

# **Sanction Certainty:** **An Evaluation of Erie County's Adult Probation Sanctioning System**



**Final Report**  
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**Mercyhurst College Civic Institute**

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Prepared on behalf of the Erie County Adult Probation Department  
and The Honorable John A. Bozza, Erie County Court of Common Pleas



## TABLE OF CONTENTS

<b>List of Tables</b> .....	<b>2</b>
<b>List of Figures</b> .....	<b>3</b>
<b>Acknowledgements</b> .....	<b>4</b>
<b>Executive Summary</b> .....	<b>5</b>
<b>Literature Review</b> .....	<b>8</b>
<b>Introduction</b> .....	<b>12</b>
<b>Methods</b> .....	<b>14</b>
<b>Results</b>	
Violations .....	<b>16</b>
Detention.....	<b>19</b>
Detention Cost Comparisons .....	<b>21</b>
Revocations .....	<b>23</b>
Demographics.....	<b>25</b>
Criminal History.....	<b>30</b>
Alcohol/Substance Abuse and Treatment.....	<b>33</b>
Probation Officers Survey Results .....	<b>36</b>
<b>Discussion</b> .....	<b>44</b>
<b>References</b> .....	<b>50</b>
<b>Appendices</b>	
A: Zero Tolerance Protocol .....	<b>51</b>
B: Violation Matrix Protocol.....	<b>52</b>
C: New Policy Directive Towards Violators (SC) .....	<b>54</b>
D: Probation Officer Data Collection Form (SC) .....	<b>57</b>
E: Reade Pilot Study Outcomes .....	<b>58</b>
F: MAPS Replication Study Outcomes .....	<b>59</b>
G: Probation Officer Survey .....	<b>60</b>
H: Additional Probation Officer Comments .....	<b>63</b>

## LIST OF TABLES

<b>Table 1: Comparison of Violators</b> .....	<b>17</b>
<b>Table 2: Comparison of Violations</b> .....	<b>18</b>
<b>Table 3: Violation Types for Multiple-Incidents Violators</b> .....	<b>19</b>
<b>Table 4: Detention Comparisons</b> .....	<b>20</b>
<b>Table 5: Detention Length Comparisons</b> .....	<b>21</b>
<b>Table 6: Cost of Incarceration</b> .....	<b>22</b>
<b>Table 7: Cost of Incarceration per One-Thousand</b> .....	<b>23</b>
<b>Table 8: Revocation Comparisons</b> .....	<b>24</b>
<b>Table 9: Present Offense</b> .....	<b>32</b>
<b>Table 10: Violation Types (Technical Violations)</b> .....	<b>33</b>
<b>Table 11: Violation Types (New Charges)</b> .....	<b>33</b>

## LIST OF FIGURES

Figure 1: Violation and Revocation Monthly Trends .....	25
Figure 2: Age Comparison (One Violation vs. Multiple Violation Offenders).....	26
Figure 3: Population Breakdown by Sex .....	27
Figure 4: Population Breakdown by Race .....	27
Figure 5: Marital Status Comparison .....	28
Figure 6: Percentage of Violations Committed by Employment Status .....	28
Figure 7: Education Levels .....	29
Figure 8: Supervision Level by Number of Violations .....	30
Figure 9: Supervision Level by Violation Types .....	30
Figure 10: Comparison of Violator Prior Record Scores to Number of Violations ...	31
Figure 11: Comparison of Violator Prior Record Scores to Number of Violations....	31
Figure 12: History of Alcohol Abuse.....	34
Figure 13: History of Substance Abuse.....	34
Figure 14: Violator Status by Treatment Related Outcome .....	35
Figure 15: Percentage of Violators Involved in Treatment.....	36
Figure 16: Perceived Affects on Probation Officers (Questions 1 & 2) .....	37
Figure 17: Perceived Affects on Probation Officers (Questions 3 & 4) .....	37
Figure 18: Perceived Affects on Offenders (Questions 5, 6, 7 & 8) .....	38
Figure 19: Perceived Affects on Offenders (Question 9) .....	38
Figure 20: Implementation (Questions 10 & 11).....	39
Figure 21: Implementation (Questions 12 & 13).....	40
Figure 22: Implementation (Questions 14 & 14A) .....	40
Figure 23: Implementation (Questions 15) .....	41
Figure 24: Morale (Questions 16) .....	42
Figure 25: Morale (Questions 17) .....	42
Figure 26: Morale (Questions 18) .....	43

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## EXECUTIVE SUMMARY

This report represents the third of three separate evaluations that have been conducted on a relatively new directive which has been implemented within the Adult Probation/Parole Department of Erie County, Pennsylvania. The directive, which has changed names with each successive evaluation, is currently referred to as Sanction Certainty. The Sanction Certainty directive is defined by the certainty, clarity and celerity in which sanctions are imposed; this in contrast to the somewhat subjective nature of previous sanctioning policies.

The start of what would eventually become the Sanction Certainty directive began in September of 1997 when the Erie County Adult Probation/Parole Department began formulating the design of a pilot study at the request of Judge John A. Bozza. This pilot study would become known as the Zero Tolerance (ZT) policy. Under Zero Tolerance, officers supervised their caseloads according to the *Zero Tolerance Action Supervision Guidelines*. Under these guidelines, each violation was evaluated by a Zero Tolerance probation officer to determine whether or not to incarcerate the violator. Zero Tolerance did not require incarceration for every violation of the conditions of probation/parole. However, it did require, in each instance where a violation occurred, an effective response calculated to hold the offender accountable.

The ensuing study of the Zero Tolerance approach centered around two hypotheses. The first of these hypotheses stated that the Zero Tolerance approach to probation sanctions would produce fewer violations per violator and therefore provide more effective community based supervision control. This hypothesis appeared to be supported by the program's evaluation. The second hypothesis of the Zero Tolerance study anticipated fewer overall days of incarceration on detainers per offender than the existing Violation Matrix. Again, the pilot program's evaluation supported the hypothesis. Ultimately, the outcomes of the Zero Tolerance pilot study suggested that swift, clear, and certain sanctions improved supervision efficacy, thus supporting the initial hypotheses.

Based on the results of the initial Zero Tolerance pilot project, Judge Bozza and former Erie County Adult Probation Director Robert Lewis requested that a replication of the study be performed by researchers of the Mercyhurst College Civic Institute. The replication study, which began on January 2, 2001 and lasted for a period of one year, would become known as the Modified Adult Probation Sanctions (MAPS) policy. Results of the replication study reaffirmed the findings of the initial pilot study and indicated that the MAPS protocol resulted in fewer probation violators who committed fewer violations. In addition, the MAPS group probation violators averaged shorter periods of incarceration on detainers and were less frequently revoked from supervision than the Violation Matrix group participants.

As a result of the apparent effectiveness of the ZT/MAPS approach to adult probation sanctioning, the protocol was extended to cover nearly all caseloads of the Erie County Adult Probation/Parole Department beginning on December 2, 2002. The program's name was again updated to more accurately reflect the program's approach to adult probation sanctioning. The program is currently referred to as the Sanction Certainty (SC) directive. In January 2003, Judge Bozza and former Erie County Adult

Probation Director Robert Lewis requested that another study be conducted by researchers of the Mercyhurst Civic Institute to evaluate the effectiveness of the expanded Sanction Certainty directive. The evaluation period began on April 1, 2003 and ended on March 31, 2004. In the 52 weeks of the program's evaluation, 598 separate violating incidents, involving 505 individual violators, were recorded.

Probation violators under the Sanction Certainty directive were evaluated with regard to their violations, detentions, and revocations. As with the previous studies, the average number of technical violations per technical-only violators remained lower than the previous Violation Matrix form of probation sanctioning. However, the Sanction Certainty policy tended to revoke probation violators at a higher rate than previous study groups.

With regard to violator detention, the analysis indicated that the Sanction Certainty directive, much like the Zero Tolerance and Modified Adult Probation Sanctions policies, detained technical-only violators at a higher rate than the preexisting Violation Matrix approach to supervision. However, the average number of days detained was consistently lower under the Sanction Certainty, Zero Tolerance, and Modified Adult Probation Sanctions policies.

Preliminary cost figures were calculated using average incarceration lengths, average costs of incarceration, and rates of detention for specific sanctioning policies. The incarceration cost per offender under Sanction Certainty was lower than that of previous study groups due to the low average number of days detained. However, when factoring in the increased detention rate of the Sanction Certainty policy, the cost of incarceration per one thousand violators was found to be slightly more than the previous Violation Matrix. Ultimately, no definitive conclusions can be reached regarding cost-benefits without acquiring more long-term data on criminal recidivism.

Demographic information collected on violators indicated that the average age of a Sanction Certainty violator was 32 years. While demographic information was collected with regard to sex and race, the relatively low number of women and minorities did not allow for definitive conclusion with regard to these variables. Some differences in the educational level attained by violators could be identified when comparing one-time violators to multiple incidents violators. Perhaps the most conclusive finding regarding violator demographics had to deal with the employment status of violators. Unemployment was found to be a significant factor with regard to the propensity of offenders to violate on the terms of probation/parole.

Information collected on offenders' criminal histories indicated that the overwhelming number of violations were related to drug and alcohol use. Additionally, a history of substance abuse was strongly correlated to an offender's likelihood to violate. Moreover, a significant proportion of Sanction Certainty violators were involved in drug and alcohol treatment.

A new addition to the evaluation of this new approach to probation sanctioning was the inclusion of a self-reporting survey that was administered to the probation officers and supervisors who handle the Sanction Certainty caseloads. Survey questions focused on four specific areas: (1) perceived effect of Sanction Certainty on probation officers; (2) perceived effect of Sanction Certainty on offenders; (3) the implementation of Sanction Certainty; (4) and probation officer morale. Information gathered from the

surveys indicated that while most officers believed their workload had increased because of Sanction Certainty, a majority believed that the increased time commitment had been beneficial. While the new policy seemed to have been well received by probation officers, most officers believed that they needed additional choices for responding to violations. Ultimately, all officers and supervisors felt that it was easier to address offender violations under the Sanction Certainty directive than under previous forms of supervision.

In general, this most recent evaluation of the Sanction Certainty style of probation sanctioning has reaffirmed most of the findings of the previous evaluations. In addition, this report includes additional information on offender demographics, criminal and treatment histories, as well as feedback from those who directly administer the policy. While these findings tend to support the initial hypotheses of the Reade pilot study, a more extended evaluation period would provide valuable insight into the operations and possible long-term effects of this type of policy.



## LITERATURE REVIEW

In recent years, the need for community supervision of criminal offenders has continued to increase. In 2002, the number of offenders on probation or parole nationwide (4,748,306) was more than twice the number of offenders incarcerated in jails and prisons (2,033,331) (Glaze, 2003). In the same year, Pennsylvania ranked tenth of the ten states with the largest probation populations, with 130,786 offenders supervised. Additionally, it ranked third of the ten states with the largest parole populations, with 97,712 offenders supervised. When that figure was adjusted to compensate for the state's population, Pennsylvania ranked first with a rate of 1,037 persons supervised per 100,000 adult residents (Glaze, 2003).

According to the National Association of Criminal Justice Planners, one-third of probation offenders who are successfully discharged from supervision do not complete all of the conditions of their probation (as cited in Gray, Fields, and Maxwell, 2001). As the number of offenders on community supervision continues to increase, creating effective violation policies becomes a major challenge for probation agencies throughout the country. Effective policies should increase offender compliance with the conditions of supervision and consequently reduce the number of violations per violator. An analysis of various theories addressing pain versus pleasure or costs and benefits, as well as addressing effective punishment and deterrence, can provide a basis for formulating effective violation policies.

As early as 1789, Jeremy Bentham discussed the consideration of pleasure and pain in his work, *An Introduction to the Principles of Morals and Legislation*. According to Bentham, in order to determine whether a consequence is a pleasure or a pain, a person will consider the certainty, remoteness, and chance that it will be followed by sensations of the same or opposite kind, as well as the intensity and duration of those sensations (1823). Similar to this idea expressed by Bentham, in their work from 1990, *A General Theory of Crime*, Michael Gottfredson and Travis Hirschi stated that acts with immediate consequences that are mentally and physically easy, as well as risky or exciting, will be more pleasurable than acts with delayed consequences, physical exertion, or acts that are routine. Therefore, criminal acts usually involve little planning and effort (Gottfredson and Hirschi, 1990). A central idea of Gottfredson and Hirschi's general theory of crime is the idea of self-control and its connection to criminal behavior. People with low self-control have a tendency to be impulsive, self-centered, and risk-takers; therefore, people with high self-control are less likely to engage in criminal behavior (1990).

In a similar manner, Wilson and Herrnstein's theory, part of the book *Crime and Human Nature* published in 1985, addressed the forces that control individual behavior and the idea of crime as a choice. An individual's behavior is determined by the consequences which are immediate or delayed, certain or uncertain. Wilson and Herrnstein discussed the tendency for individuals to use their own personal "discount rates" to determine present versus future gains and losses when deciding to commit or avoid criminal behavior (1985).

Through their study, Daniel Nagin and Raymond Paternoster found that both Wilson and Herrnstein's theory, and Gottfredson and Hirschi's view, are important to understanding criminal behavior. They used a survey to determine the respondent's

perceptions of the costs and benefits of committing various criminal offenses and also to determine the level of self-control of each respondent. Their findings indicated that persons with low levels of self-control who view the rewards of crime as more valuable, and the costs as less aversive, were more likely than those with high levels of self-control to report that they would commit the various offenses, and were less likely to feel “the pangs of conscience” (Nagin and Paternoster, 1993, p. 484). The study also found that perceived pleasure was positively related to the intention to commit the offense while sanctions and shame were negatively related to the intention (Nagin and Paternoster, 1993). Nagin and Paternoster’s combination of both aforementioned theories expressed the idea that:

*The reason persons with poor self-control commit crimes at a consistently higher rate than others is because they have less to lose. In the language of labor economics, because of their present-orientation those with poor self-control have a high discount rate (p. 490).*

In a similar manner addressing the weighing of costs versus benefits, Mark Kleiman explained in his lecture that Tversky and Kahneman’s prospect theory involves actual behavior as risk averse in gains but risk seeking in losses (Kleiman, 1999). For example, regarding gains, if individuals are given a choice between one week in Las Vegas for sure and an even chance at two weeks, most will choose the one certain week. Regarding losses, given one week in jail for certain and an even chance at two weeks in jail, many may take the risk of two weeks instead of settling for a sure loss (Kleiman, 1999).

Suggestions for punishments or sanctions stem from the common ideas regarding offenders that arise from the aforementioned theories. A consistent suggestion is the need for immediate and certain punishment. As early as the 1700s, Cesare Beccaria was discussing the characteristics of a just punishment in *Of Crimes and Punishments*. Beccaria explained that the purpose of punishment is to prevent the criminal from doing more harm and also prevent others from committing similar offenses (1764). Beccaria (1764) also addressed the importance of an immediate punishment or, in other words, the celerity:

*An immediate punishment is more useful; because the smaller the interval of time between the punishment and the crime, the stronger and more lasting will be the association of the two ideas of crime and punishment; so that they may be considered, one as the cause, and the other as the unavoidable and necessary effect (p. 357).*

Kleiman also noted the importance of consistent and immediate sanctions for controlling the behavior of offenders with low self-control (1999). According to Wilson and Herrnstein, changing the levels of certainty, severity, or celerity of a punishment may reduce crime because delayed or uncertain consequences may have little effect on an individual’s behavior (1985).

In regard to Tversky and Kahneman’s prospect theory, Kleiman noted that this may explain why the prison-building boom experienced in the 1990s did not reduce crime as hoped, “...we are overrelying on severity and underplaying certainty” (Kleiman,

1999, p. 11). As Kleiman (1999) discussed the idea of discounting, also noted by Wilson and Herrnstein, he presented a clear example:

*One of the worst offenders caught in the Boston crackdown remained stone-faced through his arraignment on a charge under which he faced a minimum of 15 years in prison. But he went ballistic when the judge, in granting him bail, imposed a 6 p.m. curfew. Why? Because the sentence was some indefinite time in the future; the curfew was that night, and that night he had things to do (p. 12).*

Kleiman suggested that community corrections agencies create behavioral policies for offenders and enforce the policies with swift and consistent sanctions (1999). His new principles for crime control include: ensuring certainty and celerity before severity; communication of threats and sanctions; and the imposition of a nontrivial punishment for every conviction (Kleiman, 1999).

The supervision of offenders within the community presents a difficult challenge to those responsible for the supervision. Not only are they supposed to supervise and manage the offenders safely and economically, they are also responsible for protecting the safety of the community while upholding the credibility of the criminal justice system (Carter, 2001). Since it is not possible to remove all offenders who violate the conditions of their probation or parole, community corrections officers need to determine who can remain safely in the community and who needs to be returned to prison or jail.

