

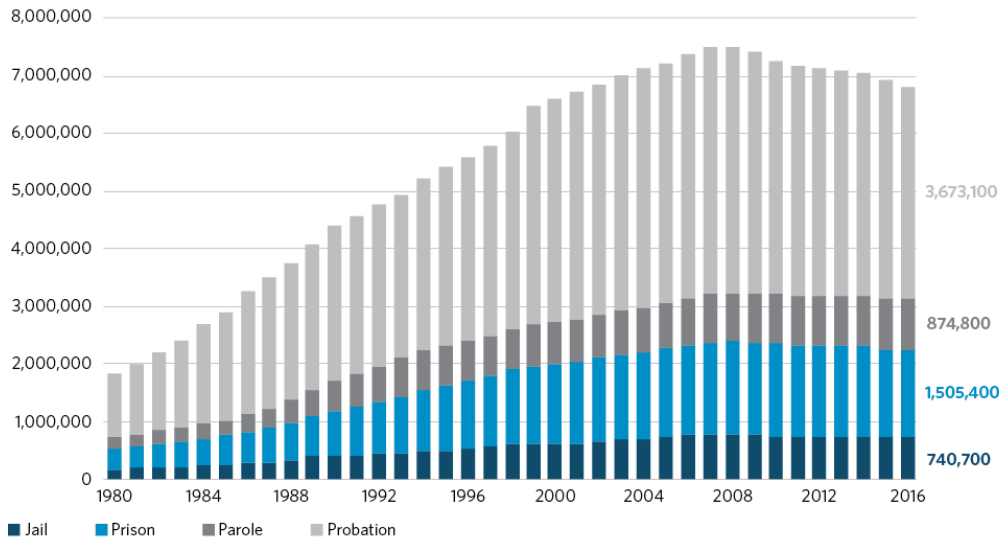
Monroe County

Revising Standard Conditions of Probation

August 5, 2022

A decorative graphic at the bottom of the slide consists of three overlapping, chevron-like shapes pointing to the right. The shapes are rendered in a gradient of blue tones, from a darker shade on the left to a lighter shade on the right.

Figure 1
 Number of Adults Under Community Supervision More Than
 Tripled Over 36 Years
 Criminal justice populations by type, 1980-2016



Sources: Bureau of Justice Statistics, Annual Probation Survey, Annual Parole Survey, Annual Survey of Jails, Census of Jail Inmates, and National Prisoner Statistics Program, 1980-2016

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SENTENCING TRENDS OVER THE PAST 36 YEARS

COMMUNITY SUPERVISION BY RACE AND SEX

African-Americans and Men Are Overrepresented in Probation and Parole

Community supervision rates, total and by race and sex, 2016

Total:

1 in 55



Male:

1 in 35



White:

1 in 81



Female:

1 in 124



Black:

1 in 23

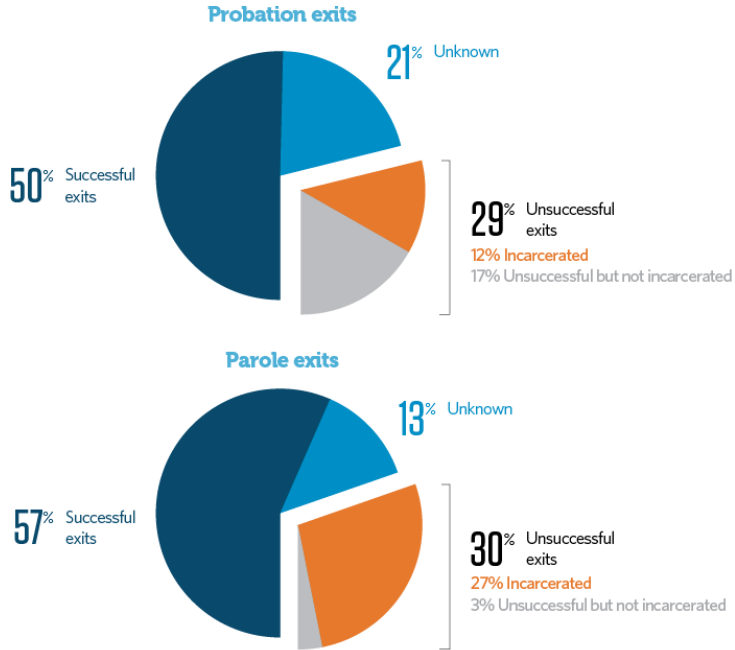


Sources: Bureau of Justice Statistics, Annual Probation Survey, and Annual Parole Survey, 2016; U.S. Census Bureau, Population Division, Estimates of the Total Resident Population and Resident Population Age 18 Years and Older for the United States, States, and Puerto Rico: July 1, 2016

