



Getting Technical: Preventing and Responding to Technical Supervision Violations and Misdemeanors

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Key Points

- According to state revocation data, technical violations alone accounted for roughly one-quarter of all state prison admissions in 2017.
- Many technical revocations involve behavior that would not be punished as a crime were the individual not on supervision and thereby, do not necessitate confinement.
- Intermediate responses in lieu of revocation, including swift and certain sanctions and capping the length of confinement upon revocation can effectively correct behavior and avoid unnecessary imprisonment.

Introduction

It has taken millennia for society to fully grasp a hard lesson: prisons are not for everyone. While prisons serve a necessary purpose in punishing those who commit crimes, which often includes sequestering dangerous individuals who present an ongoing threat to the general public, simply warehousing offenders for increasingly long periods of time is often a poor motivator for people to meaningfully examine and change their behavior (to say nothing of the immense fiscal and social costs to society of doing so). This understanding is particularly acute for criminal offenses related to various underlying behavioral maladies, including drug addiction. Dealing with this type of anti-social behavior in an anti-social environment for long periods, at least as far as America's ongoing problem with drugs is concerned, is unlikely to be resolved by imprisoning our way out of it.

Enter probation and parole. Probation, a form of community supervision, is a practice whereby an individual's jail or prison sentence is deferred or suspended by a judge until after a term of supervision is successfully completed. Parole, on other hand, follows a term of incarceration and is intended to help smoothly re-integrate individuals into the community. During community supervision, people are expected to remain crime-free and to fulfill various requirements of the court, including regular check-ins with probation officers, routine drug tests, and participation in various substance abuse or mental health treatment programs ([Glod, 2](#)). In this way, allowing an individual to complete a portion or the entirety of their sentence in the community, rather than behind bars, acts as a significant incentive to stay within the color of the law going forward, as failing to comply can result in punishment, including revocation to prison.

Probation and parole provide an important alternative or adjunct to incarceration for many individuals in terms of recidivism. However, those on these forms of community supervision—particularly those for whom probation is the primary sentencing option—can paradoxically *contribute* to incarceration through revocations. Revocations from supervision generally come in two forms: commission of a new criminal offense or through technical violations of conditions for community supervision, such as missing appointments with a probation or parole officer or testing positive for drugs. According to analysis of state revocation data by the Council of State Government's (CSG) Justice Center, technical violations accounted for roughly one-quarter (67,992) of all state prison admissions in 2017 ([CSG 2019](#)). Revocations for the commission of a new offense amount to another 20 percent of prison admissions.

The commission of any supervision violation deserves an appropriate response, which can include a return to incarceration.¹ However, some of the conduct that can lead to a technical revocation would not be punished as a crime were the individual not on supervision, or even necessarily with a jail sentence for committing certain misdemeanors, such as simple marijuana possession. Probation and parole are intended to imbue much needed flexibility into sentencing decisions. People can, and do, succeed while being supervised in the community. But as the country's probation and parole population has itself grown very large—around 4.5 million, more than twice the incarcerated population ([Horowitz et al., 1](#))—measures must be taken to ensure that the same inefficiencies associated with imprisonment, including failure to adequately address aforementioned behavioral maladies, do not plague community supervision.

In the following sections, this report will examine several of the best policies and practices for addressing supervision violations (especially technical violations), including statutes and matrices that provide for swift, certain, and graduated sanctions and incentives; caps on the length of incarceration in appropriate cases; and alternatives to revocation for behavior that results from substance abuse and/or mental illness.

Swift, Certain, and Graduated Sanctions and Incentives

Intended Outcome: A recalibration of administrative practices that matches positive or wayward behavior to an appropriate response, yielding reductions in revocations to prison—especially for technical violations.

Based upon observations and works spanning from Italian criminologist Cesare Beccaria to the modern-day operant learning theories of B.F. Skinner, much of the strength surrounding the best community supervision policies can be boiled down to a simple truism: people respond to incentives, whether positive or negative. Much like a child may diligently complete his or her household chores in return for some tangible reward, or conversely, receive some form of punishment for behavior they know to be prohibited, so too do those on supervision respond to the prospect of reward or sanction for their actions.