*The fiscal and operational reality is that not every individual should – be removed from the community at the first sign of a problem...Unarguably, if our jails and prisons are filled with offenders who are merely noncompliant, there will be no room for dangerous offenders (Carter, 2001, p. 5).*

Therefore, community corrections agencies must create violation policies that uphold the credibility of the system while attempting to reduce the number of violations per offender and to increase offender compliance with conditions.

A study by M. Kevin Gray, Monique Fields, and Sheila Royo Maxwell examined the type and number of probation violations in the state of Michigan. They found that 28% of offenders committed medium serious violations (dirty urine, program failures, alcohol violations, etc.), 23.8% of offenders committed more serious violations (new crimes, absconded, escape from custody), 18.6% of offenders committed less serious violations (failure to report, failure to pay costs or fines, curfew violations, etc.), and 25.9% of those on probation committed no violations. For offenders who had committed at least one violation, the mean number of violations was 3.3; for offenders who committed a new crime while under supervision, the mean number of violations was 3.9 (Gray et al., 2001, 548-549). Another finding of the study was that the offenders with more technical violations were more likely to commit new crimes while under supervision (Gray et al., 2001, 552). The authors noted that this finding suggests that “repeated technical violations should be taken seriously by probation departments and that these violations should be examined to determine if revocation or increased supervision is an appropriate response” (Gray et al., 2001, p. 554).

Recommendations and results from the aforementioned theories and studies have led to either the modification of sanctioning policies or the development of new supervision policies altogether. In Erie County, Pennsylvania, a new supervision policy, encompassing many of these aspects, was implemented department-wide in December of 2002. This policy directive, the focus of this report, is referred to as Sanction Certainty.

## INTRODUCTION

In September of 1997, the Erie County Adult Probation/Parole Department began formulating the design of a pilot study at the request of Judge John A. Bozza. This pilot study, which would become known as “Zero Tolerance,” was developed in an attempt to determine the efficacy of a probation system in which sanctions were imposed with clarity, celerity, and certainty.

By November of the same year, the Adult Probation/Parole Department had delivered a pilot project prospectus to Judge Bozza, who subsequently presented the prospectus to other Erie County Court of Common Pleas Judges. The prospectus was reviewed and a one year pilot study was accepted for implementation in the county’s Adult Probation/Parole Department.

The Zero Tolerance (ZT) study began on May 1, 1998 and continued for a one year period, ending on April 30, 1999. The initial study involved two Adult Probation Officers whose cases were designated as the “Zero Tolerance Group” and four officers whose cases were designated as the “Control Group.” The Zero Tolerance officers supervised their caseloads under the approved *Zero Tolerance Action Supervision Guidelines*. A copy of the ZT protocol is attached to this report as Appendix A. The control group probation officers supervised their caseloads under the pre-existing Violation Matrix. A copy of the Violation Matrix protocol is attached to this report as Appendix B.

The Violation Matrix supervision approach was developed in 1991 as an attempt to provide a more objective and hierarchical method of sanctioning probation violators, while reducing the overall number of detainees lodged in the Erie County Prison. However, in time, probation officers found a general decline in the efficacy of this system. Offenders, who were becoming increasingly familiar with the matrix system, began manipulating the anticipated consequences of their violations.

The year long Zero Tolerance pilot project culminated in a final report authored by Erie County Adult Probation Chief, Raymond Reade, who at the time was the acting Deputy Director of the Erie County Adult Probation Department. The Reade study centered around two hypotheses. The first of these hypotheses stated that the Zero Tolerance approach to probation sanctions would produce fewer violations per violator, provide more effective community based supervision control, and lead to fewer incidents of criminal recidivism. This hypothesis appeared to be partially supported by the program’s outcome evaluation. While Control Group technical only violators averaged 3.6 violations per violator, the Zero Tolerance technical-only violators averaged a lower occurrence (1.7) of violations per violator. In addition, whereas the Control Group percentage of violators who committed multiple violations while on supervision was 69%, the Zero Tolerance group had a substantially lower percentage (38%) of violators who committed multiple violations while on supervision.

The second hypothesis of the Reade study suggested that the Zero Tolerance probation system would provide for fewer overall days of incarceration on detainees per offender than the existing violation matrix. Again, the pilot program’s evaluation supported the hypothesis. The average number of days detained per technical-only

violation in the Control Group was 30.5. However, the average number of days detained per technical only violator in the Zero Tolerance group was a significantly lower 8.5. Overall, the outcomes of Zero Tolerance pilot study suggested that swift, clear, and certain sanctions improved supervision efficacy, thus supporting the Bozza/Reade hypotheses.

Based on the results of the initial Zero Tolerance pilot project, Judge Bozza and former Erie County Adult Probation Director Robert Lewis requested that a replication of the study be performed by researchers of the Mercyhurst College Civic Institute. In November 1999, researchers from the Civic Institute agreed to replicate the pilot study using a random assignment methodology.

The replication study, which began on January 2, 2001, and lasted for a period of one year, involved a total of 216 participants who entered the adult probation system during the first six months of the study period. Violators were assigned to one of six probation officers who followed either a Zero Tolerance based, Modified Adult Probation Sanctions protocol (MAPS) or a violation matrix protocol (MATRIX-r) throughout the course of the study. The total number of study participants represented three caseloads of (N=112) offenders under the MATRIX-r protocol and three caseloads of (N=104) offenders under the MAPS protocol. Data collection methods included probation record reviews performed by the research team and monthly status reports completed by the probation officers.

Results of the replication study reaffirmed the findings of the Reade pilot study and suggested that the MAPS protocol resulted in fewer probation violators who committed fewer violations. In addition, the MAPS group probation violators averaged shorter periods of incarceration on detainers and were less frequently revoked from supervision than the MATRIX group participants.

As a result of the apparent effectiveness of the ZT/MAPS approach to adult probation sanctioning, the protocol was extended to cover nearly all caseloads of the Erie County Adult Probation/Parole Department beginning on December 2, 2002. The only caseloads currently excluded from the protocol are those involving specialty treatment courts (drug court and mental health court), electronic monitoring (EM) cases, and Accelerated Rehabilitation Disposition (ARD) cases from a pre-trial diversion program for select first time offenders. The program's name has again been updated to more accurately reflect the program's approach to adult probation sanctioning. The program is currently referred to as the Sanction Certainty (SC) directive. A copy of this policy directive is located in Appendix C of this report.

In January 2003, Judge Bozza and former Erie County Adult Probation Director Robert Lewis requested that another study be conducted by researchers of the Mercyhurst Civic Institute to evaluate the effectiveness of the expanded Sanction Certainty directive. The length of the program evaluation was again placed at one year. The current evaluation began on April 1, 2003 and ended on March 31, 2004.

## METHODS

Representatives of the Mercyhurst Civic Institute initially met with former Adult Probation Chief Robert Lewis, Adult Probation Chief and former Deputy Chief Ray Reade, and Records Manager Patti Mattis to develop project plans. This initial meeting highlighted some of the main objectives of the study and outlined a data collection strategy. Subsequently, the Civic Institute researchers constructed a database for storing and analyzing the wide variety of information that was to be collected on all violators who were subsumed under the Sanction Certainty directive throughout the study period.

While the evaluation process was similar to those that have measured the outcomes of the program in previous years, this particular evaluation involved a significantly larger study population and a more diverse array of research objectives. As data collection proceeded throughout the first several months, it became necessary to refine these objectives into a series of well-defined and obtainable research questions. Through a series of conversations and meetings between Erie County Court Judge John A. Bozza, former Adult Probation/Parole Department Director Robert Lewis, Adult Probation Chief and former Deputy Director Raymond Reade, Records Manager Patti Mattis, and members of the Mercyhurst Civic Institute research team, a set of research objectives was formulated and agreed upon.

Throughout the evaluation period, Mercyhurst researchers received initial violator/violation information through a series of Sanction Certainty bi-monthly reports. Bi-monthly reports include information on probation/parole violators who were detained as a result of their violations. At the outset of the study, these reports provided the researchers with information on a violator's name, present offense, detention date, release date, violation type, and outcome. In July, the reports were updated to include the violator's supervision level and again, in October, the reports were updated to include the name of each violator's probation officer.

Once the information from the bi-monthly reports was logged into the database, Mercyhurst researchers visited the Adult Probation/Parole Department where additional violator/violation information was collected from the department's Probate computer software system. Information collected from the Probate system included such variables as a violator's sex, race, date of birth, marital status, revocation date (if applicable), revocation sentence (if applicable), release date after revocation sentence (if applicable), education level, and any other details deemed pertinent to the study's research objectives.

In addition to gathering information from the Probate computer system, a data collection form was designed and distributed to the department's probation officers on a monthly basis. By completing these forms, probation officers provided the researchers with information regarding a violator's employment status, prior record score, and history of alcohol and substance abuse. A copy of the SC probation officer data collection form is attached to this report as Appendix D.

There were 24 probation officers providing information for violators within 15 caseloads. As a result of the Sanction Certainty directive being applied to nearly all

caseloads, this most recent study lacked the simultaneity of a control or comparison group, such as those present in the two previous studies. As a way of trying to measure the Sanction Certainty results and outcomes against the results and outcomes of those not subsumed under the policy, the current study's data was compared to the Zero Tolerance pilot study comparison group (MATRIX-p) and the MAPS replication study control group (MATRIX-r). It is important to note that the MAPS study is not as compatible, with regard to research design, as the Sanction Certainty and Zero Tolerance studies. These differences are noted where appropriate.

Due to the overall number of offenders that were subsumed under the Sanction Certainty directive during this particular study, as compared to the relatively small number of offenders who were involved in the two previous studies, it was decided that the best tool for drawing comparisons between these groups was to utilize rates per one thousand violators. To calculate rates for the Sanction Certainty study it was necessary to identify the number of individuals within the Erie County Department of Adult Probation and Parole to whom the Sanction Certainty directive had been applied.

The Erie County Department of Adult Probation and Parole handles a total of 15 field services caseloads that constitute the vast majority of offenders covered by the directive. Refining this number, however, involved removing a large number of Accelerated Rehabilitative Disposition (ARD) cases within these caseloads to which the Sanction Certainty directive was not applied. In addition, there were also a number of inter-county and inter-state cases to which the directive was not applied and these were removed. Finally, there existed a small number of Intensive cases outside of the field services caseloads to which the Sanction Certainty directive was applied and these cases were therefore added into the total. Therefore, calculating the average number of individuals subsumed under the Sanction Certainty directive during the study period involved taking a monthly "snapshot" of each of the above categories (field services cases, ARD cases, inter-county and inter-state cases, and Intensive cases). Appropriate additions or subtractions were calculated and these monthly numbers were then averaged over the course of the year. The average number of offenders subsumed under the Sanction Certainty directive during the study period was found to be 2,138.

As previously stated, the Sanction Certainty directive was applied to the majority of the department's cases beginning on December 2, 2002. The data collection period for this particular report began April 1, 2003 and continued for a period of one year, ending on March 31, 2004. All violations that resulted in detention, regardless of charge type (technical, new, or new and technical), were reported to the Mercyhurst research team. In the 52 weeks of the program's evaluation, 598 separate violating incidents were committed by 505 individual violators who were subsequently detained for their violations. On occasion, some data were missing or otherwise unable to be obtained by the research team during data collection sessions. Any analyses performed without complete data files are noted where applicable.



## RESULTS

In this report, the Sanction Certainty (SC) study group is compared to the previous study groups (ZT/MAPS) as well as their corresponding comparison groups (MATRIX-p/MATRIX-r) in the areas of violations, detentions, incarceration costs, and revocations. Since the sample sizes in the previous and current studies were notably different in size, comparisons are provided in rates per thousand where appropriate. When rates are noted, actual counts are also listed. Furthermore, it is important to note that the MAPS replication study had methodological differences sufficient to make direct numerical comparisons inappropriate. However, the results of that particular study are provided to illustrate any general trends present between the treatment and control groups.

The findings of the Sanction Certainty study generally coincide with those of the Reade pilot study and the MAPS replication study and demonstrate that the Sanction Certainty directive resulted in fewer technical violators, who committed fewer violations, and who served fewer days of incarceration on detainees. In addition, there was an increase in the overall number of detainees lodged given the mandates of the policy. However, unlike the previous studies, the Sanction Certainty study resulted in a higher rate of revocations than previous investigations. A copy of the Reade pilot study outcomes have been included as Appendix E, and a copy of the MAPS replication study outcomes has been included as Appendix F.

### ***VIOLATIONS***

Probation violations can be categorized according to the causal act, either technical disobedience or new criminal charge. Table 1 provides an overview of the Sanction Certainty violators according to the type of violation committed, and Table 2 provides an overview on the violations committed. Comparisons of the SC/ZT/MAPS groups and the MATRIX comparison/control groups involved in both the Reade pilot study and the MAPS replication study are provided.

#### ***Technical Violators and Violations***

Technical violations of probation include missed appointments, therapy, or urinalysis collection; moving or traveling without prior permission; possession of firearms, weapons or illegal contraband; use of alcohol or an illegal substance; and violating special conditions or demonstrating other overt behavior. While only one technical violation is necessary to detain a violator under Sanction Certainty, all violations for a given detention are tabulated when calculating the total number of technical violations.

Since the number of offenders under examination in the SC study was substantially larger than the number of offenders in the previous studies, a direct comparison of the actual numbers of technical violators in the SC program versus the previous study groups was not possible. However, a comparison of the rates per thousand violators indicated that the Sanction Certainty group had a lower rate (174) than the Zero Tolerance treatment group (253) and the MAPS treatment group (327) (Table 1).

Additional information can be gained by examining the number of violations in each group in terms of rates per one thousand (Table 2). Standardizing these numbers by converting them to rates allowed for a direct comparison by correcting for the difference in actual caseloads sizes. These rates clearly indicated that the impact of Sanction Certainty is most evident among technical-only violators. The rate per thousand for technical only violations under Sanction Certainty (282) was lower than the rates for all other previous study and control/comparison groups (Table 2).

**TABLE 1: Comparison of Violators**

	<b>SANCTION CERTAINTY</b>		<b>READE PILOT</b>		<b>MAPS REPLICATION</b>	
	<b>SC</b>		<b>MATRIX-p</b>	<b>ZT</b>	<b>MATRIX-r</b>	<b>MAPS</b>
	15 Caseloads		4 Caseloads	2 Caseloads	3 Caseloads	3 Caseloads
	N ≈ 2138		N ≈ 600	N ≈ 300	N = 112	N = 104
<b>Technical Violators Only:</b>						
# Violators	372	159	76	63	34	
<i>Rate per thousand</i>	174	265	253	563	327	
Average # of violators per caseload	25	40	38	37	11	
<b>New Charges Only:</b>						
# Violators	109	9	13	8	5	
<i>Rate per thousand</i>	51	15	43	71	48	
Average # of violators per caseload	7	2	7	3	2	
<b>Technical and New Charges:</b>						
# Violators	52	26	15	-	-	
<i>Rate per thousand</i>	24	43	50	-	-	
Average # of violators per caseload	4	7	8			
<b>Total:</b>						
# Violators	533*	194	104	71	39	
<i>Rate per thousand</i>	249	323	347	633	375	

\*The actual number of individual offenders within the study was 505, thus a small number of individuals were counted twice as a result of violating, being detained and released for particular category of violation, and subsequently committing a different category of violation at a later date. The number 533 is, however, used here since it was the method of violator summation utilized in the previous studies.

*New Charges Violators and New Charges*

New criminal offenses committed by individuals on probation result in additional prosecution, as well as potential revocation from supervision, depending upon the severity of offense and the type of supervision to which an individual had been assigned. In the past, MATRIX participants followed a *Violations of Standard Codes* protocol, which provided recommended responses for new arrests according to the nature and severity of new criminal charges. Similarly, the MAPS group had pre-approved procedures, including the *Incarceration Action Steps*, as outlined in Appendix A, which governed a probation officer’s response. The SC policy is guided by the *New Policy*

*Directive Towards Violators* which became effective on December 2, 2002. These guidelines are outlined in Appendix C.

The rate per thousand for new charge only violators under Sanction Certainty (51) was slightly higher than the rates for the ZT and MAPS groups, 43 and 48 respectively. The Sanction Certainty rate was also higher than the rate for the MATRIX-p comparison group (15), but lower than the rate for the MATRIX-r control group (71). Additionally, if the new charges from the offenders who were detained on an incidence of committing both technical and new charges are added to the new charge only violators then the rate per one-thousand violators under Sanction Certainty rises to 75. If the same type of calculation is applied to the Reade pilot study, the rate per one-thousand offenders for new charges under the Zero Tolerance treatment group increases to 93 and the MATRIX-p group increases to 58.

