



Implementing Responses to Improve Community Supervision Outcomes

Presented to: Montana Criminal Justice Oversight Council

January 2024

- CJI bridges the gap between research and practice with data-driven solutions that drive bold, transformative improvements in adult and youth justice systems
- CJI provides non-partisan analysis, research, technical assistance, program evaluation, and training to jurisdictions throughout the country



The CJJ Team



Colby Dawley
Deputy Director



Valerie Meade
Deputy Director



Caitlin Flood
Senior Policy Specialist



Andy Tisdell
Policy Specialist

Presentation Overview

- Project Background
- Montana's Responses to Revocation Analysis
Recommendations:
 - Effective Supervision Work Group
 - Supervision Conditions Work Group
 - Absconding Study
 - BOPP Guidelines score assessment
- Questions/feedback from CJOC

Project Background

Project Background: Revocations Analysis and Report

- Quantitative and qualitative analysis of factors impacting revocations from community supervision
 - Analyzed individual-level data from 2012-2019
 - Reviewed state statutes, court rules, and administrative policies
 - Conducted focus group interviews with key stakeholders such as supervision agency leaders, line staff, judges, and public defenders; surveyed probation officers and supervisors
- Vetted findings with DOC, completed a report outlining findings and recommendations

Project Background

CJI's assessment focused on six primary research areas:

Trends in
Revocations

Supervision
Conditions

Responses
to Violations

Alignment with
Best Practices

Community Programming
& Resources Availability

Stakeholder Attitudes,
Values, & Beliefs

Revocation Rates

National Trends

- ▶ According to the Bureau of Justice Statistics, in 2019:
 - ▶ 31% of parole terminations and
 - ▶ 26.5% of probation terminations were **unsuccessful**.

CJI Findings

- ▶ Statewide revocation rates across all supervision types in MT, CO, FL and MS ranged from 35% to 47%
- ▶ Revocation rates were highest for people on post-incarceration supervision

Lowest Revocation Rates for Majority of Supervision Population (Probation)

Montana Distribution of Caseload Numbers (OMIS)

Community Supervision Status	Total	% of Supervision Population	% of Revocation Terminations:
Conditional Release	1262	10.8%	72%
Parole	1313	11.2%	61%
Probation	9051	77.8%	39%
Total	11626		Overall revocation rate: 43%

Opportunities to Increase Supervision Success



Remove barriers impacting community supervision success



Implement evidence-based supervision policies with fidelity



Focus resources on high-risk individuals & initial supervision period



Support sustainable policies & practices

Montana's Response to CJ's Findings and Recommendations

Implementation Partnership (2022-Present)

- Evidence-Based Practices Training
- DOC Effective Supervision Workgroup
- DOC Conditions Workgroup
- Absconding Study
- BOPP Decision-making Process
- Enhancing Reentry Collaborations

Evidence-based Practices Training

- Created for DOC community supervision staff as Train-the-Trainer
- Consolidated into 3-hour training for all DOC staff
- Training covers the eight essential principles to reduce recidivism through effective supervision

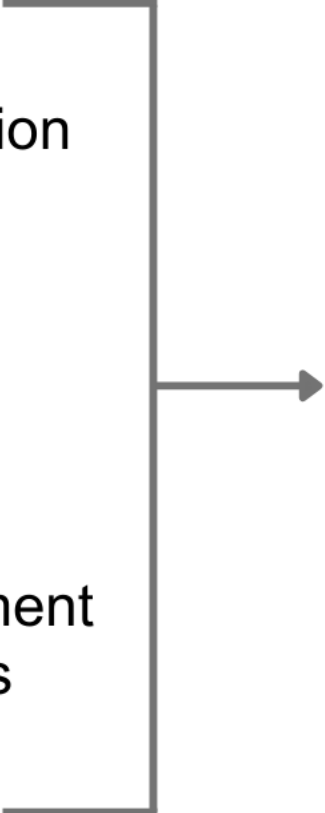


DOC Effective Supervision Workgroup



Report Recommendations Prioritized by DOC

Report Recommendations:

1. Enhance effective implementation of risk and needs assessments
 2. Provide formal training on case management and fully implement quality assurance processes
 3. Align staff with DOC's commitment to using evidence-based practices
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Resulting DOC Action Step:

Created an Effective Supervision Workgroup tasked with updating policy and procedure to align with intervention principles, responsive case management, contact standards, and case planning