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Supervision Failures Are a Major Driver of Incarceration

Probation and parole exits and outcomes, 2016



Notes: For probation exits, "Incarcerated" refers to those sent to jail or prison with a new sentence, completing an original sentence, to receive treatment, and other/unknown reasons. "Unsuccessful but not incarcerated" refers to those who abscond, are discharged to a warrant or detainee, or have any other unsatisfactory conclusions. "Unknown" includes death, other/unknown reasons, or not reported. For parole exits, "Incarcerated" refers to those sent to jail or prison with a new sentence, with a revocation, to receive treatment, or other/unknown reasons. "Unsuccessful but not incarcerated" refers to those who abscond and have other unsatisfactory outcomes. "Unknown" includes death, other/unknown reasons or not reported.

Source: Bureau of Justice Statistics, Annual Probation Survey and Annual Parole Survey, 2016

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50% OF PEOPLE WHO ENTER PROBATION ARE SUCCESSFULLY RELEASED



WHY ARE 50 PERCENT OF THE PEOPLE ON
SUPERVISION UNSUCCESSFULLY TERMINATED?

WITH THE SHIFT FROM
REHABILITATION TO 'TOUGH ON
CRIME' IN THE EARLY 1980'S THE ROLE
OF PROBATION SHIFTED

A photograph of a prison cell, viewed through dark metal bars. The cell is dimly lit with a warm, yellowish light. On the left, there is a white sink and a toilet. In the center, a bed with a white sheet and a folded blanket is visible. The walls are light-colored and appear to be made of wood or a similar material. The overall atmosphere is stark and institutional.

PUNISHMENT BASED INTERVENTIONS

NOT A SINGLE REVIEWER OF STUDIES OF THE EFFECTS OF OFFICIAL PUNISHMENT ALONE (CUSTODY, MANDATORY ARRESTS, INCREASED SURVEILLANCE, ETC.) HAS FOUND CONSISTENT EVIDENCE OF REDUCED RECIDIVISM.

1. Commit no offense against the laws of this or any other State or of the United States. You are to report any arrests within 24 hours.
 2. Not use, possess, or consume any illegal drug or prescription drug not currently prescribed to you by a medical professional. You shall bring all current prescription bottles to your Community Supervision Officer. If new medication is prescribed, you must bring the new prescription bottle by your next scheduled report date
 3. Report to the Community Supervision Officer as directed for the remainder of the supervision term unless so ordered differently by the Court.
 4. Abide by the rules and regulations of the Harris County Community Supervision and Corrections Department (hereinafter referred to as HCCSCD).
 5. Permit a Community Supervision Officer to visit you at your home, place of employment or elsewhere.
 6. Work at suitable employment and/or attend school full-time. Present either verification of employment or provide a log of all attempts to secure employment to your Community Supervision Officer as directed. You must notify HCCSCD of any change in your employment status by your next scheduled reporting date.
 7. Remain within Harris County, Texas or any counties directly touching Harris County, Texas. You may not travel outside these locations unless you receive prior written permission from the Court through your Community Supervision Officer.
-

Conditions of Supervision are designed for immediate compliance, yet many of the people we have on supervision are facing multiple barriers to success.

COMPLIANCE VERSUS CHANGE

311 lbs
2 months ago

Today, 291 lbs



Goal

255 lbs

“I can't take probation, I am failing before I even start”