**TABLE 2: Comparison of Violations**

	<b>SANCTION CERTAINTY</b>	<b>READE PILOT</b>		<b>MAPS REPLICATION</b>	
	<b>SC</b>	<b>MATRIX-p</b>	<b>ZT</b>	<b>MATRIX-r</b>	<b>MAPS</b>
	15 Caseloads	4 Caseloads	2 Caseloads	3 Caseloads	3 Caseloads
	N ≈ 2138	N ≈ 600	N ≈ 300	N = 112	N = 104
<b>Technical Violations Only:</b>					
# Violations	602	569	128	100	42
<i>Rate per thousand</i>	282	948	427	893	404
Average per Violator*	1.6	3.6	1.7	1.6	1.2
<b>New Charges Only:</b>					
# Violations	114	9	13	8	5
<i>Rate per thousand</i>	53	15	43	71	48
Average per Violator*	1.1	1	1	1	1
<b>Technical and New Charges:</b>					
# Violations	53	-	-	-	-
<i>Rate per thousand</i>	25	-	-	-	-
Average per Violator*	1	-	-	-	-

\*The average number of violations per violators is calculated by using the number of violators which is located in Table 1.

*Violation Trends for Multiple Incidence Violators*

Throughout the course of the Sanction Certainty evaluation there were a total of 84 offenders who violated subsequent to their initial violating incident and detention which brought them into the Sanction Certainty evaluation database. For these individuals, it is important to track the types of violations that are being committed; specifically any changes in the type of initial violation committed in relation to the type of subsequent violation.

Multiple incidence violators can be broken down into four subgroups based on their types of initial and subsequent violations (Table 3). Within the study period, the largest group of multiple incidence violators is that of offenders who initially committed a technical violation and subsequently committed an additional technical violation at a later

date. These “technical – technical” violators accounted for 62% of all multiple incidence violators. The second largest group, although substantially smaller in number, were “technical – new charge” violators who made up 18% of multiple incidence violators. This subgroup is perhaps the most disconcerting as the subsequent violation has escalated in severity from the initiating violation. “New charge – new charge” violators accounted for 11%, while those individuals who committed an initial new charge followed later by a technical violation represented the smallest group (9%) within the population of multiple incidence violators.

**Table 3: Violation Types for Multiple-Incidents Violators**

Initial Violation	Subsequent Violation	Number of Offenders	Percentage
Technical	Technical	52	62%
Technical	New Charge	15	18%
New Charge	New Charge	9	11%
New Charge	Technical	8	9%
<b>Total</b>		84	100%

## ***DETENTION***

Under the Sanction Certainty directive, every violation, upon discovery, mandates immediate arrest and incarceration unless the violator meets the criteria of a two part exception standard. The first criterion of the exception standard requires that an offender accepts responsibility of his/her violation and displays a remorseful attitude regarding the violating act. The second criterion dictates that the offense must be a Level One violation (a first missed or late appointment/class/session with a valid excuse) as set forth by the new policy directive. In the event that the violator meets these criteria and the Level One violation is excused, the probation officer is required to inform the offender that a subsequent violation will result in immediate arrest and incarceration. Information regarding the overall number of detainers lodged under each specific sanctioning policy is provided in Table 4 and information regarding the length of detentions for each policy is provided in Table 5.

### *Resulting From Technical Violations*

The decision of a probation officer to detain a violator for technical violations is contingent upon action steps outlined in the supervision protocol being used. For example, the MATRIX protocol was less likely to incarcerate a technical violator than the SC/MAPS/ZT protocols, which allow for incarceration of an individual for their first probation violation.

As Table 4 indicates, 431 offenders in the SC replication study were detained for technical violations. The rate of Sanction Certainty technical violators detained per one-thousand offenders (202) was higher than the same rate for the ZT study group (183) and the MAPS study group (115). The rate of Sanction Certainty technical violators detained was considerably higher than the rate for both the MATRIX-p comparison group (60) and the MATRIX-r control group (80). The rate of detention for technical violators under the Sanction Certainty policy follows the trend of the previous studies and indicates the guidelines set by the ZT/MAPS/SC approach results in a higher number of violators being detained.

**TABLE 4: Detention Comparisons**

	<b>SANCTION CERTAINTY</b>	<b>READE PILOT</b>		<b>MAPS REPLICATION</b>	
	<b>SC</b>	<b>MATRIX-p</b>	<b>ZT</b>	<b>MATRIX-r</b>	<b>MAPS</b>
	15 Caseloads	4 Caseloads	2 Caseloads	3 Caseloads	3 Caseloads
	N ≈ 2138	N ≈ 600	N ≈ 300	N = 112	N = 104
<b>Technical Violations Only:</b>					
# Violators detained	431	36	55	9	12
<i>Rate per thousand</i>	202	60	183	80	115
Detainers per caseload	29	9	27.5	3	4
<b>New Charges Only:</b>					
# Violators detained	114	8	12	7	4
<i>Rate per thousand</i>	53	13	40	63	38
Detainers per Caseload	8	2	6	2.3	1.3
<b>Technical and New Charges:</b>					
# Violators detained	53	16	12	-	-
<i>Rate per thousand</i>	25	27	40	-	-
Detainers per caseload	4	4	6	-	-
<b>Total Detainers:</b>	<b>598</b>	<b>60</b>	<b>79</b>	<b>16</b>	<b>16</b>
<i>Rate per thousand</i>	280	100	263	143	154
Detainers per Caseload	40	15	40	5	5

Within the Sanction Certainty study, there were a total of 306 technical violators who were detained and subsequently released prior to the end of the study period (Table 5). The total number of days detained for those 306 individuals combined for a total of 3,952 days which translated into an average of 12.9 days detained per violator. This average number of days detained was comparable to the same average for the ZT and MAPS study groups, 8.5 and 14.4 respectively. These numbers were substantially lower than the average number of days detained in the MATRIX-p comparison group (30.5) and the MATRIX-r control group (57.4).

Examination of the rates of technical-only violators detained and the average number of days detained per group indicated that while the Sanction Certainty directive was more likely to detain technical-only violators, the amount of time Sanction Certainty violators spent incarcerated on detainers was substantially less than violators under the preexisting Violation Matrix.

Resulting From New Charges

Regardless of the protocol, probationers who commit additional misdemeanor or felony criminal acts are typically incarcerated, though the period of confinement may range according to circumstances and protocol. Though the Reade pilot study resulted in a higher rate per one-thousand of new charge violators in the ZT group (40) than the MATRIX-p group (13), the length of incarceration was greater in the MATRIX-p group, at 73.4 days per offender, than in the ZT group, at 56.1 days per offender. In contrast, the MAPS replication study showed a lower rate of new charge violators among the MAPS treatment group (38) than among the MATRIX-r control group (63). Again, the treatment

group (MAPS) exhibited a lower average number of days detained (114.5) than the MATRIX-r control group (145).

In the Sanction Certainty study, the rate per one-thousand of new charge violators detained (53) was higher than all other prior treatment and comparison groups with the exception of the MATRIX-r group. However, Sanction Certainty new charge violations resulted in an average detention duration of 47.6 days per offender. This average number of days detained for SC new charge violators was less than that reported for all the prior study groups. If the new charges from the technical and new charge violator category are added to the new charge only category, then the rate per one-thousand violators detained increases to 78 while the average number of days detained decreases to 38.8 days.

**TABLE 5: Detention Length Comparisons**

	<b>SANCTION CERTAINTY</b>		<b>READE PILOT</b>		<b>MAPS REPLICATION</b>	
	<b>SC</b>	<b>MATRIX-p</b>	<b>ZT</b>	<b>MATRIX-r</b>	<b>MAPS</b>	
	15 Caseloads	4 Caseloads	2 Caseloads	3 Caseloads	3 Caseloads	
	N ≈ 2138	N ≈ 600	N ≈ 300	N = 112	N = 104	
<b>Technical Violations Only:</b>						
# Violators detained	306*	36	55	9	12	
Total days detained	3952	1099	470	517	173	
Average days detained	12.9	30.5	8.5	57.4	14.4	
<b>New Charges Only:</b>						
# Violators detained	56*	8	12	7	4	
Total days detained	2663	587	673	1015	458	
Average days detained	47.6	73.4	56.1	145	114.5	
<b>Technical and New Charges:</b>						
# Violators detained	29*	16	12	-	-	
Total days detained	633	1153	571	-	-	
Average days detained	21.8	72	47.6	-	-	
<b>Total</b>						
# Violators detained	391*	60	79	16	16	
Total days detained	7248	2839	1714	1532	631	
Average days detained	18.5	47.3	21.7	95.8	39.4	

\* Detention numbers provided for Sanction Certainty do not equal the total of all violators detained, instead these numbers represent the number of violators who were detained and subsequently released prior to the end of the SC study period. This allows for a more accurate portrayal of the average number of days detained per violator.

### **DETENTION COST COMPARISONS**

For calculation purposes, the Erie County Prison (ECP) utilized a daily cost of \$43.00 for housing individuals detained in their facilities during 2003. Table 6 shows the average cost of incarceration per violator for each of the policies regardless of the violation type.

**TABLE 6: Cost of Incarceration**

	<b>SANCTION CERTAINTY</b>	<b>READE PILOT</b>		<b>MAPS REPLICATION</b>	
	<b>SC</b>	<b>MATRIX-p</b>	<b>ZT</b>	<b>MATRIX-r</b>	<b>MAPS</b>
Total # Violators Detained	391*	60	79	16	16
Total # Days Incarcerated	7248	2839	1714	1532	631
Average Incarceration Length	18.5 days	47.3 days	21.7 days	95.8 days	39.4 days
<b>Average Cost of Incarceration Per Violator † (Rounded to the Nearest Dollar)</b>	<b>\$ 796</b>	<b>\$2,034</b>	<b>\$933</b>	<b>\$4,119</b>	<b>\$1,694</b>

\* Total number of violators that were detained and subsequently released before the end of the study period.

† Daily incarceration cost of \$43.00, as reported by the Erie County Prison for 2003.

Within the Reade pilot study, the average cost of detaining a violator under the Zero Tolerance program was \$933, less than half the average cost of \$2,034 per MATRIX-p offender. Within the Modified Adult Probation Sanctions replication study, the average cost of detaining MAPS violators (\$1,694) was less than half that for the MATRIX-r group (\$4,119).

Within the Sanction Certainty study, the cost of detaining SC violators (\$796) was less than the cost of detaining violators under the original Zero Tolerance pilot study (\$933). The average cost of incarcerating a SC violator was less than one-half the cost of incarcerating a MATRIX-p violator (\$2,034). Comparisons of incarceration costs involving the MAPS replication groups can not be made due to methodological differences in the research design. Specifically, individuals in the MAPS study were placed into the MAPS and MATRIX-r groups for a period of six months; however, information continued to be gathered on these individuals for an additional six months. This is in contrast to the Zero Tolerance and Sanction Certainty studies where individuals were continually placed in these programs throughout the entire year-long study periods.

One important caveat to consider before calculating cost comparisons between policies is the number of violators detained under each of the different sanctioning policies. As indicated above in Table 4, the Zero Tolerance, Modified Adult Probation Sanctions, and Sanction Certainty policies generally resulted in higher numbers of detained violators than the preexisting Violation Matrix. A straight comparison of the policies would therefore assume that the Violation Matrix would have detained the same number of probation/parole violators; however, this is not the case and would not accurately reflect cost savings.

Corrections based upon differential sanctioning between policies are provided in Table 7. These calculations utilize the total rate of violators detained per one-thousand offenders, the average incarceration length of detainees per specific sanctioning policy, and the daily rate of incarceration as reported by the Erie County Prison. The rate of technical violators, new charge violators, and technical and new charge violators were added together for a total rate and then multiplied by the average incarceration length. The product was then multiplied by the Erie County Prison's daily cost of incarceration.

**TABLE 7: Cost of Incarceration per One-Thousand**

	<b>SANCTION CERTAINTY</b>		<b>READE PILOT</b>		<b>MAPS REPLICATION</b>	
	<b>SC</b>	<b>MATRIX-p</b>	<b>ZT</b>	<b>MATRIX-r</b>	<b>MAPS</b>	
Total Rate of Violators Detained per One-Thousand	280	100	263	143	154	
Average Incarceration Length	18.5 days	47.3 days	21.7 days	95.8 days	39.4 days	
<b>Cost of Incarceration Per One-Thousand* (Rounded to the Nearest Dollar)</b>	<b>\$222,740</b>	<b>\$203,390</b>	<b>\$245,405</b>	<b>\$589,074</b>	<b>\$260,907</b>	

\* Calculated using the daily rate of \$43.00, as reported by the Erie County Prison for 2003.

For the initial Reade Pilot Study, the rate per thousand of all detentions under the MATRIX-p (100) was multiplied by the average incarceration length of 47.3 days and the daily rate of incarceration (\$43.00). The total cost of incarceration for the MATRIX-p comparison group totaled \$203,390. The Zero Tolerance group, which had a total rate per thousand of 263 violators detained and an average incarceration length of 21.7 days, totaled \$245,405. In this particular case, there was an apparent increase in spending for the Zero Tolerance group over the MATRIX-p comparison group because the Zero Tolerance policy detained violators at a substantially higher rate.

Using the same formula, it was determined that under the MAPS replication study, the cost of incarcerating the MATRIX-r comparison group was \$589,074; whereas, the costs of incarcerating the MAPS group was \$259,213, less than half the amount of the Matrix-r group. Converse to the original Reade study, the MAPS study indicated that the MATRIX-r comparison group cost substantially more to incarcerate than the MAPS group. Again, it is important to point out that these actual dollar amounts should not be directly compared to either the Zero Tolerance or Sanction Certainty estimated costs due to the disparity in research design.

Based on the Sanction Certainty total rate of 280 violators per one-thousand, the incarceration cost for all detained violators equaled \$222,740. This incarceration cost figure was less than the amount for the Zero Tolerance treatment group (\$245,405) and more than the amount for the MATRIX-p comparison group (\$203,390).

While these incarceration cost figures indicate how alterations in the number of detainees lodged and length of detentions might affect incarceration costs, they should not be mistaken for a complete cost-benefit analysis. Since potential recidivism rates are not available for the individuals subsumed under the Sanction Certainty policy, it is impossible at this time to say whether or not the policy has dissuaded offenders from committing future crimes, the cost savings of which would be far greater than the savings of decreased incarceration time alone.

## **REVOICATIONS**

Probation revocation could have resulted from frequent technical violations or as a response to new criminal charges, depending upon the supervision protocol that was followed. While incarceration did not always lead to revocation from the program, new criminal charges greatly increased the likelihood of program revocation.



Violation Revocations

Of the nine technical violators incarcerated in the MATRIX-r group (Table 4), five were revoked during the study period (Table 8); the MAPS group revoked no one for technical violations. In the Reade pilot study, 19 of the 36 technical violators in the MATRIX-p group were revoked, substantially more than the five individuals revoked out of the ZT group’s 55 technical violators.

In the Sanction Certainty study, 101 of the 431 technical violators (37 of the 114 new charge violators and 21 of the 53 technical and new charge violators detained) were revoked during the study period. All of these violation categories combine for a total of 159 revocations overall, which translated into a rate of 74 revocations per one-thousand violators detained. While this rate was less than the same rate for the MATRIX-r group (89), it was higher than the rate for both the MAPS and the ZT treatment groups, 29 and 37 respectively, as well as the rate for the MATRIX-p comparison group (45).

**TABLE 8: Revocation Comparisons**

	<b>SANCTION CERTAINTY</b>	<b>READE PILOT</b>		<b>MAPS REPLICATION</b>	
	<b>SC</b>	<b>MATRIX-p</b>	<b>ZT</b>	<b>MATRIX-r</b>	<b>MAPS</b>
	15 Caseloads	4 Caseloads	2 Caseloads	3 Caseloads	3 Caseloads
	N ≈ 2138	N ≈ 600	N ≈ 300	N = 112	N = 104
<b># Technical Revocations</b>	101	19	5	5	0
<i>Rate per thousand</i>	47	32	17	45	0
<b># New Charge Revocations</b>	37	-	-	5	3
<i>Rate per thousand</i>	17	-	-	45	29
<b># New Charge and Technical Revocations</b>	21	-	-	-	-
<i>Rate per thousand</i>	10	-	-	-	-
<b># Revocations Overall</b>	159	27	11	10	3
<i>Rate per thousand</i>	74	45	37	89	29
<i>Average per caseload</i>	10.6	6.8	5.5	3.3	1

Violation and Revocations Trends

Data collected on the number of offenders that committed violations and the number of offenders that were revoked due to probation violations was analyzed to determine if the Sanction Certainty directive resulted in any noticeable trends over time. Figure 1 plots the number of violations and revocations that occurred during each of the twelve months of the study. No trends, aside from a seemingly regular fluctuation, are evident in the graph.

