Probation Workgroup Data Presentation: Exploring and Examining Probation Violations

California Forward J-SCI Initiative in Riverside County
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Goals of J-SCI

1. Build capacity for data informed decision making.

2. Ensure sustainable local justice systems by increasing success and developing alternatives to reduce jail reliance

3. Reduce costs through Increased efficiency and effectiveness while ensuring public safety.
In order for data to drive practice, we must:

• Avoid analysis paralysis
• Prioritize our focus on areas that we have the most control and avoid getting lost or stuck in areas that we have little influence.
• Be prepared to peel the onion through quantitative and qualitative techniques.
• Move beyond exploration and hunches and complete all steps in the 7E process ---engage, explore, examine, envision, execute, evaluate, evolve.
• Understand that using data can lead to system transformation (the whole is greater than the sum of it’s parts).
Why focus on Probation Violations and why prioritize technical violations:

• Probation violations are within the probation workgroup’s domain.

• Probation violations or probation failures impact other systems.

• We should learn everything we can about probation violations in order to identify opportunities to reduce probation violations.

• Technical violations are fertile ground for alternative to jail and represent a critical area of initial inquiry do to their lower status from a public safety/ crime perspective.
Design and Methods

- Capture a year’s worth of information regarding probation violations to provide a source of data for immediate and later use.
- Disaggregate technical violations from new offenses.
- Capture offense, offender and process information to assist in analysis.

- Some Key terms:
  - Violation Event
  - Low Hanging Fruit
  - Fertile Ground
But first, some data plumbing that all ties back to people
Over the span of 1 year of cases petitioned, these can be looked at a number of ways.

- This translates into 1.3 cases violated per violation event. This means for every violation event, there violation on multiple cases.
- Each person had 1.6 violation events during the year. This means some people were violated multiple times over the course of 1 year.
Our Sample...

- 1 year of all Petitioned Cases
  - 16,612
  - Probation Filed Petitions
  - 8,784
  - Sample of court and DA filed petitions
  - Sample of probation filed petitions
  - 368 total files

YOUR hard work!

- Jail Booking information
  - 280
• Past a certain point, you are not gaining significant amounts of explanatory power by pulling more files, as long as you draw a random sample.

Margin of error based on Sample Size

We are +/- 5% of the “true answer”
The largest source of violations are technical filed by probation.

Source Violation Events, By type

- Probation: Technical
- Court: NewCrime
- DA: NewCrime

Fertile Ground
Most are breaking rules, not laws

Violation Petitions by type

- Technical: 55%
- New Crime: 45%

1 year of all Violation Petitions
Of all the violations events:

• 78% male
• 20% were identified as having “unstable housing” but we know there were issues with this definition.
• Average Age at time of violation 32 years old, with realigned supervisees slightly older
• There 7600 unique people, with 400 people with more than 5 petition events in the year
• Realigned probationers make up 20% of the population, but 37% of the petition events.
Most of underlying offenses for technical violations were drug/property crime

<table>
<thead>
<tr>
<th>Underlying Offense of technical Violations</th>
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<tbody>
<tr>
<td>Drug Crimes 49%</td>
<td></td>
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<tr>
<td>Property Crimes 32%</td>
<td></td>
</tr>
<tr>
<td>Crimes Against Persons 11%</td>
<td></td>
</tr>
<tr>
<td>Other Crimes 7%</td>
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</table>
Violations by underlying probation offense

Most Serious Offense

<table>
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<tr>
<th>Crimes Against Persons</th>
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What happened here?
Chronicity of technical violations (# per probationer) varies by office.
Top 5 Terms Violated (Technical Violators)

% of sampled violation events

- Substance Abuse Program 1210.1 PC
- Register 11590 H&S
- Violate No Law
- Residence Approved by PO
- Report to PO

What do these tell us?

Sample of probation filed technical violation petitions
What does geography tell us about violations?

Most common Violation by zip code, dot size is proportional to the population:

- Report to PO
- Violate No Law
- Residence Approved by PO
- Substance Abuse Program 1210.1 PC
- Register 11590 H&S
Most violation petitions were not preceded by an intermediate sanction

Intermediate Sanction Used, % of Technical Violations

- CBO - Referral to Community Based Organizations: 16%
- IR - Increased Reporting: 5%
- NA - None Reported: 79%

Intermediate sanctions are either under-applied or undercounted... Why?
Prop 47 cases may have an impact on violations types after resentencing

% of people violated

- 35% Not prop 47
- 65% Prop 47
70% of probation filings resulted in jail, with an average LOS of 26 days

- Probation filed violations generated 118,000 jail bed days
  - Bench Warrants were the recommendation in 26% of probation filed violations, with the average jail stay of 18 days
  - 40% of probation filed violations were released under the federal cap
  - Offenders possibly eligible for Prop 47 make up 30% of the bookings, staying an average of 15 days
Fertile Ground for Intervention: Increase probation engagement

- Failures to report to probation and are included in 68% of all petitions
- 1500 offenders county wide could be targeted for increased engagement with probation after release from jail is a key way to get them connected to services,
- This could avoid ~20,000 jail bed days if just 30% stay engaged and avoid new jail terms, or 2% of the jail population and 55 jail ADP.
- Geographic information and demography can guide program interventions as to where in the county and for whom
- We need to dig deeper to better understand the problem and target solutions.
Recap:

• The majority of violations are technical rule breaking, not new crimes (law breaking).
• Jail is the most common response for rule breakers.
• Many rule violators have received “fed kicks from jail”
• Intermediate sanctions are under applied.
• Most violations reflect a lack of engagement with probation.
• Drugs and substance abuse is the basis of most offending, followed by the often related, property offending.
• Increasing probation engagement would reduce system impact.
Recommendations, Current and next steps:

• Establish indicators and definitions for successful probation engagement (such as contact before jail release, office visits within first month of probation, rates of warrant requests).

• Establish baselines on indicators of engagement.

• Focus on quick wins through business change practices that help increase probation engagement.

• Further examine geographic and offending behavior to envision other programatic and practice changes to be implemented and studied.

• Consider a warrant reduction program with community partners.

• Begin to rethink and redesign approaches for drug offenders.
Are there any alternative models for dealing with drug offenders?

• Putting things in terms of public safety risk vs. service needs might change the dialogue to a harm reduction model

  • Low Risk, High Need: Service referrals
  • High Risk, High Need: high intensity and services
  • Low Risk, Low Need: leave them alone
  • High Risk, Low Need: High intensity supervision