FAILURE

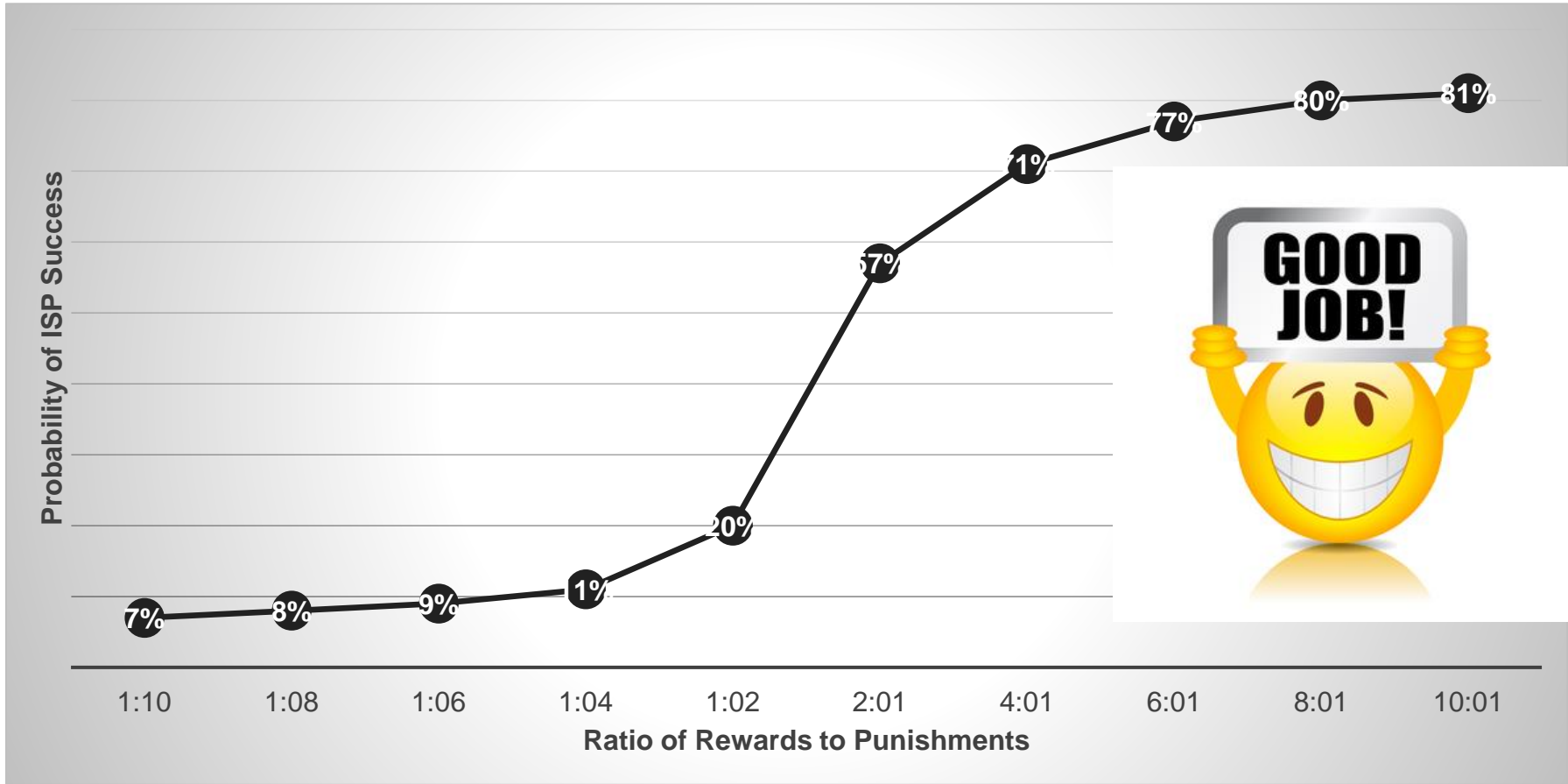
A black and white photograph showing two hands held palm-up, cradling a small, rectangular white card. The card has the word "HOPE" written on it in a bold, black, sans-serif font. The hands are positioned symmetrically, with fingers slightly curled. The background is a dark, textured surface, possibly a fabric or a wall, which makes the hands and the card stand out. The lighting is soft, highlighting the texture of the skin and the card.

HOPE



SKILLS

The word "SKILLS" is rendered in a bold, teal, sans-serif font. The letter "K" is stylized with a vertical bar on its left side. The word "Skills" is rendered in a similar font, but the "i" is replaced by a vertical bar. A light blue checkmark is positioned above the "i" bar, and a light blue curved line arches over the "i" bar and the "l" bar. The "S" at the end of "Skills" is also stylized with a vertical bar on its left side.



Widahl, E. J., Garland, B. Culhane, S. E., and McCarty, W.P. (2011). Utilizing Behavioral Interventions to Improve Supervision Outcomes in Community-Based Corrections. *Criminal Justice and Behavior*, 38 (4).



What Do
Referee's Do?



... Coaches?

HOW DOES MONROE COUNTY STACK UP?