Purpose of Effective Supervision Group

- Charged with updating DOC policy and practices around supervision assignments and case management, the workgroup is exploring ways to provide targeted supervision that addresses criminogenic risk and need areas and increases the chances of success for individuals on supervision
- Statewide engagement with cross-regional representation from line officers and supervisors
- **Workgroup Vision Statement:** “Promoting stronger communities by doing the right thing at the right time to help individuals move toward success”

Workgroup Areas of Focus

Supervision Specialties: Rethinking supervision model with goal of caseload specialization

- Supervising people based on **what environment people are coming from** before transitioning to community supervision:
 - prison/jail
 - prerelease center
 - treatment facility
 - community
- Tailor supervision to provide needed structure, and ensure interventions are appropriate based on individual risk and need

Workgroup Areas of Focus

Supervision Procedure Considerations:

- Incorporating EBP principles into supervision
- Proactive case plans, compared to reactive interventions
 - Collaboration/enhancing reentry efforts
 - Use of drug tests for more tailored interventions instead of compliance monitoring
 - Conditional Release investigations
 - Monthly reports
- Court coverage

Next Steps

Develop
supervision model

Identify
challenges or
questions

Get feedback from
Citizens Advisory
Committee

Implementation
timeline

Training and
support

Measuring
success

DOC Supervision Conditions Workgroup



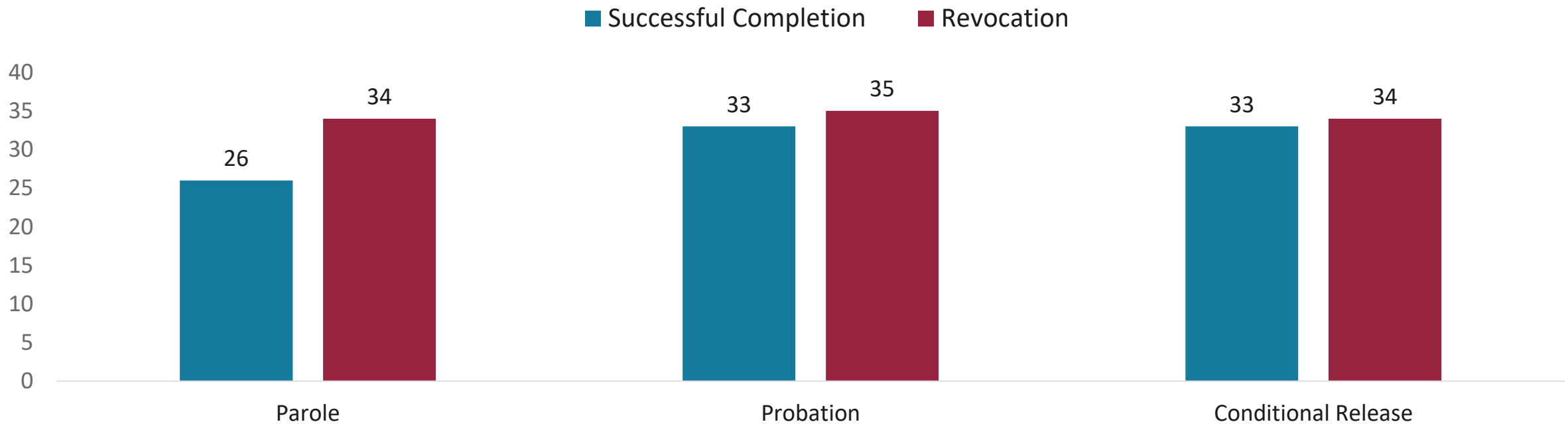
Research on Evidence-based Conditions

Studies show that ordering too many conditions, especially those not linked to public safety, can negatively impact an individual's ability to maintain compliance and achieve success on supervision.



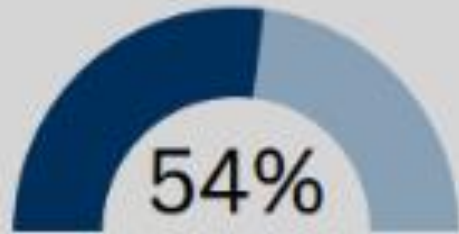
The median number of probation conditions among those ultimately revoked increased nearly 30% from 2012 to 2019

Number of Total Supervision Conditions by Supervision and Termination Type, 2019



Report Findings on Conditions + Supervision Outcomes

Fines and fee obligations were more frequently correlated with those who were ultimately revoked