### Violation and Revocation Monthly Trends

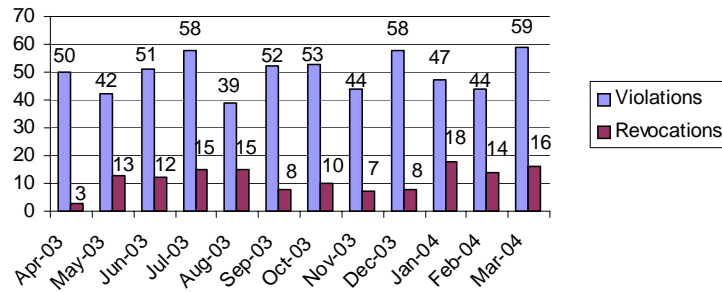


Figure 1.

## DEMOGRAPHICS

In contrast to the original pilot study, the most recent study included an analysis of violator demographics. By gathering data related to violator demographics, the study not only provided information on violations, detentions, revocations, and costs, but also information about the violators themselves. From this information, an average profile of the Sanction Certainty violator was constructed. In addition to all Sanction Certainty one-time violators, demographic information specific to those individuals who violated on more than one incident was separated out and an average profile of these individuals was constructed for comparison.

Demographic information collected on violators under the Sanction Certainty directive included a violator's age, sex, race, marital status, education level, and employment status. Below is a series of graphic illustrations that depict the demographic composition of violators subsumed under the directive. Additional information on violators' criminal history, alcohol and substance abuse, and treatment is presented in separate sections of the report.

In the sections that follow, violators are compared according to the number of violating incidents committed during the study period. Those offenders who committed only one incident of probation violation during the report period are paired against those who violated on more than one incident. Due to policy guidelines, offenders who have more than one incident of probation violation can generally be taken to be those violators who were revoked from probation. In examining the data, however, this was found to not always be the case. A short overview of the population of Sanction Certainty violators follows.

There were a total of 505 offenders who violated under the Sanction Certainty directive during the study period. Of these offenders, 421 had one incident of probation violation during the study period. Of the 421 one-time violators, 102 were revoked as a result of their violation. Additionally, there were a total of 75 offenders who had two incidents of violation during the report period. Of the 75 two-time violators, 45 were revoked; 41 of the 45 were revoked once and four were revoked twice. A total of 30 violators appeared to have violated on two separate incidents without having been revoked. Furthermore, there were also a small number of offenders (9) who violated on three separate incidents throughout the study period. Of these nine individuals, six were

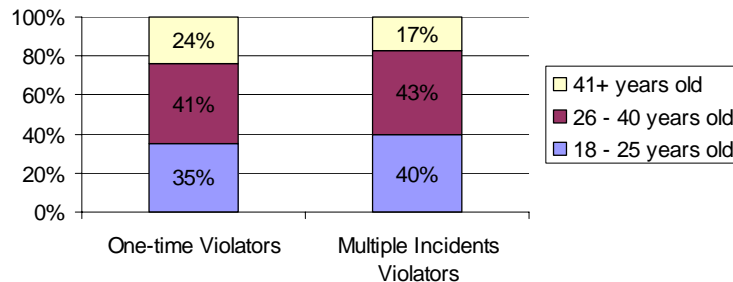
revoked; five of the six were revoked once and one was revoked twice. Three-time violators can consist of offenders who violate twice, are revoked and incarcerated and then subsequently placed back on supervision only to violate again. However, given the numbers above, a very small number of offenders (3) appeared to have violated on three separate occasions without having been revoked.

Given that some violators appeared to have avoided revocation despite the policy guidelines, it was decided that rather than compare non-revoked offenders to those who were revoked, it would be a better measure to compare one-time violators with those offenders who committed multiple incidents of probation violation.

Age (Based on 421 one-time violators and 84 multiple incidents violators.)

The average age of a Sanction Certainty violator at the end of the study period was 32 years. The minimum age of any SC violator was 19 years, while the maximum age of any violator was 67 years. Three age ranges, 18 – 25 years of age, 26 – 40 years of age, and 41 years of age and above, were established to compare all violators. While the percentage of each age range was fairly consistent between the two groups, there were some differences worth mentioning. The percentage of violations committed by offenders within the age range of 26 – 40 years of age was nearly identical. However, slight differences were seen in the 18 – 25 years of age and the 41 + years of age groups. There was a 5% increase among the age range of 18 – 25 years old when moving from one-time violators to those with more than one violating incident. The biggest difference that was seen between the two groups occurred in the age range of 41 + years of age. While nearly one-quarter of those offenders who violated once fell within this age range, this number dropped to 17% within the group of offenders with more than one incident of violation. These trends suggested that as a violator ages, he/she becomes somewhat less likely to commit violations. (Figure 2.)

**Age Comparison (One Violation vs. Multiple Violations Offenders)**

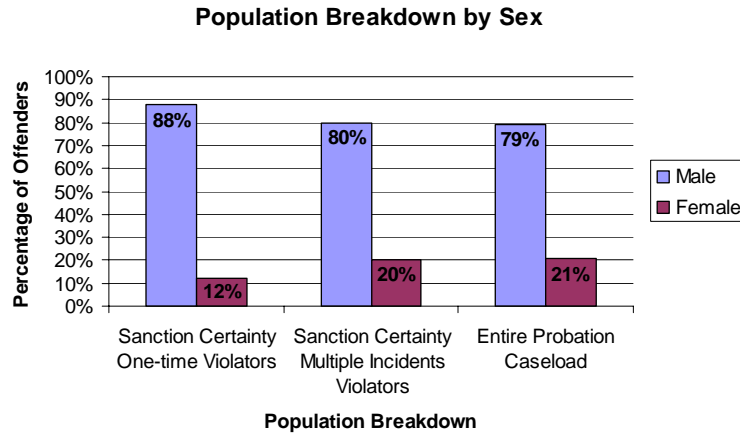


**Figure 2.**

Sex (Based on 421 one-time violators and 84 multiple incidents violators.)

The breakdown of violators by sex indicated that the vast majority were male (Figure 3), and this predominance of male offenders was consistent with the department’s entire caseload. Interestingly, while the makeup of multiple incidents violators was nearly identical to the entire probation department’s caseload, one-time violators exhibited an increase in male offenders over female offenders. Specifically,

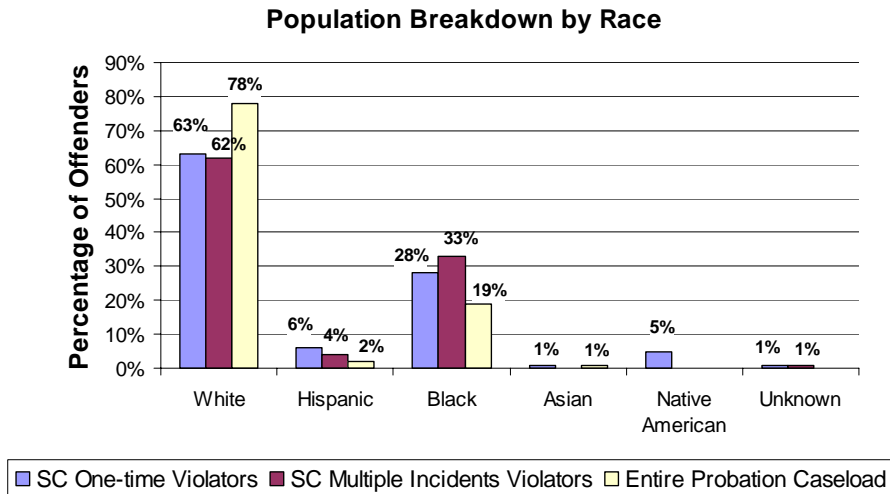
there was an 8% increase of male offenders from the multiple incidents category to the one-time violator category.



**Figure 3.**

Race (Based on 421 one-time violators and 84 multiple incidents violators.)

Examination of the racial breakdown of violators (Figure 4), regardless of the number of violations committed, indicated that nearly two-thirds of violators were White and nearly one-third were Black. The remaining violators were Hispanic, Asian, Native American, or unknown. There was little appreciable difference between the one-time violators and multiple incidents violators with regard to a violator’s race. In comparison to the department’s entire caseload, minority groups had higher percentages of violators than their percentages within the entire caseload.



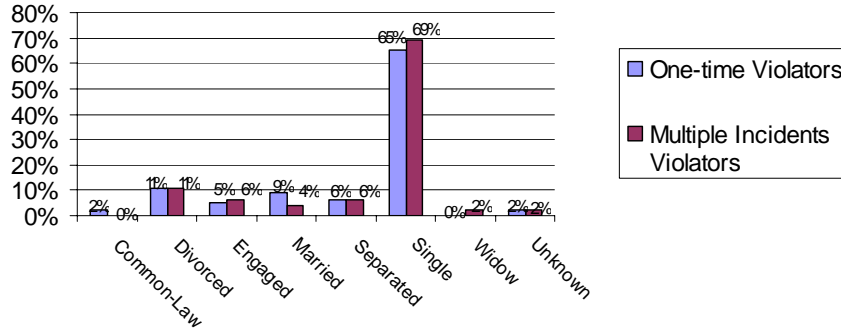
**Figure 4.**

Marital Status (Based on 421 one-time violators and 84 multiple incidents violators.)

A comparison of marital status between one-time violators and multiple incidents violators (Figure 5) revealed little difference among the two populations. The vast majority of individuals in either population were single. There were only slight differences between groups for any particular marital status category. This similarity suggested that

marital status had little effect on whether or not an individual committed more than one incident of probation violation.

**Marital Status Comparison (One-time Violators vs. Multiple Violation Offenders)**



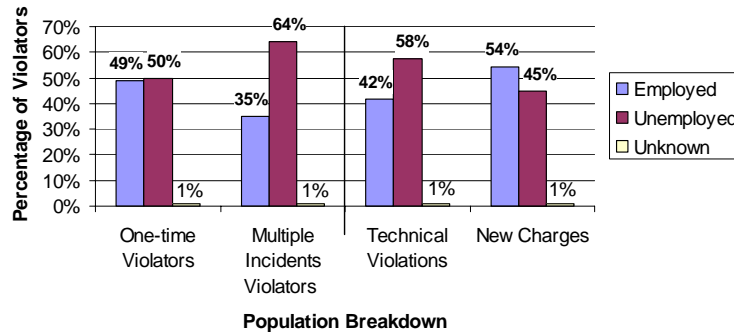
**Figure 5.**

**Employment** (Based on 421 one-time violators and 84 multiple incidents violators.)

An analysis of the employment status of one-time violators and multiple incidents violators indicated an obvious difference between the two groups (Figure 6). There was a statistically significant ( $p < 0.005$ ) difference between violations that occurred while multiple incident violators were employed versus when they were unemployed. Conversely, there was no significant difference between employed and unemployed one-time violators. The percentage of one-time violators employed was nearly equal to the percentage of those who were unemployed. However, among the individuals who had committed more than one incident of probation violation, the percentage of those unemployed was 29% higher than the percentage of those employed. This difference indicated that one factor that contributed to the likelihood that an individual would commit multiple incidents of probation violation was that individual's employment status.

The employment status of violators was also evaluated based on what type of charge a violator committed, either a technical or new charge. Technical violators were more likely to have been unemployed at the time of their offenses, whereas new charge violators were slightly more likely to have been employed.

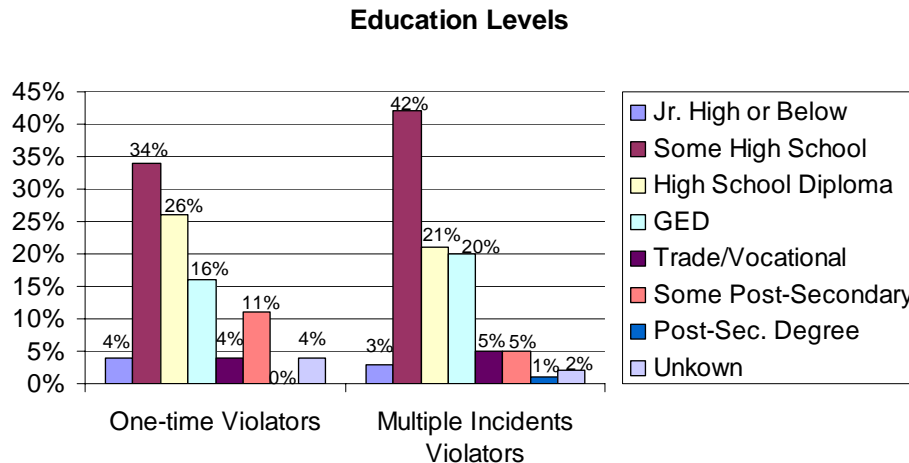
**Percentage of Violations Committed by Employment Status**



**Figure 6.**

Education Level (Based on 421 one-time violators and 84 multiple incidents violators.)

A comparison of the education levels between the offenders who committed one incident of probation violation and those who committed multiple incidents revealed some differences between the two groups (Figure 7). The most common educational level among one-time violators was some level of high school education (short of graduation); this category accounted for just over one-third of the group (34%). In comparison, the percentage of violators who committed violations on more than one incident and who had this same level of education was 42%. Multiple incidents violators were slightly more likely to have received a GED (20%) than those individuals who committed only one incident of probation violation (16%). Conversely, one-time violators were slightly more likely to have received their high school diploma (26%) than those offenders who committed multiple incidents of violations (21%). Additionally, one-time violators were twice as likely (11%) to have attained some level of post-secondary education than their multiple incidents counterparts (5%).



**Figure 7.**

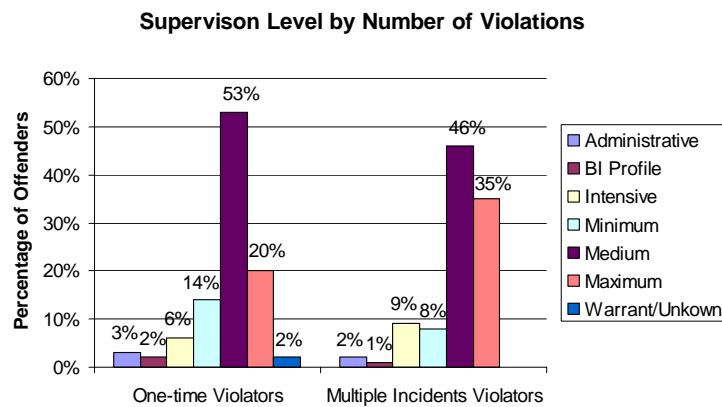
The demographic information presented above shows that the average Sanction Certainty one-time violator was 32 years old, white, single, and male. Not unexpectedly, the demographic profile of the average Sanction Certainty multiple incidents violator nearly identical. Additionally, the extreme similarity in the comparison of marital status among one-time violators and multiple incidents violators indicated that marital status had little bearing on whether or not an individual was likely to commit one or more incident of probation violation.

The most substantial differences between the two groups were seen in the areas of employment and education. One half of all one-time violators were unemployed, whereas 64% of all multiple incident violators were unemployed. This difference would suggest that offenders with fewer responsibilities are more likely to commit multiple incidents of probation violation. In addition, there were some slight differences in education levels between one-time and multiple incidents violators; one-time violators were slightly more likely to have completed high school and have received some post-secondary education. These differences suggested that those offenders who had successfully attained a high school diploma or who had pursued some post-secondary education were less likely to commit multiple incidents of probation violation.

## CRIMINAL HISTORY

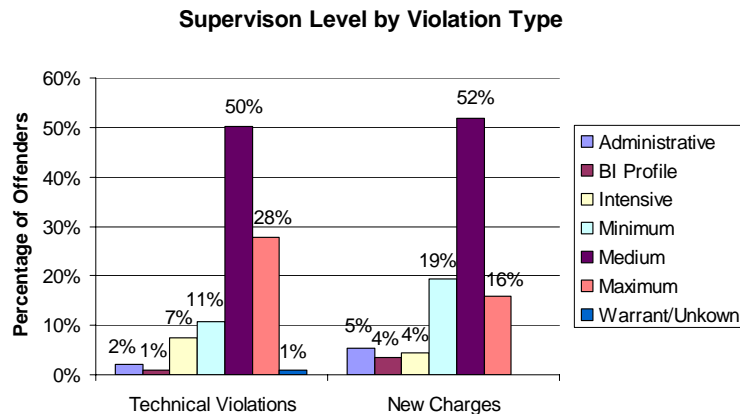
### Supervision Level (Based on 421 one-time violators and 177 multiple incidents violators.)