Monroe Adult Probation

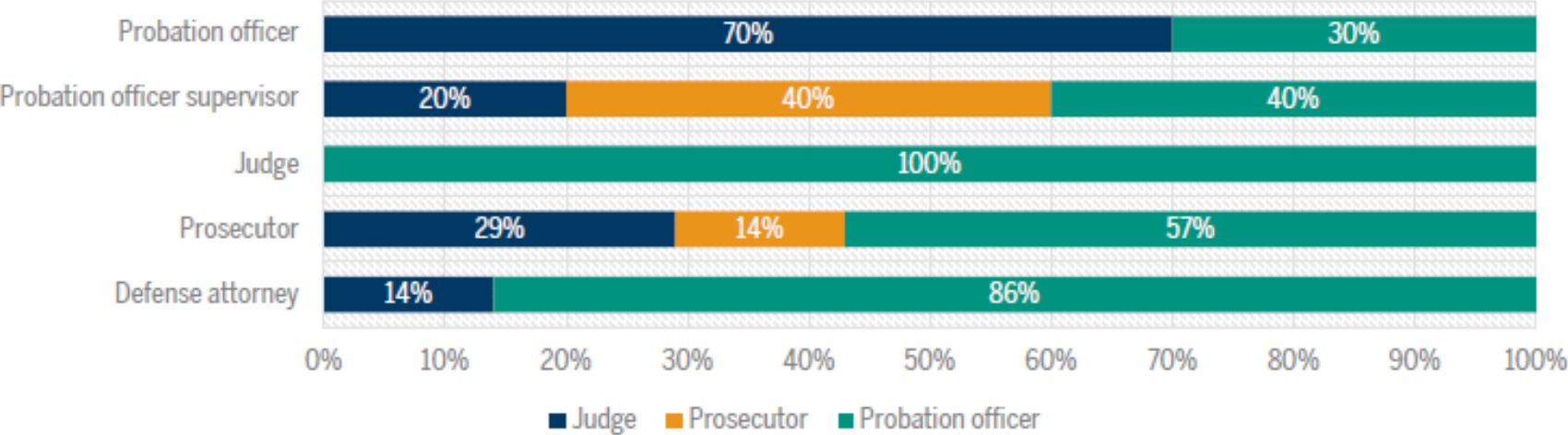
- Revocation rate 17%
- 66% of people who receive a petition to revoke are maintained on probation
- Black males have a similar revocation rate as White males

National Probation Landscape

- Revocation rate near 50%
- Significant range of petitions to revoke filed
- Black males have a significantly higher revocation rate compared to white males

How Can Monroe County Improve Outcomes for People on Probation

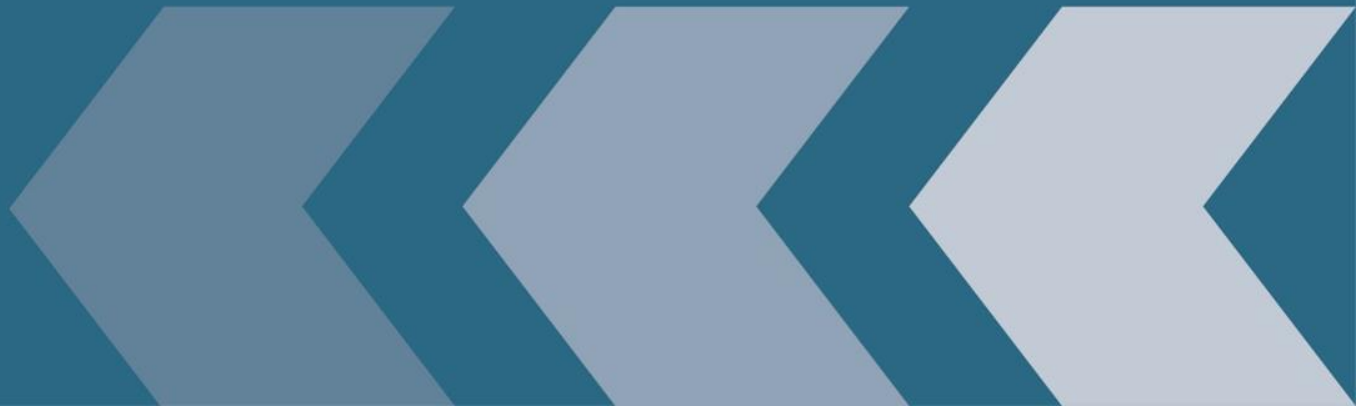
FIGURE 2. Perceptions about who has the most influence on revocation decision, by participant



MOVING FORWARD

- Adopt needs-based supervision
 - Develop a change-oriented model
 - Adopt a coaching mentality
 - Rethink the purpose of probation conditions
 - Identify and share successes along with setbacks
- Interrupt cycles of noncompliance
 - Engage people who have failed to show up
 - Responses to violations/revocations
 - Re-examine drug testing policies
 - Training and support
- Incentivize success
 - Early discharge
 - Success rates
 - Increase active use of incentives
- Monitor and respond to disparities
 - Local validation of the IRAS
 - Apply a diversity, equity, inclusion, and accessibility lens to functions of the probation department

EXPLORING CONDITIONS OF SUPERVISION



WHAT DO WE KNOW ABOUT CONDITIONS?