However, given that we are humans and not automatons, the response is not always predictable. Additionally, it is not enough to simply meet an action with just any consequence at some indeterminate time in the future. As deterrence theory posits, for which Beccaria was an early proponent, punishments are most effective when levied swiftly and

certainly following an infraction. Concerning the swiftness of punishment, the key justification is to promote close association between offense and outcome lest the reason why a probationer or parolee is being punished fail to resonate, as Beccaria explains:

...because when the length of time that passes between punishment and the misdeed is less, so much the stronger and more lasting in the human mind is the association of these two ideas, crime and punishment; they then come insensibly to be considered, one as the cause, the other as the necessary inevitable effect (Beccaria).

Due to the difficulty in empirically accessing the effect of immediacy of punishment on crime prevention, more attention has been given to the certainty side of the ledger. According to Beccaria, certainty of punishment will “always make a stronger impression” than severity. This theory is generally well supported ([Nagin, 21](#)). Thus, within the context of imposing sanctions for violating one's terms of supervision, immediate sanctions are necessary so as to reduce “denial” on the part of the probationer or parolee and to create a stimulus to change habitual behaviors ([Taxman et al., 6](#)).

Furthermore, a body of evidence indicates that the best correctional outcomes involve not the exclusive use of negative sanctions to deter wrongful behavior, but also the use of positive incentives or rewards to reinforce good behavior—even that positive reinforcements ought to outnumber sanctions ([APPA, 7](#)). Applied with consistency and expectation, sanctions and incentives used in concert with one another—both carrot and stick—bolsters the perception among probationers and parolees that anticipated sanctions are fair and just, and that the process for doing so itself is not being applied arbitrarily or capriciously, which research also shows can improve supervision compliance ([APPA, 6](#)).

Below are two examples of states that have adopted the use of swift and certain sanctions in recent years in response to climbing prison populations and lackluster performance of their supervision programs, and their outcomes.

South Carolina

Beginning in the 1970s, South Carolina, along with the rest of the nation, experienced a rapid growth in crime. Violent crime rates increased from 286.1 per 100,000 population in 1970 to 1,030.5 in 1994. The quarter-century crime wave overwhelmed South Carolina's criminal justice system. It also showed that criminal justice techniques that may have

¹ Admittedly, there is wide variability among states whether certain supervision violations constitute a new offense or not. Therefore, caution must be taken when attempting to compare revocation rates between states or when considering potential policies to address such violations to ensure that any sanction fits the infraction (see footnote 1, [CSG 2019](#)).

Table 1. Reductions in total compliance violations and those resulting in SCDC admissions, 2010-2018

	2010	2018	# Reductions	% Reduction
All revocations for compliance violations	4,783	1,926	-2,857	⬇️ 59.7
Compliance revocations resulting in SCDC admission	3,293	1,350	-1,943	⬇️ 59.0
New offense revocations	1,490	576	-914	⬇️ 61.3

Source: Report to the Sentencing Reform Oversight Committee, South Carolina Department of Probation, Parole and Pardon Services, November 2018

worked for South Carolina in 1970 were wholly inadequate for dealing with the situation the state was facing.

The initial response by the state was simply to build more prisons. While that kept offenders off the streets, evidence kept showing that it did not solve the underlying problems that led to the crime surge. For instance, South Carolina's community supervision programs were not performing well. In 2009, those being sent back to prison for violating their terms of supervision accounted for nearly a quarter of prison admissions, with 66 percent of those being a result of technical violations ([PEW 2010, 4](#)).

In response, state lawmakers codified a set of 24 recommendations they received from their recently created Sentencing Reform Commission—which was tasked with analyzing state sentencing and corrections data to identify drivers of prison growth—into SB 1154, the Omnibus Crime Reduction and Sentencing Reform Act of 2010 ([Pelletier et al., 3](#)). Among other things, SB 1154 authorized earned compliance credits to encourage successful completion of supervision terms ([Sec. 24-21-280\(D\)](#)) and enhanced probation department's use of swift and certain “administrative responses” to supervision violations in lieu of revocations, which include verbal or written reprimands, home visits, and/or community service sanctions ([Pelletier et al., 4](#)).

