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FACT SHEET

IMPLEMENT PROGRESSIVE SANCTIONS FOR PROBATION

PROGRESSIVE SANCTIONS FOR PROBATION VIOLATIONS WILL ELIMINATE UNNECESSARY PRISON CROWDING

INDIVIDUALS WHO ARE REVOKED FROM PROBATION AND SENT TO PRISON COMPRISE AS MUCH AS ONE-THIRD OF TOTAL PRISON ADMISSIONS ANNUALLY.

Technical violations of probation (e.g., missing a probation fee payment or failing to attend a meeting with a probation officer) are a major cause of revocation. These revocations effectively create prisoners out of individuals who commit regulatory infractions, wasting scarce prison beds needed for dangerous criminals. Such a revocation policy is also financially irresponsible; in 2005, probation revocations created \$1.124 billion in added incarceration costs, largely because the cost of incarcerating an individual is \$44.01 per day, while the cost of maintaining him or her on probation is \$2.13 per day.

REDUCING THE NUMBER OF TECHNICAL REVOCATIONS TO PRISON AND KEEPING INDIVIDUALS ON PROBATION WOULD BE MORE EFFECTIVE IN MINIMIZING CRIMINAL BEHAVIOR AND COULD SAVE THE STATE BILLIONS IN INCARCERATION COSTS.

Penalties that are graduated and appropriate to the infraction can provide immediate feedback about and enforcement of probation rules without incarcerating individuals unnecessarily.

S.B. 166 WILL IMPLEMENT PROGRESSIVE SANCTIONS FOR PROBATIONERS WHO COMMIT VIOLATIONS.

S.B. 166 provides for grants to be issued by the Community Justice Assistance Division (CJAD) to probation departments that implement programs that include some of the following characteristics:

- (1) Reduced and specialized caseloads for supervision officers, which may include electronic monitoring or substance abuse testing of offenders;
- (2) The creation, designation, and fiscal support of courts and associated infrastructure necessary to increase judicial oversight and reduce revocations;
- (3) Increased monitoring and field contact by supervision officers;
- (4) Shortened terms of community supervision, with increased supervision during the earliest part of the term;
- (5) Graduated sanctions and incentives, offered to an offender by both the probation department and courts served by the department;
- (6) The use of in-patient and out-patient treatment options, including substance abuse treatment, mental health treatment, and cognitive and behavioral programs for offenders, as well as the use of intermediate sanctions facilities and community corrections beds;
- (7) Early termination strategies and capabilities;
- (8) Gang intervention strategies;
- (9) Risk assessment techniques and reassessment techniques; and
- (10) The designation of faith-based community coordinators who will develop faith-based resources, including a mentoring program.

According to S.B. 166, priority would be given to departments with pre-existing progressive sanctions programs, as well as those with higher revocation rates and medium- to high-risk cases.

PROBATION DEPARTMENTS CAN END A MAJOR CAUSE OF PRISON OVERCROWDING BY IMPLEMENTING PROGRESSIVE SANCTIONS. FURTHERMORE, PROGRESSIVE SANCTIONS CAN ENCOURAGE PROBATIONER ACHIEVEMENT AND PERSONAL RESPONSIBILITY BY GIVING INDIVIDUALS A FAIR SHOT AT SUCCESS THROUGH GRADUATED PUNISHMENTS, MEANINGFUL INCENTIVES, AND REALISTIC FEEDBACK.