Examination of the supervision levels of each violator at the time of the violation indicated that a majority of offenders (53% of one-time violators; 46% of multiple incidents violators) were receiving medium level supervision (Figure 8). Multiple incidents violators had a higher percentage of maximum level supervision (35%) than the one-time violators (20%). Among one-time violators, minimum supervision level had the third highest percentage of offenders (14%); whereas, among multiple incidents violators, intensive supervision ranked third with 9% of offenders, followed by minimum with 8% of violators.



**Figure 8.**

The supervision level of each violator, at the time of the violation, was also evaluated according to the type of offense that was committed, either technical or new charge. Both groups had the highest percentage of violators on medium supervision, approximately one-half for both technical and new charge violators. The second highest percentage among technical violators was maximum supervision, whereas the second highest percentage among new charge violators was minimum supervision (Figure 9).

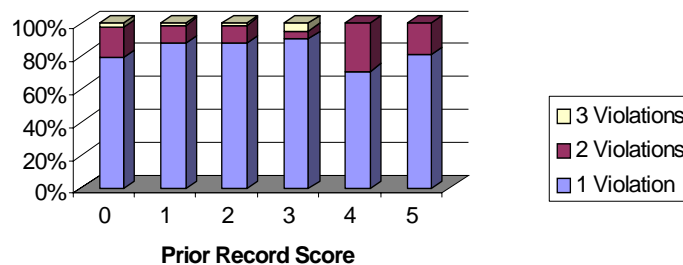


**Figure 9.**

Prior Record Scores (Based on 374 one-time violators and 78 multiple incidents violators.)

One indicator of an offender's criminal history is his/her prior record score. Prior record scores are calculated as a part of the sentencing guidelines and are used in sentencing determinations. Prior record scores are calculated, in part, by the severity of an offender's criminal offense and the prior criminal history of the offender. As a part of the Sanction Certainty evaluation, it was decided to determine if any correlations existed between an offender's prior record score and the number of incidents of probation violation that an offender committed.

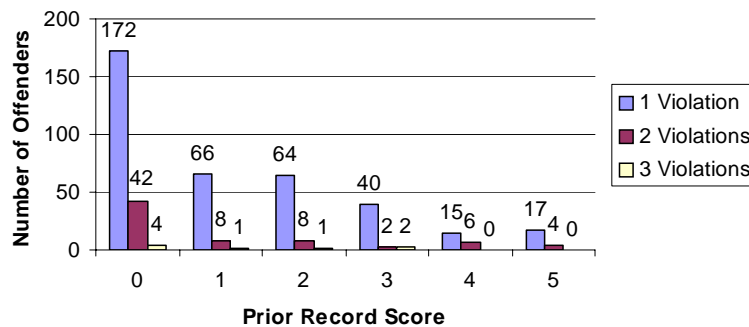
**Comparison of Violator's Prior Record Scores to Number of Violations Per Violator**



**Figure 10.**

A correlation analysis was conducted using prior record scores and the number of violations committed by each offender as the variables. The correlation analysis produced a very low correlation coefficient ( $R^2 = .003$ ), indicating that there was essentially no correlation existing between the two variables. Figure 10 shows stacked percentages of offenders, with a particular number of violation incidents, according to their prior record score. Figure 11 shows the actual number of offenders who have a particular prior record score assigned to them. Both figures indicate that prior record scores are a not a particularly useful indicator of whether or not an offender will commit one or more incidents of violation while on supervision.

**Comparison of Violator's Prior Record Scores to Number of Violations Per Violator**



**Figure 11.**



Present Offense (Based on 421 one-time violators and 84 multiple incidents violators.)

Table 9 represents a breakdown of the present offenses for violators under the Sanction Certainty directive. An offender’s present offense was the offense for which that individual was placed on supervision. As in other categories, one-time violators were compared to those offenders who committed multiple incidents of probation violation. Within the table, the number of violators for each offense type is shown along with the percentage of violators which that number represents. Offenses are listed in order of highest to lowest occurrence of an offense for one-time violators. While the ranking of offenses for multiple incidents violators is very similar, there are some differences.

**TABLE 9: Present Offense**

Present Offense	One-Time Violators	Percentage	Multiple-Incidents Violators	Percentage
Drug and Alcohol Related Offenses	209	50%	34	40%
Property Crime and Related Offenses	83	20%	19	<b>23%</b>
Miscellaneous Offenses	61	14%	8	10%
Crimes Against Persons and Related Offenses	45	11%	17	<b>20%</b>
Public Order Related Offenses	23	5%	6	<b>7%</b>
<b>Total</b>	421	100%	84	100%

Note: Bolded percentages represent an increase in occurrence of an offense from one-time violators to multiple – incidence violators.

The most common offenses for which offenders in either group are placed on supervision are drug and alcohol related charges. For one-time violators, drug and alcohol related charges constitute one-half of all present offenses; the same category makes up 41% of present offense charges for multiple incidents violators. The second most common offense for both groups is property crime and related offenses. This category constitutes 20% of all present offenses for one-time violators and a slightly higher 23% for multiple incidents violators.

Offense categories that increased in occurrence from one-time violators to multiple incidents violators included property crime and related offenses, crimes against persons and related offenses, and public order related offenses.

Violation Type (Based on 598 violations committed by 505 violators.)

Table 10 represents a breakdown of the technical violations committed by one-time violators and multiple incidents violators. Within the table, the number of violators for each violation type is shown along with the percentage of violators which that number represents. Violations are listed in order of highest to lowest occurrence of a violation for one-time violators. While the ranking of violations for multiple incidents violators is very similar, there are some differences.

The most common technical violations committed by either group involved drug use violations, followed second by alcohol use violations, and third by violations related to drug and alcohol treatment. Lesser violations included lying and failure to pay fines, restitution, and fees. Technical violation categories that increased in occurrence from

one-time violators to multiple violation offenders included drug use and drug and alcohol treatment related violations.

**TABLE 10: Violations Types (Technical Violations)**

<b>Violation Types (Technical)</b>	<b>One-Time Violators</b>	<b>Percentage</b>	<b>Multiple-Incidents Violators</b>	<b>Percentage</b>
Drug Use	135	29%	62	<b>31%</b>
Alcohol Use	119	26%	42	21%
Drug and Alcohol Treatment Related Violations	51	11%	34	<b>17%</b>
Lying	23	5%	10	5%
Failure to Pay Fines, Restitution and Fees	3	1%	3	1%
Miscellaneous	126	27%	50	25%
Unspecified Violations	3	1%	0	0%
<b>Total</b>	<b>460</b>	<b>100%</b>	<b>201</b>	<b>100%</b>

Note: Bolded percentages represent an increase in occurrence of a violation from one-time violators to multiple-incidents violators.

Table 11 represents a breakdown of the new charge violations committed by one-time violators and multiple incidents violators. Within the table, the number of violators for each violation type is shown along with the percentage of violators which that number represents. Violations are listed in order of highest to lowest occurrence of a violation for one-time violators.

The most common new charge violation committed by one-time violators involved drug and alcohol related offenses; however, the most common new charge violation committed by multiple incidents violators involved summary offenses. The second most common offense among one-time violators involved property crime and related offenses, whereas among multiple incidents violators the second most common violation types included drug and alcohol related offenses. Violations that increased in occurrence from one-time violators to multiple incidents violators included summary offenses, public order related offenses, and other unspecified offenses.

**TABLE 11: Violations Types (New Charges)**

<b>Violation Types (New Charges)</b>	<b>One-Time Violators</b>	<b>Percentage</b>	<b>Multiple-Incidents Violators</b>	<b>Percentage</b>
Drug and Alcohol Related Offenses	46	30%	9	15%
Property Crime and Related Offenses	23	15%	5	8%
Crimes Against Persons and Related Offenses	22	14%	6	10%
Unspecified Offenses	20	13%	9	<b>15%</b>
Summary Offenses	17	11%	17	<b>29%</b>
Miscellaneous Offenses	17	11%	6	10%
Public Order Related Offenses	9	6%	7	<b>12%</b>
<b>Total</b>	<b>154</b>	<b>100%</b>	<b>59</b>	<b>100%</b>

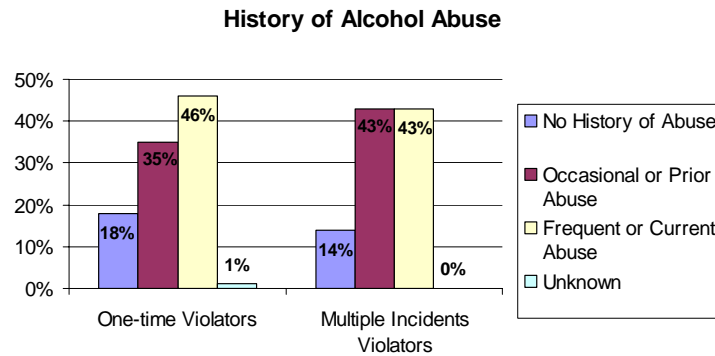
Note: Bolded percentages represent an increase in occurrence of a violation from one-time violators to multiple-incidents violators.

## **ALCOHOL/SUBSTANCE ABUSE AND TREATMENT**

*Alcohol Abuse History (Based on 421 one-time violators and 84 multiple incident violators.)*

An analysis and comparison of the history of alcohol abuse among probation violators found that multiple incidents violators tended to have a higher percentage of offenders who had a history of occasional or prior alcohol abuse (43%), than individuals

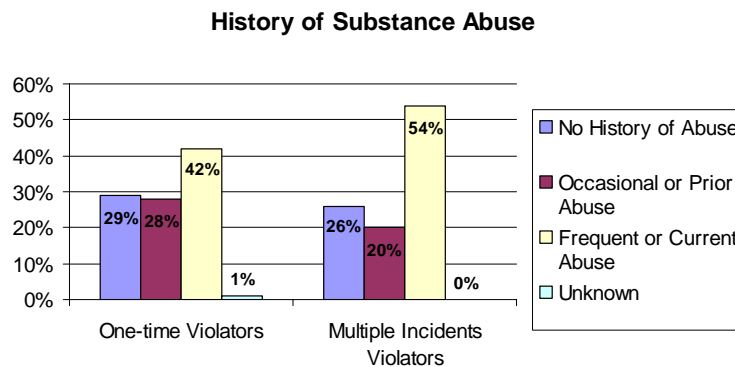
who had committed only one incident of probation violation (35%) (Figure 12). While nearly identical, the percentage of one-time violators who were classified as frequent or current abuser (46%) was slightly more than the 43% of multiple incidents violators reported within this classification. The percentage of individuals who lacked a history of alcohol abuse was slightly more among one-time violators (18%) than among violators with more than one incident of violation (14%). Despite the difference between the two groups, it was clear that alcohol abuse, whether it was occasional/prior or frequent/current, was a problem for the vast majority of all probation violators.



**Figure 12.**

*Substance Abuse History (Based on 421 one-time violators and 84 multiple incidents violators.)*

An analysis of the history of substance abuse among violators indicated that while the percentage of individuals who had no history of substance abuse was similar among one-time violators (29%) and multiple incident violators (26%), there were some noticeable differences among those violators with some level of substance abuse (Figure 13). There was a slightly higher percentage of one-time violators who were classified as occasional or prior substance abusers (28%) than multiple incidents violators of the same classification (20%). This trend was reversed when examining violators classified as frequent or current abusers. Forty-two percent of one-time violators were classified as frequent or current abusers; this classification increased to 54% among multiple incidents violators.

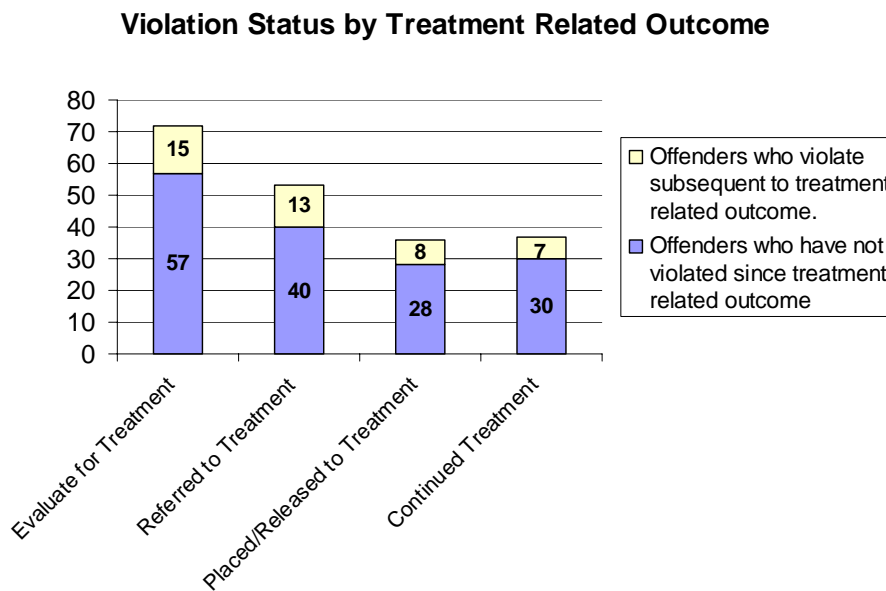


**Figure 13.**

Treatment (Based on 155 one-time violators and 52 multiple incidents violators.)

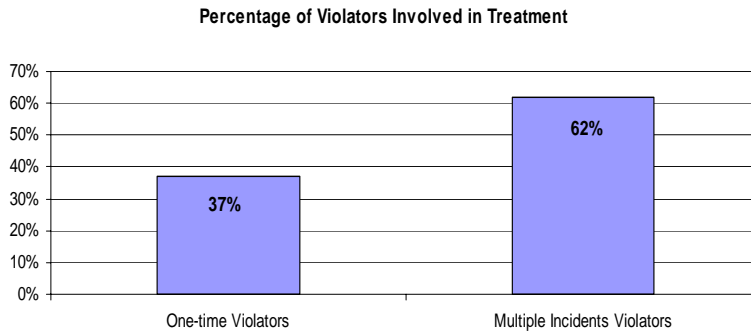
One possible outcome for offenders who violated on drug or alcohol charges while on probation was to have some type of treatment related outcome to their probation violation. Possible treatment outcomes were initially reported on bi-monthly reports compiled by the Erie County Department of Adult Probation. Treatment outcomes were often listed as one of four possibilities for violators with drug or alcohol issues. Options included (1) evaluation for treatment, (2) referral to treatment, (3) placement in/released to treatment, and (4) continued treatment. The number of violators who had one of these outcomes assigned to them during the report period can be seen in Figure 14.

One simplified means of determining some measure of treatment success is to examine all violators who were involved with some form of treatment related outcome and determine whether or not those individuals violated their terms of probation at a later date. In Figure 14, the two numbers in each column can be added to get the total number of offenders whose initial violation outcome during the study period was treatment related. Figure 14 also shows the number of offenders who committed a subsequent probation violation after their involvement in one of the treatment options.



**Figure 14.**

A comparison of one-time violators to multiple incidents violators who were involved in one of the treatment option indicated a statistically significant ( $p < 0.01$ ) difference between the two groups. Figure 15 shows that while 37% of one-time violators had been involved with one of the treatment options, that percentage rises to 62% for offenders who committed multiple incidents of violation while under supervision. This difference indicates that drug and alcohol problems were a major factor in determining whether or not an individual was likely to commit multiple incidents of probation violation.



**Figure 15.**

## ***PROBATION OFFICERS SURVEY RESULTS***

An important addition to the Sanction Certainty evaluation was the inclusion of a self-reporting survey administered to the 24 Erie County Department of Adult Probation and Parole probation officers and supervisors that handled the Sanction Certainty caseloads. The Sanction Certainty directive has directly impacted the manner in which these individuals carry out their work. As important as it is to understand the effects of the directive with regard to offenders, it is equally important to understand how the directive impacts those charged with carrying out its mandates. In the final months of the study period, a 19 question survey was compiled and sent out to all officers and supervisors handling Sanction Certainty caseloads. The survey focused on four main areas: (1) perceived affects on probation officers; (2) perceived affects on offenders; (3) implementation; and (4) morale. Completed surveys were returned by 18 of the 24 probation officers. The tabulated results are displayed below in sections corresponding to the main question areas of the survey. A copy of the probation officer survey has been attached to this report as Appendix G.

### ***Perceived Affects on Probation Officers***

The first four questions posed to probation officers and supervisors on the survey asked the respondents to consider their perceived affects of the Sanction Certainty directive on probation officers.