- Often, conditions are not aligned with the court's purpose in sentencing to probation.
- System actors should align conditions with purpose
- Transforms non-criminal activity into criminal responses
- Often creates more disparate outcomes
- Length of supervision is not correlated with better outcomes
- Excessive rules lead to high failure rates

Wayne A. Logan, *The Importance of Purpose in Probation Decision Making*. Florida State University College of Law, 2003

Fiona Doherty, *Obey All Laws and Be Good: Probation and the Meaning of Recidivism* Georgetown Law Journal, 2016

Pew Charitable Trust series of reports:

States Can Shorten Probation and Protect Public Safety, 2020

Probation and Parole Systems Marked by Missed Opportunities, 2018

Policy Reforms Can Strengthen Community Supervision, 2020

Monroe County Standard Conditions

1. You shall not commit a criminal offense or operate a vehicle without a valid license.
2. You shall report any arrest or criminal charge to the Probation Department within 24 hours
3. You shall report to the Probation Department immediately following your sentencing hearing or, if incarcerated, within 72 hours of release.
4. Thereafter, you shall report as directed to the Probation Department
5. Provide truthful information.
6. You shall permit authorized representatives of the Probation Department to visit you in your home and elsewhere at reasonable times.
7. You shall maintain or seek suitable employment or pursue a course of study or vocational training.
8. You shall notify the Probation Department in writing within 48 hours of any change in address, phone, employment or educational status.
9. If convicted of a felony offense, you shall provide a DNA sample
10. You shall not leave the State of Indiana without written permission of the Court.
11. You shall not carry, use or possess any firearms, air or gas propelled guns, ammunition, explosive devices or deadly weapons.
12. You shall not consume alcohol and shall not possess, consume, inhale, inject, or apply controlled substances unless prescribed to you for valid medical reasons by a properly licensed healthcare provider

Current Standard Conditions Cont'd

13. You shall submit to drug/alcohol tests, at your expense, when requested by the Probation Department or treatment providers
14. You shall complete, at your expense, the terms of your probation case plan and provide proof of completion of any classes, counseling, groups, inpatient or outpatient treatment, or correctional programs directed by the Probation Department.

COMMUNITY CORRECTIONS PROGRAM: You shall successfully complete, subject to Community Corrections program rules and the payment of fees, the following:

_____ days CASP (if eligible) _____ hours Community Service

MONETARY: Payable to the Clerk by _____: Court costs

\$_____ Fine: \$_____ Suspended: YES/NO

Alcohol countermeasures / Drug Interdiction Fee: \$_____ Alcohol / Drug Program

Fee: \$_____

Public Defender Fee: \$_____ Other Fees: \$_____ for

The Clerk shall apply any cash bond to the payment of costs, fines, fees and restitution.
Payable in Probation Department: Probation administrative fee, probation user fees, and probation/community corrections program fees.

RESTITUTION: You shall pay monetary restitution through the Clerk's Office as directed by the Probation Department pursuant to the Order of Restitution.



Community Safety Conditions



VS

Supportive of Change



Community Safety Conditions v Case Plan Supports

*Which of these conditions focus on community safety?
And, which of these help guide/support/improve people's lives while on probation?*

- 1 Not commit a criminal offense
- 2 Report any arrest
- 3 Report to Probation immediately
- 4 Report to probation as directed
- 5 Provide truthful information
- 6 Permit Probation to visit
- 7 Maintain or seek employment
- 8 Notify of address change
- 9 Provide DNA sample
- 10 Not leave the State of Indiana
- 11 Not carry, use or possess firearm
- 12 Not consume alcohol or drugs
- 13 Submit to drug tests
- 14 Complete case plan

D5 Final Standard Conditions

Updated 10/13/2021

1. I will work with my probation officer to obtain employment or education, pay my court ordered financial obligations and identify other ways to contribute pro-socially to my community.
2. I will not own, possess, or use a firearm or dangerous weapon, as statutorily defined (702.7)
3. I will maintain lawful behavior.
4. I will stay connected with my probation officer by providing an up-to-date address and contact information.
5. I will make all reasonable efforts to show up on time for scheduled meetings with my probation officer to report on my progress.
6. I will not use illegal drugs or alcohol and If I struggle to remain sober, I will work with my probation officer to engage in treatment and support.
7. I will work with my probation officer to develop an individualized case plan and work with my PO on the goals designed to support my success on supervision.
8. I will submit to a search of my person, property, residence, vehicle, or personal effects, at any time, with or without a search warrant or arrest warrant, if reasonable suspicion exists, by a peace officer or probation/parole officer.

Iowa's Fifth
Judicial District's
Conditions



NEXT STEPS





QUESTIONS?