation pathways and factors leading to revocations. Then, our team manually coded and analyzed case files for nearly

KEY FINDINGS

- The overall revocation rate from 2014-19 in Monroe County is 17%.
- Less than half of probation clients receive a formal petition to revoke their supervision (43%).
- Common forms of probation noncompliance include failing to appear to probation appointments or violations associated with substance use and testing.
- New offenses or failure to appear in court are infrequent forms of noncompliance.
- High-risk clients and those ordered to probation for more severe offenses are most likely to receive a formal petition requesting their probation be revoked and to have their probation revoked.
- Females are less likely to receive a formal petition to revoke or a revocation order.
- Black males are more likely to receive a formal petition to revoke but were equally as likely as others to have their probation revoked.
- Approximately 3% of clients propel the overall revocation rate. This group had repeated or recurrent patterns of noncompliance over relatively long portions of their supervision term.

300 clients whose patterns of noncompliance increased the probability of revocation. We also administered 32 self-report surveys and completed 25 one-on-one interviews with Monroe County justice system professionals. We used a combination of quantitative and qualitative analytical approaches to examine our data collections.

FINDINGS

OVERALL REVOCATION TRENDS

Most clients (65%) were deemed noncompliant at least once during their supervision term. Less than half (45%) received at least one formal petition to revoke their probation—and only 17% of those clients had their petition end in a revocation.

Most clients who did not comply with their supervision terms either failed to appear for their probation appointments (54%) or had substance use violations (35%). Few clients were noncompliant for a new offense (16%) or for failures to appear (FTA) to court (14%).

INDIVIDUAL-LEVEL FACTORS

Clients' risk level, original offense, new offenses, FTAs, and repeated noncompliance due to substance use violations drove the overall revocation rate.

Not including clients with new offenses, we identified a small subsample of clients—approximately 3% of the overall sample—who were 3.5 times more likely to have their supervision term revoked. This subsample consisted of clients classified as high risk for future recidivism, assigned to moderate or high-intensity supervision (i.e., at least five face-to-face contacts every three months), those who were previously ordered to community correctional supervision, and those who alternated between substance use violations and FTAs across their supervision term.

We also identified sex and racial disparities. Female clients were less likely to receive a formal petition to revoke

supervision or a revocation when compared to males. Black males were more likely to receive a formal petition to revoke supervision relative to white males.

There were no differences, however, between Black and white males on revocation outcomes. When we modeled categories of noncompliance incidents—by type of noncompliance as opposed to overall counts of noncompliance—Black clients were less likely to have their probation revoked when compared to white clients.

SYSTEMS-LEVEL FACTORS

Revocation rates varied by assigned probation officer and case judge. No more than 13% of the clients for most of the 43 probation officers in our study had their probation revoked. At least 33% of the clients of four probation officers had their probation revoked. The average revocation rate by judge ranged from 10% to 18% of assigned clients. However, probation officer and judicial assignment were not consistently associated with revocation outcomes after accounting for client demographics, case characteristics, noncompliance incidents, and probation officer responses to noncompliance in the analysis of administrative records.

Case file review, survey, and interview findings provide context to understand discretionary decision making and its relationship to overall revocation rates. Case file reviews indicate that a variety of low-severity noncompliance incidents are “stacked” and submitted to the court to supplement a formal petition to revoke supervision. Supervisory and line probation officers and attorneys report that an accumulation of factors must be present for the court to decide to revoke someone's probation.

TABLE 1. Identified Probation Pathways

| | % OF SAMPLE | AVERAGE LENGTH OF SUPERVISION (MONTHS) | AVERAGE REVOCATION RATE |
|---|-------------|--|-------------------------|
| Clients who alternate between substance use and FTA | 7% | 19.65 | 53% |
| Clients with new offense | 4% | 16.62 | 45% |
| Clients with repeat FTAs or remain in FTA status | 13% | 22.67 | 35% |
| Client with single FTA who remain noncompliant after first FTA | 11% | 14.98 | 26% |
| Clients with single FTA who remain nearly compliant after first FTA | 18% | 13.48 | 17% |
| Clients with initial substance use violation who remain compliant after first violation | 8% | 12.61 | 8% |
| Clients who are nearly fully compliant | 39% | 13.02 | 2% |

FIGURE 1. Characteristics of sample (n=4,389)