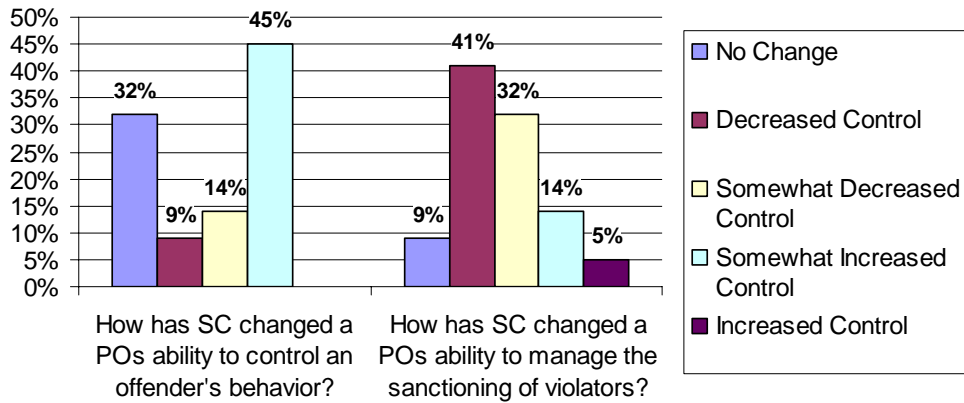
**Question 1:** How do you believe Sanction Certainty has changed a Probation Officer's ability to control an offender's behavior?

**Question 2:** How do you believe Sanction Certainty has changed a Probation Officer's ability to manage the sanctioning of violating offenders?

**Question 3:** Do you believe that Sanction Certainty gives the Probation Officer enough choices for handling a violation?

**Question 4:** Do you believe that Sanction Certainty promotes a more positive relationship between Probation Officers and the offenders they supervise?

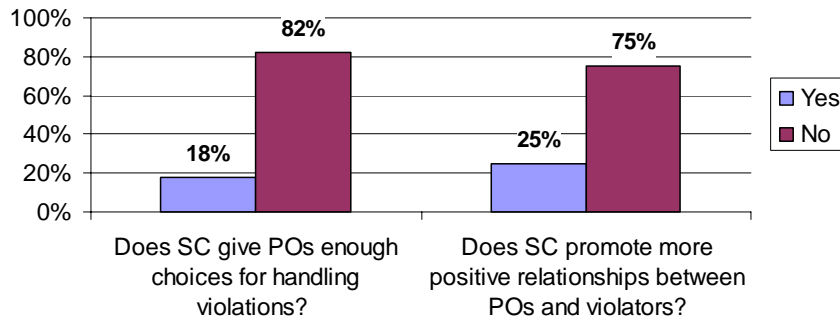
**Perceived Affects on Probation Officers  
(Questions 1 & 2)**



**Figure 16.**

When asked how the Sanction Certainty directive had changed their ability to control an offender’s behavior, nearly one-half (45%) felt that the directive had somewhat increased control while approximately one-third (32%) felt that there had been no change. Not surprisingly, when the question was altered to ask how the directive had changed an officer’s ability to manage the sanctioning of violators, approximately three-quarters felt that it had either “somewhat decreased control” (32%) or “decreased control” (41%) (Figure 16).

**Perceived Affects on Probation Officers  
(Questions 3 & 4)**



**Figure 17.**

The majority of respondents agreed that the Sanction Certainty directive did not give probation officers enough choices for handling violations (82%) and that the directive did not promote a more positive relationship between probation officers and the offenders they supervise (75%) (Figure 17).

Perceived Affects on Offenders

The next five questions on the survey asked the respondents to consider the perceived affects of the Sanction Certainty directive on offenders.

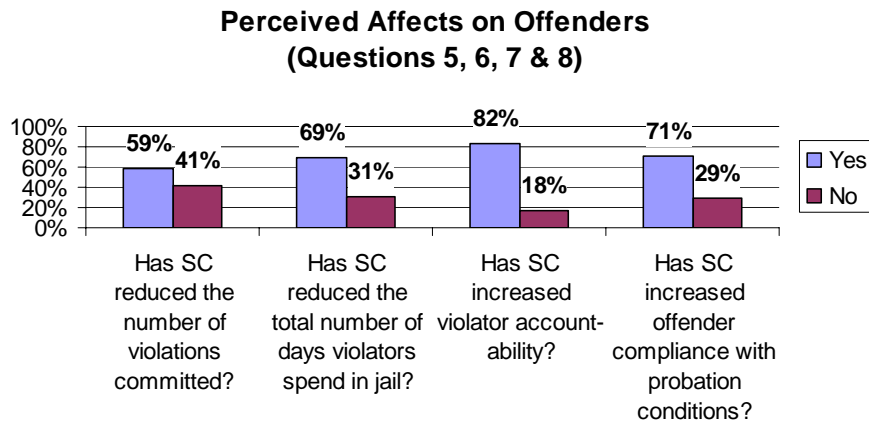
**Question 5:** Do you believe Sanction Certainty has reduced the number of violations committed by offenders?

**Question 6:** Do you believe that Sanction Certainty has reduced the total number of days that violators spend in jail?

**Question 7:** Do you believe that Sanction Certainty has increased violator accountability?

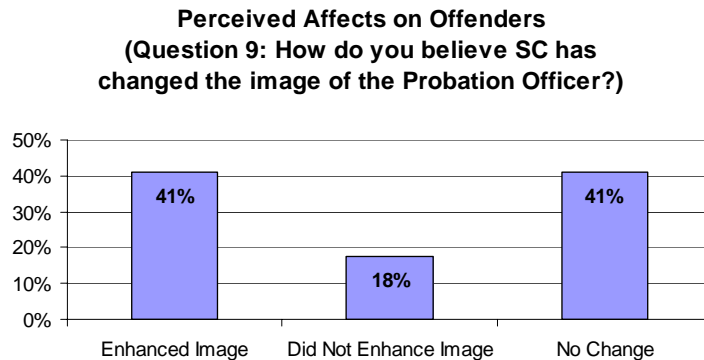
**Question 8:** Do you believe that Sanction Certainty has increased offender compliance with probation conditions?

**Question 9:** How do you believe Sanction Certainty has changed the image of the Probation Officer?



**Figure 18.**

The majority of the respondents felt that the Sanction Certainty directive had reduced the number of violations committed (59%); reduced the total number of days violators spent in jail (69%); increased violator accountability (82%); and increased offender compliance with the probation conditions (71%) (Figure 18).



**Figure 19.**

When asked how the Sanction Certainty directive had affected the image of the probation officer, an equal percentage (41%) believed that the image had either been enhanced or that there had be no change at all (Figure 19).

Implementation

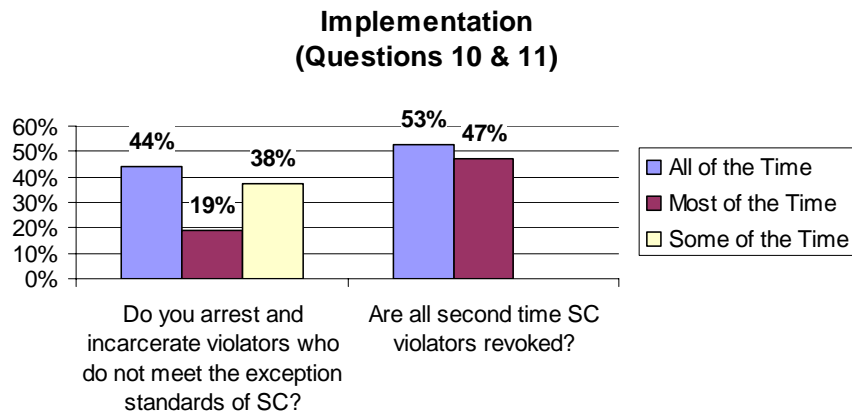
Six questions were dedicated to gathering information on how probation officers have been implementing the Sanction Certainty directive since its inception.

**Question 10:** Do you arrest and incarcerate violators who do not meet the exception standards in the Sanction Certainty directive?

**Question 11:** Are all second time Sanction Certainty violators revoked?

**Question 12:** Do you believe that Probation Officers apply Sanction Certainty in the same manner upon the discovery of a violation?

**Question 13:** Do you believe that supervisors apply Sanction Certainty in the same manner upon the discovery of a violation?



**Figure 20.**

With regard to the actual implementation of the Sanction Certainty directive, probation officers were asked if they arrested and incarcerated violators who did not meet the exception standards as set forth in the New Policy Directive Toward Violators. While a majority (44%) responded that they arrested and incarcerated these violators all the time, 19% indicated that they did so most of the time, and slightly over one-third (38%) responded that they did so only some of the time (Figure 20). When the question was changed to inquire about the arrest and incarceration of second time Sanction Certainty violators, slightly over one-half (53%) indicated that they did so all the time and the remainder (47%) did so most of the time. These responses suggested that despite the mandates of the Sanction Certainty directive, not all probation officers implemented the policy with strict adherence to the guidelines.



### Implementation (Questions 12 & 13)

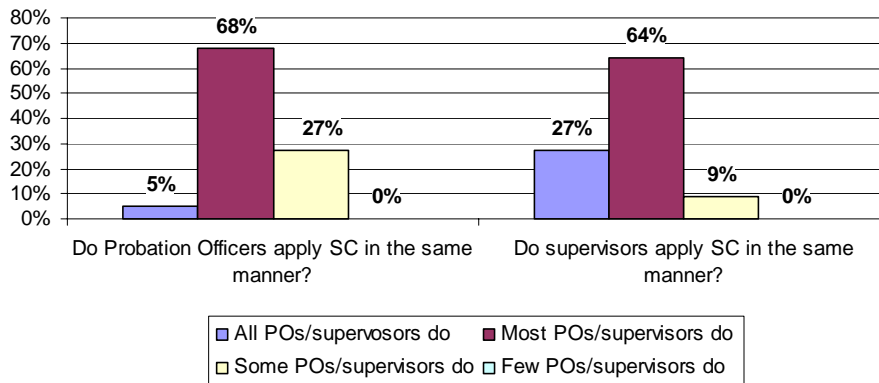


Figure 21.

To ascertain how probation officers perceived their coworkers' implementation of the directive, they were asked to comment on how both officers and supervisors applied Sanction Certainty. When asked if officers applied the directive in the same manner, 68% said the most officers did and 27% indicated that only some officers did (Figure 21). Only five percent of those questioned believed that all officers applied the directive in the same manner. When the question was asked about supervisors, a nearly equal percentage (64%) said that most supervisors did. However, in contrast to officers, 27% of those questioned indicated the all supervisors applied the directive in the same manner while 9% said that only some supervisors did. No respondents indicated that few officers or supervisors applied Sanction Certainty in the same manner.

**Question 14:** Does day-to-day supervision of offenders take more time under the Sanction Certainty Directive than it did under previous policies?

**Question 14 (A):** If yes, do you believe that it is a beneficial time investment in terms of the impact on offenders?

**Question 15:** How do you believe the Sanction Certainty Directive has changed the amount of time involved in documentation of violations?

**Question 15 (A):** If "somewhat increased" or "increased", do you believe that it is a beneficial time investment in terms of the impact on offenders?

### Implementation (Questions 14 & 14 A)

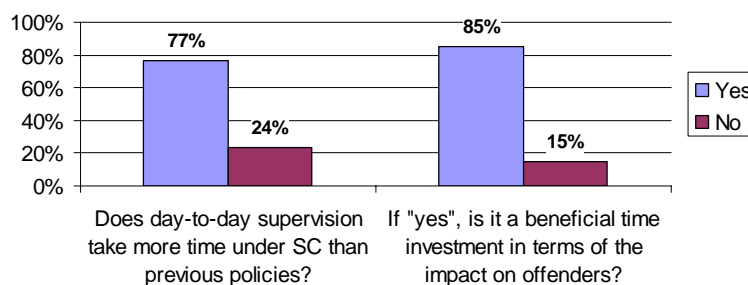
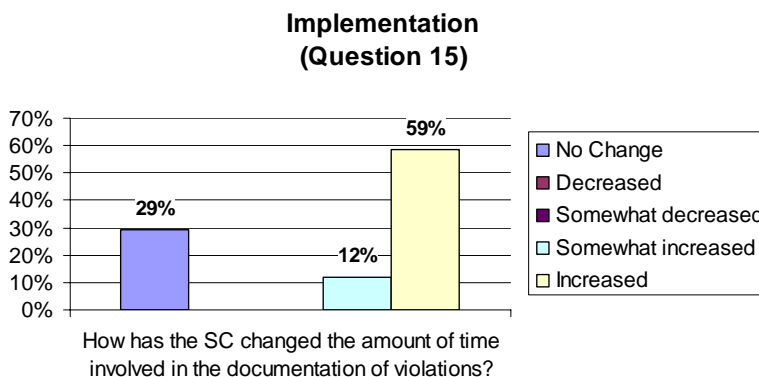


Figure 22.

It was clear from the responses that the majority of officers felt that day-to-day supervision under Sanction Certainty took more time than previous policies (Figure 22). However, in a follow-up question for those who indicated that it did take more time, 85% indicated that they believed it was a beneficial investment when considering the impact of Sanction Certainty on offenders.



**Figure 23.**

Respondents were then asked about the amount of time involved in the documentation of violations. A majority felt that the time necessary to document violations had increased, with the remainder indicating no change (Figure 23). Those respondents who indicated some level of increase were asked to decide if the increased time invested in violation documentation was beneficial in terms of the impact that Sanction Certainty had on offenders. Two-thirds of respondents believed that it was a beneficial time investment, with one-third in disagreement.

**Morale**

The final four questions addressed the morale of the probation officers and supervisors handling Sanction Certainty caseloads. These questions were included to gather information on the job satisfaction of probation officers under the Sanction Certainty directive and to determine how officers felt about the directive in relation to other forms of supervision.

**Question 16:** How has the implementation of Sanction Certainty affected your job satisfaction?

**Question 17:** Would you prefer to return to the Violation Matrix form of supervision?

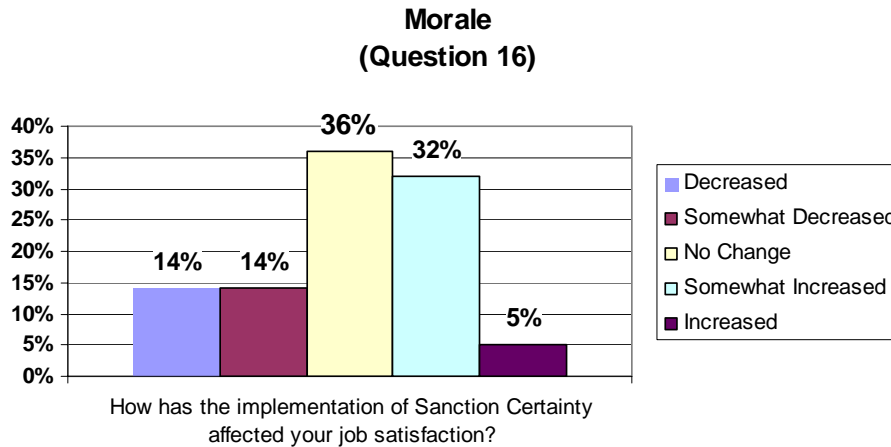
**Question 17 (A):** If yes, why?

**Question 18:** How do you think Sanction Certainty supervision compares with prior forms of supervision?

**Question 19:** Do you believe that it is easier to address offender violations with Sanction Certainty supervision?

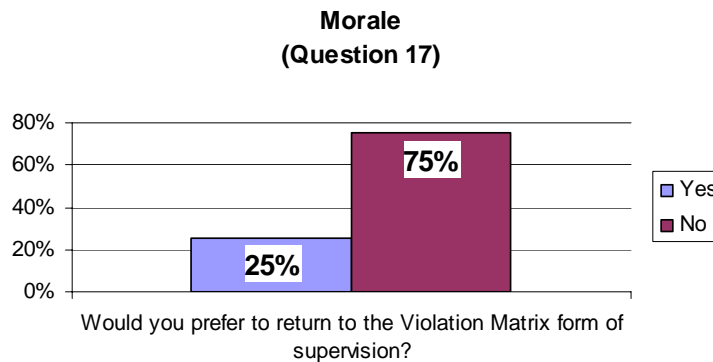
Respondents were first asked to comment on how the implementation of Sanction Certainty had affected their job satisfaction. Five percent of respondents indicated that their satisfaction had increased. Approximately one-third of respondents reported that their level of job satisfaction had increased somewhat. Just over one-third of respondents indicated that there had been no change in their level of job satisfaction

and the remaining twenty-eight percent of respondents reported that their level of job satisfaction had either somewhat decreased or decreased (Figure 24).