Outcomes

In FY 2011, the first year that legislation was in effect, there were only 76 people earning compliance credits versus 294 who were eligible for them, which is an earning rate of 25.9 percent ([DPPPS, 18](#)). By FY 2018, this rate had more than doubled: 19,791 people earned credits out of 33,013 who were eligible (an earning rate of 59.9 percent). Meanwhile, 79.6 percent of credits were denied for noncompliance in fiscal year 2011, but this percentage fell to 67.6 percent by 2018. Both findings indicate greater willingness on the part of probationers to fulfill the terms of their supervision in return for up to 20 days of compliance credits for each 30-day period of completed supervision.

SB 1154 policies also bore positive fruit in reducing revocations from supervision (see [Table 1](#)). Between FY 2010 and 2018, there was a 60 percent reduction in the total number

of offenders who had their supervision revoked for compliance violations (4,783 to 1,926), and a 59 percent reduction in violations resulting in admission to South Carolina Department of Corrections (SCDC) facilities (3,293 to 1,350) ([DPPPS, 7](#)). Revocations as a result of a new criminal offense also experienced substantial reductions.

North Carolina

Prior to reforms, South Carolina's neighbor to the north had even worse experiences among their supervised population. According to a North Carolina Department of Public Safety (DPS) report, more than half of the North Carolina's prison admissions in 2009 were driven by supervision revocations, with more than three-quarters (76 percent) of those being revoked as a result of technical violations ([DPS, 5](#)).

As part of the state's justice reinvestment package in 2011, probation officers were given greater latitude to impose swift and certain sanctions to increase offender accountability for negative behavior, including use of short administrative jail sanctions ([DPS, 13](#)). These sanctions, called “quick dips,” were not intended to be punitive per se, but rather to serve as a “wake up call” in hopes of encouraging probationers to comply with supervision terms before facing more serious consequences for rule breaking ([CSG 2017](#)). In FY 2015, nearly 9,100 total sanctions were utilized by probation officers, including almost 4,000 quick dips of varying length, which was more than double the number of sanctions levied just the year prior ([DPS, 13](#)).²

Outcomes

To analyze the effect of quick dips on the likelihood of an individual being revoked from supervision, DPS compared outcomes between 1,200 offenders who received any length of quick dip (2 or 3 days) in FY 2014 to a group of matched offenders who did not receive a quick dip for similar behavior. They found that those who received a quick dip were about one-third less likely to be revoked from supervision than those who never received that sanction (32 percent to 42.2 percent, respectively) ([DPS, 14](#)). Those receiving a quick dip for violating supervision were also more likely to be actively supervised or to have completed their supervision entirely (65.6 percent versus 51.6 percent).

2 DPS first began to track outcome measures in 2015.

The average time between a violation being committed and the probationer receiving a sanction was far shorter for those receiving a quick dip than for those who received a different sanction, as well (which recalls the importance of promptly establishing a close association between behavior and response) ([CSG 2017](#)).

Overall, there was a 65 percent decrease in the number of prison admissions due to probation revocations in FY 2015 compared to the year prior to justice reinvestment ([DPS, 5](#)). Revocation rates also fell across all three levels of risk between 2010 and 2015 ([DPS, 12](#)), indicating that intermediate sanctions such as a short jail stay can be an effective enticement to help keep people within the color of the law without resorting to a formal revocation of one's supervision in the community.

Caps on length of incarceration due to supervision revocation

Intended Outcome: *Sanctioning negative behavior with the goal of returning individuals to active supervision while reducing the average length of prison or jail stay.*

According to the Pew Charitable Trusts, 16 states that have recently adopted justice reinvestment policies have placed a cap on the term of confinement an individual can serve upon being revoked for a technical violation ([PEW 2019, 3](#)). The context under which such prison stays are used—i.e., the specific length of confinement; which conduct would trigger a revocation, etc.—varies widely. Some states, such as North Carolina, use short terms of incarceration as a mere stopgap to promote compliance with supervision and to avoid more serious sanctions. Others use imprisonment for supervision revocations more permissively. Details aside, Doob and Webster suggest ([2003](#)) that terms of imprisonment have not been shown to have a significant effect on the incidence of crime.