Age

31.5 years old

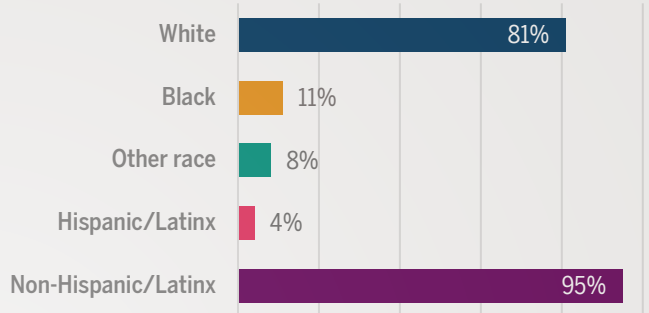
Length of supervision

14.8 months

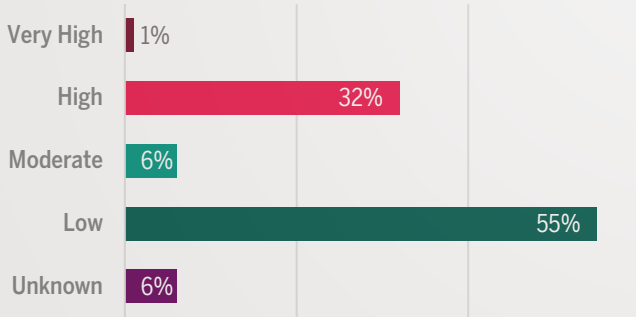


73% of clients were male

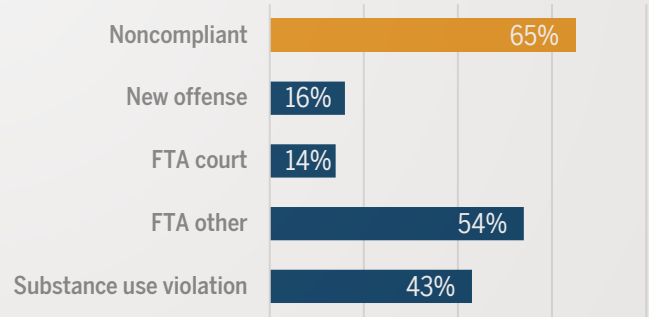
Race/ethnicity



Risk-level



Levels & types of noncompliance



43% petition to revoke supervision

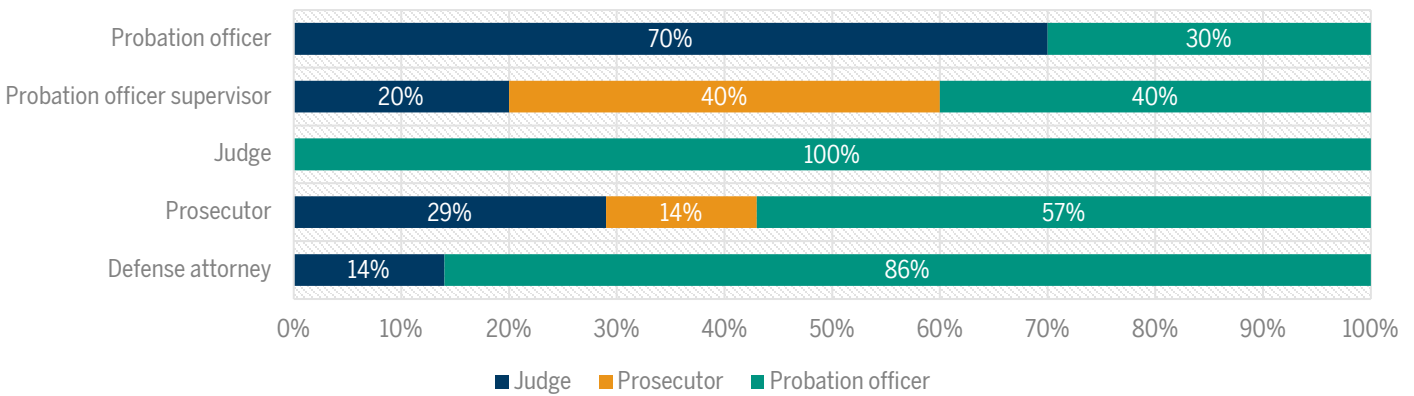


17% revocation order

Survey results indicate that probation officers believe they have a wide degree of discretion to file a formal petition to revoke. However, officers do not believe they have much influence in determining how the petition will be resolved (Figure 2). Further, officers indicate that the final judicial decision only rarely or sometimes matches their desired result. These results contrast with other justice system

professionals. Judges, prosecuting attorneys, and defense attorneys view probation officers as having the most influence on how formal petitions are resolved. Judges and defense attorneys report that the final decision often matches their desired result.