Of those who **successfully completed** parole had fines/fees imposed

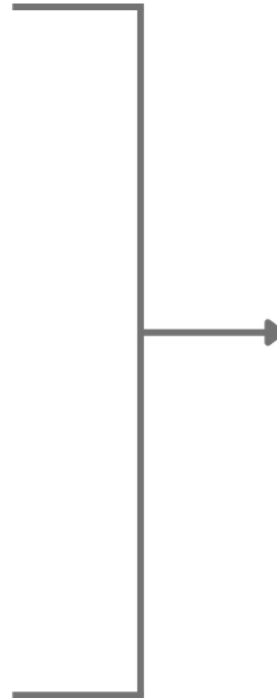


Of those who were **revoked** from parole had fines/fees imposed

Report Recommendations DOC has Prioritized

Report Recommendation:

Revise practices for setting terms and conditions with the goals of individualization and removal of barriers to success on supervision



Resulting DOC Action Step:

Created a multidisciplinary Conditions Workgroup, with stakeholders from across the criminal justice system to explore potential changes to the condition-setting process

Purpose of Conditions Workgroup

- Over several months, DOC organized a series of listening sessions with DOC staff, judges, county attorneys, and public defenders to capture multidisciplinary views; an electronic survey was also distributed to gather feedback from each group
- DOC collaborated with stakeholders to create a Conditions Workgroup consisting of DOC staff, judges, county attorneys, and public defenders.
- The workgroup is charged with examining the number and effectiveness of conditions of supervision, and making recommendations for improvement

Conditions Workgroup Areas of Focus

Goal of Conditions Workgroup: Identify conditions and practices within the condition-setting process that advance public safety and individual rehabilitation; address and recommend improvements to the condition-setting practices creating obstacles for supervisees and practitioners.

Objectives:

1. Align the PSI writing and condition-setting process with “nexus” requirements
2. Check ARM Standard Conditions against statutory basis/other legal or behavior-change justifications
3. Clarify whether Standard, Statutory, and Specialized conditions are furthering rehabilitation or serve as punishment?

Areas of Focus

Excessive number of conditions

Move from punitive to public safety + rehabilitation focus

Match conditions to individual's unique risk/need profile

Awareness of resources available across regions

Efficacy of ability to pay hearings

Enforceability of 'no association' condition

Next Steps for Conditions Workgroup

- Meeting with workgroup in person in January to review ARM Standard conditions
- Future meetings to cover:
 - Statutory conditions
 - Specialized conditions
- Monthly meetings to determine how this workgroup might bring recommendations for condition-setting process to different decision-makers

Decreasing Absconding



Findings Related to Absconding

- Absconding and new offenses are the most frequent noncompliance violations
- Previously, a showing of absconding was made up of:
 - employment violations
 - residence violations
 - failure to report

Of all revocation violations, absconding makes up:



Absconding Responses

- Clarified the of absconding definition in policy
- Absconding added as a specialized condition in July 2022
 - “The Defendant shall not abscond from supervision. Absconding is a non-compliance violation as defined in §46-23-1001(1) MCA.”
- Partnered with CJI for a deeper look at factors driver absconding
 - DOC will incorporate absconding findings into policy/procedure changes

Absconding Study

Purpose: Examine factors impacting absconding behavior

Areas of Focus:

- Analyze data related to absconding behavior
 - Supplement gaps in data through OMIS file review
- Focus groups with people on community supervision and other stakeholders

Next Steps:

- Conduct absconding study
- Compile data into a final report to DOC, including findings and recommendations for policy change
- Communicate the results to workgroups

BOPP Guidelines Score Assessment + Parole Release Decision-making



BOPP Guidelines Score Assessment

Purpose:

Assessing the reliability and validity of the Montana Parole Guidelines tool, used to release recommendations.

Areas of focus:

- 1) Whether the guidelines tool is being used by the Parole Board as designed (reliability), and
- 2) Whether the tool accurately predicts outcomes of successful reentry without reinvolvement in the justice system (validity).

Next Steps:

- Review of BOPP Dashboard, Jasper, and OMIS data, supplemented by conversations with Parole Board members
- Provide information on the release decision-making process
- Share recommendations with BOPP on potential improvements

MT Reentry Efforts

- March 2023 presentation to CJOC
- Facilitating meetings with community partners
- DOC-run prerelease center to provide resources for rural area in Kalispell

Legislative Responses Impacting Recommendations

- SB 11: Data-sharing
- HB 311: Treatment vouchers for residential room/board
- HB 589: Clarification of what constitutes exhausting the MIIG when implementing case management responses

Questions?

Thank you for your time!

Contact

Caitlin Flood: 516-428-6568

[*Cflood@cjinstitute.org*](mailto:Cflood@cjinstitute.org)

Valerie Meade: 816-519-4441

[*Vmeade@cjinstitute.org*](mailto:Vmeade@cjinstitute.org)