In light of this evidence, imprisonment ought to be used cautiously in response to supervision failures—whether to address new (and more serious) criminal offending or otherwise for truly recalcitrant individuals being supervised on probation or parole for whom lesser corrective sanctions have been found ineffective. Even then, as these and the following cases illustrate, detention terms for supervision violations are most effective when used for short durations and in service of correcting behavior in anticipation of returning to active supervision. Otherwise, states risk overburdening finite prison space and resources on individuals who can respond to lesser sanctions and do not merit lengthy confinement to address wayward behavior.

Louisiana

Louisiana has often had one of the highest crime and incarceration rates among the states ([FBI UCR](#); [PEW 2014, 2](#)). According to an Urban Institute report, from 1990 to 2010, the state's prison population more than doubled while corrections costs more than tripled ([LaVigne et al, 81](#)). As in many states, one aspect of this growth was stubbornly high rates of revocation, including for technical violations of parole supervision.

In response, state lawmakers passed Act 402, which took effect in August 2007. Act 402 placed a cap of no more than 90 days in which a probationer or parolee could be imprisoned for their first technical violation (excluding those who commit crimes of violence or a sex offense) ([Act 402](#)). The cap does not apply for those arrested for felonies, any intentional misdemeanor directly affecting another person, possessing a firearm or other prohibited weapon, absconding, or for failing to appear for any court hearing.

Outcomes

A 2014 study commissioned by the Pew Charitable Trusts to determine the public safety effect of Act 402 in its first five years found that, compared to technical supervision violators incarcerated before the act took effect, those incarcerated afterward had an average length of stay that declined by 9.2 months ([PEW 2014, 3](#)). Furthermore, although those revoked to prison after Act 402 took effect were less likely to return to custody due to commission of a new crime within one year of release, they were more likely to have been revoked after having committed a technical violation—possibly due to spending more of their time on supervision after completing their maximum 90-day term of confinement relative to the comparison group.

Utah

Although the state had been faring better than the rest of the country in terms of its imprisonment rate, Utah still experienced rapid growth in its prison population between 2004 and 2013 ([PEW 2015, 2](#)). Too many of those released from prison were returning to custody within three years, and failures on supervision were particularly apparent: in 2013, 67 percent of prison admissions were from those who had violated their terms of supervision. Nearly half of that group (43 percent) were revoked for technical violations, which was higher than in 2004 ([PEW 2015, 4](#)).

In 2015, after analyzing state sentencing and corrections data and developing policy options, Utah's Commission on Criminal and Juvenile Justice (CCJJ) unanimously adopted 18 legislative recommendations to address these and other drivers of state prison populations and submitted them to the Legislature, which codified them into House Bill 348. In

addition to developing a matrix of swift, certain, and graduated responses to reward good behavior on supervision or to sanction technical violations, and earned-time credits to encourage supervision compliance, HB 348 also established graduated caps for technical probation and parole violations (not to exceed three consecutive days in confinement, or five days over a 30-day period) ([HB 348, 187](#)).

Outcomes

Like Louisiana, Utah has also experienced improvements in average length of stay for those confined after violating their terms of supervision. According to a 2018 annual report required under HB 348 to measure the legislation's effects, the average length of stay for probation violators fell by 39 percent after HB 348 took effect (twelve months to seven) ([UCCJJ](#)). Parole violators experienced a similar reduction in average confinement (from six to four months, a reduction of 35 percent). This result, according to the report, was a direct result of graduated caps on the length of time someone can be confined in response to supervision violations.³

While these findings are beneficial for the sake of prioritizing finite prison space and resources for more serious offenses and keeping people on active supervision, other data show that Utah still has ongoing challenges in their supervision population, despite reforms.