FIGURE 2. Perceptions about who has the most influence on revocation decision, by participant



Monroe County Probation Department's own organizational culture indirectly influences overall revocation trends in two ways. First, through official policy and structured procedure, probation officers are encouraged to use discretion when administering incentives and distributing barrier-busting supports to clients. Using incentives consistently reduced the likelihood that a client would receive a formal revocation petition and that their probation would be revoked as a result.

Second, officers use a structured decision-making policy and procedure to inform graduated sanction response to noncompliance. Administrative sanctions reduced the likelihood of filing a formal petition to revoke a client's probation. Interview and case file review findings indicate that administrative sanction options are generally exhausted before probation officers file a formal petition for noncompliances that does not involve new offenses.

IMPLICATIONS

Together, these findings indicate that Monroe County's violation and revocation rates are shaped by client characteristics—which precede court decisions of probation supervision sentences—and multifaceted combinations of client, probation officer, and system behaviors while clients are under supervision.

Clients assessed to be at higher risk levels and those ordered to probation for more severe sentences are subject to more supervision than other clients as a matter of policy and procedure. At face value, the greater potential to detect the frequency or type of noncompliance may contribute to overall revocation trends.

However, results suggest that probation officers—and Monroe County's justice system as a whole—have more discretion or tolerance of single incidents of less serious noncompliance (e.g., FTA for probation appointment, substance use violation) at the beginning of a supervision term than they do for recurring and more serious noncompliance violations (e.g., new offense). A new offense and repeated pattern of FTAs and substance use violations often initiated the revocation process while other forms of noncompliance were managed through administrative sanctions.

Repeated use of graduated administrative sanctions reaches a tipping point when officers file formal petitions to revoke supervision. Individual-level officer characteristics did not appear to influence decisions to file a formal petition. Instead, similarly trained officers responded to noncompliance in similar ways. Once a petition has been filed, the findings from case file reviews suggest that less serious forms of noncompliance are closely monitored or reported to the court to help judges make their decisions and to nudge them toward a resolution.

In all, the findings suggest that the organizational environment—complete with structured probation policy and procedure guidelines—creates a setting to screen and identify clients who may receive a formal revocation filing. Once filed, only 17% of clients will have their probation revoked. These findings suggest there are a significant number of clients who are noncompliant with their supervision term, but do not receive a formal petition or a revocation. Similarly, these findings provide little evidence to suggest that formal petitions are filed against clients

assessed to be at low risk for future justice contact when they commit low-severity forms of noncompliance.

RECOMMENDATIONS

To continue to work toward right-sizing revocation decisions, the results of this research suggest several policy and practice actions.

First, target high-risk clients to experiment with innovative supervision strategies. Reducing formal petitions and revocations for this population will result in sizable decreases in overall revocation rates.

Second, FTAs are one of the more dominant forms of noncompliance that result in formal filings and revocations. Reexamine the content of text/call reminders for court hearings and probation appointments to determine if there are opportunities to redesign message content or message sequences to improve client comprehension of scheduled information. Additionally, monitor the use of video court technology or video conferencing applications to manage barriers to scheduled appearances.

Third, monitor whether probation officers consistently conduct motivational interviews and apply core community correctional principles in their work. In addition, pilot different training boosters to reinforce the quantity and quality of incentives delivered by probation officers. Incentives are a critical protective factor that consistently reduced the likelihood of revocation.

Fourth, capture information on sex and racial disparities in formal petitions and revocations. Examine the use and validity of risk assessment tools when applied to local probation populations. Cultivate needs- or strengths-based case plans and supervision strategies informed by assessments.

To request a copy of the full report, please contact Dr. Miriam Northcutt Bohmert at mirnorth@indiana.edu or (812) 855-4285.

REFERENCES

1. For additional information on the Reducing Revocations Challenge, please see [City University of New York's Institute for State and Local Governance](#).



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The Center for Health and Justice Research (CHJR) works with public safety agencies, social service organizations, and residents to conduct impartial applied research on public and justice system policy choices. CHJR is housed within the IU Public Policy Institute (PPI), a multidisciplinary institute within the Paul H. O'Neill School of Public and Environmental Affairs. PPI also supports the Center for Research on Inclusion & Social Policy (CRISP), the Manufacturing Policy Initiative (MPI), and the Indiana Advisory Commission on Intergovernmental Relations (IACIR).

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