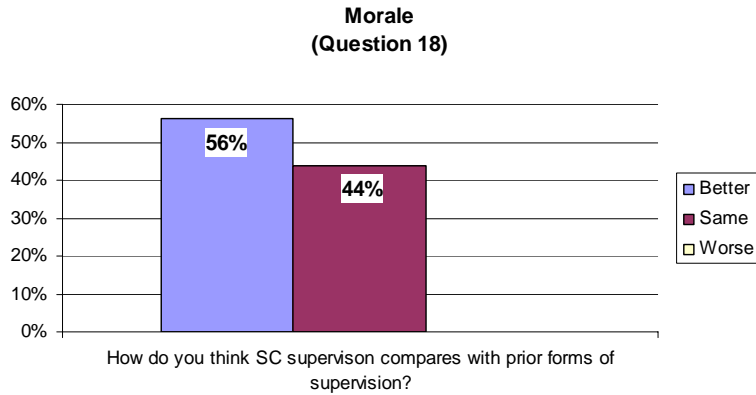
**Figure 24.**

Despite the fluctuation in responses regarding probation officers' level of job satisfaction since the implementation of Sanction Certainty, three-quarters of respondents indicated that they would not prefer to return to the previous Violation Matrix form of supervision (Figure 25). Those who indicated that they would prefer to return to the Violation Matrix were given space to supply a reason for their response. All respondents who wished to return to the previous form of supervision indicated they wanted to do so because Sanction Certainty did not provide enough flexibility to the probation officer when dealing with violators. The main concern was that there needed to be more options available to violators needing treatment, or those with extenuating circumstances.



**Figure 25.**

Respondents were then asked to compare Sanction Certainty with prior forms of probation supervision. A slight majority felt that Sanction Certainty was better than previous forms of supervision, with the remainder believing that it was the same. No respondents indicated that Sanction Certainty was worse than prior forms of probation supervision. (Figure 26).



**Figure 26.**

Ultimately, probation officers and supervisors felt that it was easier to address offender violations under the Sanction Certainty directive than under previous forms of supervision (Question 19), with all respondents in agreement.

At the end of the survey, respondents were given space to write any additional comments that they had concerning the Sanction Certainty directive. Additional comments can be found in Appendix H.

## DISCUSSION

The outcome patterns illustrated in this study generally coincided with those documented in the Zero Tolerance (ZT) pilot study and the Modified Adult Probation Sanctions (MAPS) replication study and, therefore, tended to support the original pilot study hypotheses. Those hypotheses stated a Sanction Certainty style of probation sanctioning would result in fewer violations per violator and would produce less overall incarceration on detainers per offender than the preexisting Violation Matrix. Individuals who promptly received clear and certain sanctions for their probation violations, as the SC/MAPS/ZT protocols prescribed, displayed better outcomes with regard to these areas than individuals who were sanctioned in a graduated, more easily anticipated manner, as previous policies dictated. A summary of the study's results follows.

Probation violators under the Sanction Certainty directive were analyzed with regard to their violations, detentions, and revocations. These outcomes were given in comparison to prior supervision policies and previous study groups and often were supplied as rates per thousand to compensate for differences in sample sizes throughout the various studies. The limitations of these comparisons included differences in methodology between the current and previous studies. While the design and analysis of this study and that of the original pilot study are compatible, the MAPS study was designed and conducted in such a way that direct comparisons are not appropriate. Additionally, there were also inherent limitations in comparing previous probation/parole populations due to the possibility of temporal differences among criminal populations. These limitations have been noted where applicable.

In comparing the number of violators that each policy produced, it was found that the rate per thousand violators under the Sanction Certainty directive was lower than the rates for all other previous study and control/comparison groups. This overall reduced rate was the result of a decrease in the number of technical violators. The Sanction Certainty approach did not appear to have a deterrent effect on those individuals who were willing to commit new criminal charges; however, since the number of these individuals is far less than those individuals who commit technical violations, the overall result is a decrease in the number of probation violators. In addition to the decrease in the number of violators under Sanction Certainty, the number of violations committed by those individuals also decreased. Not only was the rate per thousand violations lower than both of the prior treatment groups (ZT and MAPS), but the Sanction Certainty rate was considerably less than both of the MATRIX comparison groups.

With regard to violator detention, the analysis indicated that the Sanction Certainty directive detained technical-only violators at a higher rate than compared to the preexisting Violation Matrix approach to supervision. However, Sanction Certainty technical-only violators were detained for an average of 12.9 days per violator. This average number of days detained was comparable to the same average for the ZT and MAPS study groups and was considerably lower than the average number of days detained in both the previous MATRIX control groups.

Preliminary information was tabulated on the average cost of incarcerating a detained violator for each of the various sanctioning policies. The Sanction Certainty policy resulted in an incarceration cost that was slightly less than the amount for the

Zero Tolerance treatment group. Furthermore, both the Sanction Certainty and the Zero Tolerance treatment groups were less than half the amount of the preexisting Violation Matrix. The decrease in incarceration costs result primarily from the overall decline in the number of days for which Sanction Certainty violators are detained. However, while the Sanction Certainty policy resulted in fewer days of detainee incarceration, it also resulted in an increase in the overall number of violators being detained. It was therefore necessary to calculate incarceration costs per one thousand violators to account for this increase in the overall number of detainees. The cost of incarceration per one thousand violators indicated that both the Sanction Certainty and the Zero Tolerance approach resulted in slightly higher overall costs than the Violation Matrix. It should be noted; however, that these calculations do not represent a complete cost-benefit analysis, which would need to include information on long-term violator recidivism rates. Since long-term recidivism rates are not available at this time, it is impossible to say whether or not the policy will deter offenders from committing future crimes, the cost savings of which would be far greater than the savings of decreased incarceration time alone.

With regard to the probation revocation of violating offenders, the Sanction Certainty policy revoked at a higher rate than the previous study groups. The Sanction Certainty policy produced an overall rate of 74 revocations per one-thousand violators. This rate was less than the same rate for the MATRIX-r group (89); however, it was higher than the rate for both the MAPS and the ZT treatment groups, 29 and 37 respectively, as well as the rate for the MATRIX-p comparison group (45).

In addition to the data collected on violations, detentions, and revocations, information was also gathered on violator demographics, criminal histories, and alcohol/substance abuse treatment histories. In these areas, violators were compared based upon the incidents of violation they had committed during the study period. Due to policy guidelines, offenders who have more than one incident of probation violation can generally be taken to be those violators who were revoked from probation; however, this was found to not always be the case.

The average age of a Sanction Certainty violator was 32 years, with the minimum age of any violator being 19 years and the maximum being 67 years. By comparing age ranges based on the number of violations committed, it was found that as an offender ages, he/she becomes less likely to violate multiple times. In comparing violators by sex it was found that there was a predominance of males among Sanction Certainty violators, in much the same way that there is among the entire population of offenders. When one-time violators and multiple incident violators were compared to the entire caseload according to sex, it was found that multiple incidents violators more closely resembled the entire probation population whereas one-time violators had a slightly higher predominance of males.

When the violators were examined according to their race, Whites were found to predominate, followed by Blacks, Hispanic, Asians, and Native Americans. In general, this trend mirrored the racial breakdown of the entire probation population; however, minorities tended to have higher percentages among the violator subsets than they did within the entire probation population.

A marital status comparison of one-time violators to multiple incident violators found little appreciable difference among the two groups. A majority of both groups were identified as single, 65% and 69% respectively. The next largest groups were those

individuals identified as having been divorced (11% for both groups). No marital status category showed more than a 5% difference between the two groups.

While an analysis of probation violators according to their employment status found a statistically significant difference between the employed and unemployed multiple incidents violators, there was essentially no difference in employment status for violations committed by one-time violators. This difference indicated that an individual's employment status contributes to the likelihood that an individual will commit multiple incidents of violations. Employment status was also used to evaluate differences between technical violators and violators who committed new charges. Technical violators were more likely to have been unemployed than violators who committed new criminal charges.

A comparison of the education levels between one-time violators and those who committed multiple incidents of violation revealed some differences. While the highest percentage in either group was of those violators who had attained an educational level short of high school graduation, multiple incidents violators had a higher percentage (42%) than did one-time violators (34%). Additionally, one-time violators had a higher percentage of violators with some post-secondary level of education (11%) than did multiple incidents violators (5%).

As previously mentioned, additional information on the criminal histories of violators was gathered and incorporated into the analysis. This information included a violator's supervision level, prior record score, present offense, and violation type (technical versus new charge). As with demographic factors, criminal history variables were compared between one-time violators and multiple incidents violators.

Examination of supervision levels for each violator at the time of the violation indicated that a majority of offenders were receiving medium level supervision. Multiple incidents violators had a higher percentage of maximum level supervision (35%) than the one-time offenders (20%). Supervision levels were also evaluated based upon the type of offenses that were committed, technical versus new charge. Again, both groups had the highest percentage of violators on medium supervision, approximately one-half for both technical and new charge violators. The second highest percentage among technical violators was maximum supervision (28%), whereas the second highest percentage among new charge violators was minimum supervision (19%).

An additional indicator of an offender's criminal history that was analyzed was his/her prior record score. As a part of the Sanction Certainty evaluation, it was decided to determine if any correlations existed between an offender's prior record score and the number of probation violations that an offender committed. A correlation analysis indicated that prior record scores were a relatively poor indicator of whether or not an offender would commit one or more violations while on supervision.

Information concerning present offenses and violation types were collected, categorized and tabulated to illustrate their frequency among one-time and multiple violation offenders. An offender's present offense is the offense for which that individual is placed on supervision. The most common offenses for which offenders in either group were placed on supervision were drug and alcohol related charges. The second most common offense for both groups was property crime and related offenses.

Technical and new charge violation information was tabulated separately and provided for one-time and multiple incidents violators. The most common technical violations committed by either group involved drug use violations, followed second by alcohol use violations, and third by violations related to drug and alcohol treatment. The most common new charge violation committed by one-time violators involved drug and alcohol related offenses; however, the most common new charge violation committed by multiple incidents violators involved summary offenses. The second most common offense among one-time violators involved property crime and related offenses, whereas among multiple incidents violators the second most common violation types included drug and alcohol related offenses.

The final report section pertaining to violators included information on alcohol/substance abuse and treatment. Indicators gathered included history of alcohol abuse, history of substance abuse, and treatment outcomes. An analysis and comparison of the history of alcohol abuse among probation violators found that multiple incidents violators had a higher percentage of occasional or prior alcohol abuse histories (43%) than individuals who had committed only one probation violation (35%). The percentage of one-time and multiple incidents violators who were classified as frequent or current abusers was nearly identical at 46% and 43% respectively. Despite similarities and differences between the two groups, it was clear that alcohol abuse, whether it be occasional/prior or frequent/current, was a problem for the vast majority of all probation violators.

An analysis of the history of substance abuse among violators indicated that one-time violators were more likely than multiple incidents violators to have a history of occasional or prior substance abuse. Conversely, multiple incidents violators were more likely than one-time violators to have a history of frequent or current substance abuse. As was indicated previously regarding alcohol abuse, despite any similarities and differences between the two groups, it was clear that substance abuse, whether it be occasional/prior or frequent/current, was a problem for the majority of all probation violators.

Possible outcomes for offenders who violated on drug or alcohol charges while on probation included evaluation for treatment, referral to treatment, placement in/released to treatment, and continued treatment. Violators who had some type of treatment related outcome as a result of a violation were compared according to these outcome categories. Thirty-six percent of all violators who had a treatment related outcome were evaluated for treatment, 27% were referred to treatment, and the remaining 37% were nearly equally divided between placed/released to treatment and continued treatment. For all of the categories of treatment outcomes, between 19% and 25% of violators during the study period violated subsequent to their being given a treatment related outcome. Additionally, a comparison of one-time violators to multiple incidents violators who were involved in one of the treatment options indicated a statistically significant difference between the two groups. The difference indicated that drug and alcohol problems were a major factor in determining whether or not an individual was likely to commit multiple incidents of probation violations.

The final section of the report included information gathered through a survey which was distributed to the probation officers and supervisors who handled the Sanction Certainty caseloads. The survey focused on four main areas including perceived affects of the Sanction Certainty directive on probation officers; perceived



affects of the Sanction Certainty directive on offenders; implementation of the Sanction Certainty directive; and probation officer morale.

Regarding perceived affects on the probation officers themselves, most officers felt that the Sanction Certainty directive had increased their ability to control an offender's behavior despite the acknowledgement that the directive had decreased their ability to manage the sanctioning of violators. The majority also believed that Sanction Certainty provided enough choices for handling probation violations and that the policy promoted a more positive relationship between probation officers and violators.

When asked about the perceived affects on probation violators, most of the respondents felt that the Sanction Certainty directive had reduced the number of violations committed; reduced the total number of days violators spent in jail; increased violator accountability; and increased offender compliance with the conditions of probation. When asked how the Sanction Certainty directive had affected the image of the probation officer, an equal number of officers believed that the image had either been enhanced or that there had been no change.

Survey questions related to the implementation of Sanction Certainty revealed that despite the mandates of the Sanction Certainty directive, not all probation officers implemented the policy with strict adherence to the guidelines. A majority believed that most officers applied the directive in the same manner despite approximately one-quarter who indicated that only some officers did. Additionally, a majority of respondents believed that most supervisors applied the directive in the same manner, while approximately one-quarter indicated that all supervisors did.

A majority of officers felt that day-to-day supervision under Sanction Certainty took more time than previous supervision policies. However, those who indicated that it did take more time also indicated that they believed it is a beneficial investment when considering the impact of Sanction Certainty on offenders. Most respondents also indicated that the time necessary to document violations had increased, but that the investment was, again, beneficial with regard to the impact on offenders.

The remaining survey questions focused on the morale of the probation officers. There was a mixed response concerning the officers' level of job satisfaction subsequent to the implementation of Sanction Certainty. A majority felt that their job satisfaction had either "increased somewhat" or that there had been "no change." About a quarter of respondents felt that their satisfaction had "decreased somewhat." Only a small percentage stated that their satisfaction level had "increased." Despite these mixed responses, three-quarters of respondents indicated that they would not prefer to return to the previous Violation Matrix form of supervision.

Ultimately, respondents seemed to have a favorable view of the policy with a slight majority believing that Sanction Certainty was better than previous forms of supervision. The remainder felt that it was the same and no respondents indicated that Sanction Certainty was worse than prior forms of probation supervision. In addition, probation officers and supervisors felt that it was easier to address offender violations under the Sanction Certainty directive than under previous forms of supervision, with all respondents in agreement.

As with any study, limitations apply and consideration should be used when interpreting the reported outcomes. The primary considerations regard limited data, which is noted where applicable. Conclusions are based solely on data available for analysis during this study period. In addition, outcomes were not controlled for an offender's time at risk. Therefore, an individual who entered the study in April 2003 had a total time at risk of approximately 12 months, whereas an individual who entered the study in April 2004 had a total time at risk of approximately one month. As a consequence, individuals in the study for a shorter period of time, who have not violated during the study period, may eventually commit violations at some later time, which would, therefore, not be reflected in these study outcomes.

While this study was designed to evaluate a greater number of offender lifestyle and criminal history factors than previous studies, it is not possible to evaluate every aspect of an individual's lifestyle that might contribute to his/her likelihood to violate or reoffend. However, the current Sanction Certainty study has included a number of violator demographic and criminal history factors to attempt to address this issue.

As previously noted, due to the implementation of the Sanction Certainty directive department-wide, the current study lacks a simultaneous comparison group. While the outcomes of this study are compared to the outcomes of previous studies, that type of comparison does not control for possible temporal changes in the criminal population. Future research could potentially address this issue by seeking the assistance of a comparable Pennsylvania third-class urban county willing to provide statistics on its adult probation population.

Additionally, a few of the original research objectives could not be fulfilled as the data necessary to evaluate these areas was either non-existent or too difficult and time-consuming to gather for the scope of this project. Data will continue to be collected on those offenders represented within this report, as well as future offenders, in anticipation of a potential follow-up study.

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# APPENDIX A:

## Zero Tolerance Protocol

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### ZERO TOLERANCE PROTOCOL

Each violation is evaluated by the Zero Tolerance (ZT) Probation Officer to determine whether or not to incarcerate the violator. ZT does not require incarceration for every violation of the conditions of probation/parole. However, it does require, in each instance where a violation occurs, an effective response calculated to hold the offender accountable. Different violations merit different responses; ZT offers a response dependent upon the type and the situation in which the violation occurs. For example, a positive drug screen merits immediate incarceration. After incarceration, the *Incarceration Action Steps* are available.

If, after evaluation, the PO chooses not to incarcerate a violator for a valid reason, any further violation follows the same evaluation procedure.

All incarcerations are staffed and approved by a supervisor based upon the *Zero Tolerance Action Supervisor Guidelines*. This interaction was put into place to help ensure a consistent interpretation of the facts and a proper response to those facts.

### INCARCERATION ACTION STEPS

If the offender is incarcerated, a variety of options could be pursued including:

- Proceed to Gagnon I
- Proceed to revocation (Gagnon II)
- Analysis of inpatient or outpatient treatment options
- Release to continued supervision with an option to increase supervision level

If there is another violation where the decision is made to incarcerate, the above options are available.

If incarceration occurs a third time, automatic revocation is to occur. Note: Revocation can occur immediately upon the first or second violation, if the violation merits it.

Emphasis is always on the content of the violating behavior displayed by the violator. Additionally, as experienced on rare occasions, if an offender had just been sentenced or paroled and presents a defiant, non-compliant, overt behavior, this offender could be incarcerated under ZT. Any overt behavior of this type could escalate and impact on other offenders within the immediate area.

# APPENDIX B: Violation Matrix Protocol

## VIOLATION MATRIX PROTOCOL

In February of 1991 Adult Probation of Erie County adopted an implemented a *Violation Matrix*. The matrix provided a progressive set of sanctions for probation/parole violations and included guidelines that would reduce the number of detainees lodged by Adult Probation, yet provided for a series of violation notices to violators.

### THE VIOLATION MATRIX

Type of Violation	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
<b>Category A</b> Missed: Probation appointment; group therapy; vocational; curfew; giving false information; moving or travel without permission; employment violations; violating special conditions of probation	Verbal reprimand by Probation Officer	Written warning by Probation Officer	Written warning and staffing conference with supervisor. May increase supervision level one step at a time.	Staffing with supervisor for referral to intensive or possible revocation.
<b>Category B</b> Firearms/weapons violation: non- threatening	Verbal reprimand and written warning by Probation Officer	Written warning and staffing conference with supervisor	Staffing with supervisor for referral to intensive or possible revocation.	
Threatening	This violation automatically becomes a Category C; PO should refer to arrest policy under assaultive behavior.			
Illegal Contraband	Verbal reprimand and written warning by Probation Officer	Written warning and staffing conference with supervisor	Staffing with supervisor for referral to intensive or possible revocation.	
Positive drug/alcohol urine screen	Refer to sanctions for Drug & Alcohol Violations			
<b>Category C</b> Overt Behavior	Refer to arrest policy under Felony Offenses			

### POSITIVE URINE/STANDARD SUPERVISION SANCTIONS

Type of Drug	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Marijuana or Alcohol	Verbal warning by Probation Officer	Written warning and referral for assessment, if one doesn't already exist. Possible supervision increase.	Written warning and staffing with supervisor to determine necessity for referral to intensive.	Refer to intensive or possible revocation.
All Other Drugs	Verbal warning and written warning. Increase frequency of urine screens.  Possible referral for D/A assessment	Written warning and staffing with a supervisor.  Upgrade supervision level with supervisor approval.	Staffing with supervisor for referral to intensive or possible revocation.	Arrest  Detain  Possible revocation

Overall Note: When positive urine screens are received, sanctions shall be imposed as above. However, the PO should also consider, and when appropriate, should exercise the option of referring the client for attendance and successful completion of outpatient or inpatient therapy treatment programs.

### VIOLATIONS OF STANDARD CODES (INCLUDING PWOV)

New Arrests	Recommended Procedures
Felony Offenses	Incarcerate on first new offense after consulting with supervisor or a member of the management team. Consider the number of violations already detained.
Misdemeanor Offenses Assaultive Behavior (Aggravated or indecent assault, Simple assault or any overt assaultive type offense)	Refer to procedure for felony offenses.
Prior arrest for same type of offense (Sue/Subsequent drug arrest, etc.)	Refer to procedure for felony offenses
Other Misdemeanors	<b>DO NOT DETAIN!</b> Proceed to revocation after consulting with supervisor.
Summary Offenses	<b>DO NOT DETAIN!</b> Proceed to revocation after consulting with supervisor.

# APPENDIX C: New Policy Directive Towards Violators (SC)

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## NEW POLICY DIRECTIVE TOWARD VIOLATORS (Effective 12-01-02)

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**Every Violation, upon Discovery, Mandates Immediate  
Arrest and Incarceration  
-Unless-  
It Meets Both Part One and Two  
of The Exception Standard.**

### **The Exception Standard**

#### **Part One**

-Offender Acceptance of Responsibility: The offender displays an apologetic, concerned, or personally responsible attitude with regards to a Level One violation.

#### **Part Two**

-Must be a Level One Violation which is:

(1)- A **First** missed or late appointment/class/session with offender acceptance of responsibility and a valid excuse such as:

- |                                |                      |
|--------------------------------|----------------------|
| -personal illness              | -family illness      |
| -death in family               | -power outage        |
| -alarm clock problem           | -mechanical problems |
| -"I forgot" (first time)       | -employment issue    |
| -accidents/ traffic impediment |                      |

-or-

(2)- A **Second** (or subsequent) missed or late appointment/class/session with offender acceptance of responsibility and a written verification of personal illness, family illness, death in family, a car problem, etc.

**Action Directive: Upon an excused Level One violation, The PO must Inform the Offender/Violator That a Second or Subsequent Missed or Late Appointment/Class/Session Without Written Verification Will Result in Immediate Arrest and Incarceration. This Action must be Noted in "Simple Violations" Which Will Automatically Place it in Chronologicals.**

**All Violations  
That Do Not Meet Both Part One and Part Two  
of The Exception Standard  
Are Level Two Violations and Mandate Immediate Arrest  
and Incarceration upon Discovery:**

**Level Two Violations - Violation of the following Rules and/or Special Conditions**

- 3-Changing residence without notification/permission.
- 4-Refusing to obtain or maintain legitimate employment/schooling/training unless excused for acceptable reasons (such as disability, age, etc.)
- 5-NEW CRIMINAL CHARGES. Detain for misdemeanor and felony new charges. Detain for Summary offenses that are related to the present or consecutive supervised offense.
- 6- Travel outside of Erie County without permission. (Unless waived in Special Conditions)
- 7A-Drug use/possession/sale/abuse of a prescription
- 7B- Failure to submit to drug/alcohol test
- 7C- Possession of a firearm or weapon. (Unless waived in Special Conditions)
- 7D- Assaultive or overt behavior that threatens or presents a danger to the offender or others.
- 8- Failure to successfully complete an ordered educational, vocational, or treatment program offered by a recognized agency.
- 9- Failure to report as directed to the Probation/Parole Officer and supply a complete and truthful report.

**Special Conditions (only those checked on the contract):**

*Drug/Alcohol-*

- Alcohol consumption.
- Any Dirty Urine.
- Failure to attend a DUI class (either Phase I or Phase II).
- Failure to attend an evaluation.
- Failure to complete recommendations of a D/A evaluation.
- Failure to attend or failure to remain in Inpatient treatment.



-Failure to attend an Out Patient session.

*Educational/Vocational*

- Failure to attend a Retail Theft Diversion class.
- Failure to attend a Batterers' Group class.
- Failure to attend an Anger Management Group class.

*Mental Health*

- Failure to attend an evaluation.
- Failure to complete recommendations of a Mental Health.
- Failure to attend an Out Patient session.
- Failure to take prescribed medication.

*Sexual/Sex Related Offenses*

- Contact with minors.
- Viewing pornographic materials.
- Possession of pornographic materials.
- Failure to attend a Sexual Offender Group class.

*Other*

- Failure to attend a Community Service meeting or job site.
- Contact with victim.

**NO EXCUSES FOR:**

I can't get a ride.

The violation is someone else's fault.

Refusal to pay or refusal to communicate the inability to pay.

"I forgot" (a second time).

**Immediate Arrest and Incarceration Is Mandated If an Offender/Violator Displays a Poor Attitude, a Lack of Concern, Lack of Personal Responsibility, or a non Compliant Behavior with Regards to the Violation.**

**SIMPLE DEFINITION OF "ATTITUDE":** An offender/violator **DOES NOT** display an apologetic concerned or personally responsible attitude with regards to a violation as demonstrated by their state of mind, behavior, or conduct.

**Word of caution ....Discretion demands extreme caution. We must heighten our sense of our own attitudes. Be cautious not to interpret someone's "bad day" as an overall attitude problem.**

**With any "attitude" problems a second opinion by a supervisor is required. Supervisors must ask "What happened to get us to this point", then LISTEN.**



# APPENDIX E: Reade Pilot Study Outcomes

<b>READE PILOT STUDY OUTCOMES</b>	<b>MATRIX</b> 4 Caseloads	<b>ZT</b> 2 Caseloads
<i>TECHNICAL ONLY</i>		
<b># Violators</b>	159	76
<b># Violations</b>	569	128
Average Violations per Violator	3.6	1.7
<b># Violators Detained</b>	36	55
Total Days Detained	1099	470
Average Days Detained	30.5	8.5
<b># Revocations</b>	19	5
<i>NEW CHARGES</i>		
<b># Violators</b>	9	13
<b># Violations</b>	9	13
<b># Violations per Violator</b>	1.0	1.0
<b># Violators Detained</b>	8	12
Total Days Detained	587	673
Average Days Detained	73	56
<b># Revocations</b>	8	6
<i>COMPARISONS</i>		
<b>Average Violators per Caseload</b>	42	44.5
<b>Average Violations per Caseload</b>	144.5	70.5
<b>Average # Overall Violations per Violator</b>	3.4	1.6
<b># Revocations Overall</b>	27	11
<b>Average # Revocations per Caseload</b>	6.75	5.5

# APPENDIX F: MAPS Replication Study Outcomes

<b>MAPS REPLICATION STUDY OUTCOMES</b>	<b>MATRIX N = 112 3 Caseloads</b>	<b>MAPS N = 104 3 Caseloads</b>
<i>TECHNICAL ONLY</i>		
<b># Violators</b>	63	34
<b># Violations</b>	100	42
Average Violations per Violator	1.6	1.2
<b># Violators Detained</b>	9	12
<b>Total Days Detained</b>	517	173
Average Days Detained	57.4	14.4
<b># Revocations</b>	5	0
<i>NEW CHARGES</i>		
<b># Violators</b>	8	5
<b># Violations</b>	8	5
<b># Violations per Violator</b>	1.0	1.0
<b># Violators Detained</b>	7	4
<b>Total Days Detained</b>	1015	458
<b>Average Days Detained</b>	145	114.5
<b># Revocations</b>	5	3
<i>COMPARISONS</i>		
<b>Average Violators per Caseload</b>	23.7	13
<b>Average Violations per Caseload</b>	36	15.7
<b>Average # Overall Violations per Violator</b>	1.5	1.2
<b># Revocations Overall</b>	10	3
<b>Average # Revocations per Caseload</b>	3.3	1.0

# APPENDIX G:

## Probation Officer Survey

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### Probation Officer Survey

#### Perceived Affects on Probation Officers:

How do you believe Sanction Certainty has changed a Probation Officer's ability to control an offender's behavior?

- A.) No change
- B.) Decreased control
- C.) Somewhat decreased control
- D.) Somewhat increased control
- E.) Increased control

How do you believe Sanction Certainty has changed a Probation Officer's ability to manage the sanctioning of violating offenders?

- A.) No change
- B.) Decreased control
- C.) Somewhat decreased control
- D.) Somewhat increased control
- E.) Increased control

Do you believe that Sanction Certainty gives the Probation Officer enough choices for handling a violation?

- A.) Yes
- B.) No

Do you believe that Sanction Certainty promotes more positive relationships between Probation Officers and the offenders they supervise?

- A.) Yes
- B.) No

#### Perceived Affects on Offenders:

Do you believe Sanction Certainty has reduced the number of violations committed by offenders?

- A.) Yes
- B.) No

Do you believe that Sanction Certainty has reduced the total number of days that violators spend in jail?

- A.) Yes
- B.) No

Do you believe that Sanction Certainty has increased violator accountability?

- A.) Yes
- B.) No

Do you believe that Sanction Certainty has increased offender compliance with probation conditions?

- A.) Yes
- B.) No

How do you believe Sanction Certainty has changed the image of the Probation Officer?

- A.) Enhanced the image
- B.) Did not enhance the image
- C.) No change

**Implementation:**

Do you arrest and incarcerate violators who do not meet the exception standards in the Sanction Certainty Directive?

- A.) All of the time
- B.) Most of the time
- C.) Some of the time

Are all second time Sanction Certainty violators revoked?

- A.) All of the time
- B.) Most of the time
- C.) Some of the time

Do you believe that Probation Officers apply Sanction Certainty in the same manner upon the discovery of a violation?

- A.) All officers do
- B.) Most officers do
- C.) Some officers do

Do you believe that supervisors apply Sanction Certainty in the same manner upon the discovery of a violation?

- A.) All supervisors do
- B.) Most supervisors do
- C.) Some supervisors do

Does day-to-day supervision of offenders take more time under the Sanction Certainty Directive than it did under previous policies?

- A.) Yes
- B.) No

If yes, do you believe that it is a beneficial time investment in terms of the impact on offenders?

- A. Yes
- B. No

How do you believe the Sanction Certainty Directive has changed the amount of time involved in documentation of violations?

- A.) No change
- B.) Decreased
- C.) Somewhat decreased
- D.) Somewhat increased
- E.) Increased

If “somewhat increased” or “increased”, do you believe that it is a beneficial time investment in terms of the impact on offenders?

- A. Yes
- B. No

**Morale:**

How has the implementation of Sanction Certainty affected your job satisfaction?

- A.) No change
- B.) Decreased
- C.) Somewhat decreased
- D.) Somewhat increased
- E.) Increased

Would you prefer to return to the Violation Matrix form of supervision?

- A.) Yes
- B.) No

If yes, why?

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How do you think Sanction Certainty supervision compares with prior forms of supervision?

- A.) Same
- B.) Worse
- C.) Better

Do you believe that it is easier to address offender violations with Sanction Certainty supervision?

- A.) Yes
- B.) No

Please list any additional thoughts or comments regarding Sanction Certainty in the space below:


## APPENDIX H:

### Additional Probation Officer Comments

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- [Sanction Certainty] reduced the number of violations for some; increased compliance for some; no change in [probation officer] image because offenders know it is the court, not the Probation Officer; Probation Officer has no control over cases; it is easier at times to address violations.
- Sanction Certainty has meant an increase in our workload. However, I believe the offenders are taking their supervision more serious.
- I believe that Sanction Certainty has been for the most part positive. I do see a few problems such as taking away some control of the Probation Officer. I feel there could be a few more steps until incarceration (for some offenses), such as a supervisor reprimand of the offender. I know that some offenders have been hesitant to ask for help (re: drug use/relapse, etc.) because they are afraid of incarceration. I think that some offenders will just give up and stop reporting after one violation because they feel they will just be incarcerated and warrants have to be issued. I guess my feeling is that I would just like to know I tried to work with someone and tried everything before they are revoked.
- Enhanced the image [of the probation officer] but maybe in a negative aspect; somewhat increased job satisfaction but need more money. Overall, morale and accountability were improved for the line Probation Officers. Salaries, contracts, and equipment still need to be addressed but not related to this survey. Also, defendants know about the policy and talk about it on the street and prison. More work needed by Probation Officer (arrest, detain, release, paperwork) than with older matrix. Overall, positive policy and program.
- I think Sanction Certainty has some good points! However, I know clients don't come forward with information (violations) when they know they will go to jail. You could argue that there are less violations. I tend to think that it is a matter of the client not volunteering information because they will go to jail! Also, SC is frustrating when we revoke someone and they get two or three weeks in jail then get out. I don't know Sanction Certainty reduces violations or it reduces violations we find out about. If someone gets revoked and gets a few weeks in jail, it has you wondering if it was that serious of a violation to begin with. Also, I don't know how effective Sanction Certainty is when a third time DUI doesn't go to jail when sentenced, but I put him [in jail] for missing one treatment appointment. I feel in some ways probation is the "heavy." I wonder if we would need zero tolerance if people started off with a jail sentence when sentenced. Maybe then we would see far fewer violations from the beginning!



- Somewhat reduced violations; somewhat increased offender compliance; initially Sanction Certainty took more time; somewhat easier to address offender violations. It's really hard to get a good take on the impact of Sanction Certainty because of the peaks and valleys. I do believe the biggest impact is on the more minor violations, such as missed appointments, office, treatment, and minor summary violations. Those that are on [probation] for drug and/or alcohol violations; this problem is such that it is almost a given that most of these people are going to violation. This I feel is where some more discretion can be used, in terms of revocation after second offenses particularly where a higher level of treatment may be beneficial prior to a revocation. I do like the idea of Sanction Certainty versus the Matrix, as it deals with violation more quick and sternly.
  
- Lack of harsher sentences imposed by Court for revocation of Sanction Certainty cases. Increased documentation, accountability, and action of supervising officer, yet observing court not reinforcing severity of violations in revocation sentence.
  
- This form of supervision takes away from the "professional" judgment of the supervising officer as well as creative casework. I believe, over a longer time period, this form of supervision will only increase the Courts workload - more revocations or the Probation Officer will begin not to "look as hard" at violations in order not to have to compose revocation paperwork.