To analyze the effect of HB 348's reforms on the incidence of technical parole revocations in particular, CCJJ compared the rate at which parolees were returned to custody pre- and post-reform. Adjusted for changes in parole populations over time, they found that parolees were more likely to be returned to prison for a technical violation post-reform (although, this appeared to be driven by higher-risk individuals who had been revoked from parole at least once before) ([Nystrom et al., 5-6, 9](#)).

One possible reason for these confounding results may be explained, in part, by the state's ongoing problem with drug use and whether it is efficiently targeting limited treatment capacity at the issue. Despite double-digit increases in overdose deaths between 2013 and 2017—particularly from opioids and cocaine⁴—and an increase in those being treated for an underlying addiction, Utah's drug treatment capacity still struggled to keep up: in 2018, less than 46 percent of the corrections population with substance abuse treatment needs received services.

³ These graduated caps only apply to those revoked from supervision for technical violations. Those who are revoked due to commission of a new criminal offense are not subject to the caps.

⁴ Between 2013 and 2017, the latest year for which full data is available, overdose death rates from heroin and synthetic opioids increased by 11.6 and 55 percent in Utah, respectively. Death rates from cocaine increased by over 36 percent. (MCD-IDC 10 codes for heroin, synthetic opioids, and cocaine are T40.1, T40.4, and T40.5, respectively) ([CDC](#)).

⁵ While the overall crime rate in Texas fell by eight percent between 1999 and 2007, the on-hand prison population did not peak until 2011 (TDCJ), demonstrating how the number of people being incarcerated at any given time is a poor (and lagging) indicator of a state's level of crime.

More efforts will be required to ensure that supervision practices and capacity adheres to policy intent, especially among those with underlying behavioral challenges that pose a higher risk of failure on supervision.

Alternatives to supervision revocation for behavior resulting from substance abuse and/or mental illness

Intended Outcome: Increase use of intermediate sanction facilities in lieu of revocation to prison for supervision violations to achieve long-term improvements for underlying behavioral problems.

To this point, the aforementioned sections have highlighted specific *practices*—from graduated sanctions and incentives, earned-compliance credits, and graduated revocation caps—that many states have adopted to address stubbornly high rates of revocation from supervision, especially those related to technical violations. But these are not the only strategies that states have enacted. Many have also created or expanded specialized facilities, such as day-reporting centers or intermediate sanctions facilities, where those who violate their terms of supervision can be sent in lieu of a formal revocation to jail or prison. These facilities commonly employ targeted programming geared at addressing underlying behavioral maladies, particularly for substance abuse and/or mental health issues, that are associated with greater levels of criminal activity.

Texas

During its 2007 legislative session that has become akin to lore among criminal justice reformers, Texas faced an acute issue with its prison population. According to estimates from the state's nonpartisan Legislative Budget Board, Texas was projected to need an additional 17,000 beds by 2012 to keep up with recent growth—which had outpaced the general population and came despite an 8 percent reduction in overall crime rates since 1999 (the earliest year for which detailed FBI data is available) ([CSG 2009, 3](#)).⁵ Analyses into the putative causes of this rapid prison buildup showed that an increased number of probationers were being revoked from supervision, a reduction in residential treatment capacity for those on supervision (due to previous budget cuts), and fewer approvals for placement onto parole ([CSG 2009, 3](#)).

In response, the Texas Legislature adopted—and the governor approved—a package of reinvestment policies that

would, in part, expand in-prison treatment capacity and increase the number and quality of diversionary options for those placed on probation and parole. With regard to the latter, this included funding for an additional 1,500 beds in Substance Abuse Felony Punishment facilities (SAFPF), which provide intensive six-month therapeutic programs as a condition of community supervision, and another 1,400 beds for Intermediate Sanction Facilities (ISF), which are short-term, secure residential centers used primarily for individuals who violate conditions of probation or parole supervision (CSG 2009, 4; LBB 2019, 9-10, 13). When used to address supervision violations in particular, both facilities can serve as an alternative to revocation to prison and provide targeted services, such as drug treatment, life-skills training, and aftercare, to address behavioral maladies which contribute to higher likelihood of supervision failure.

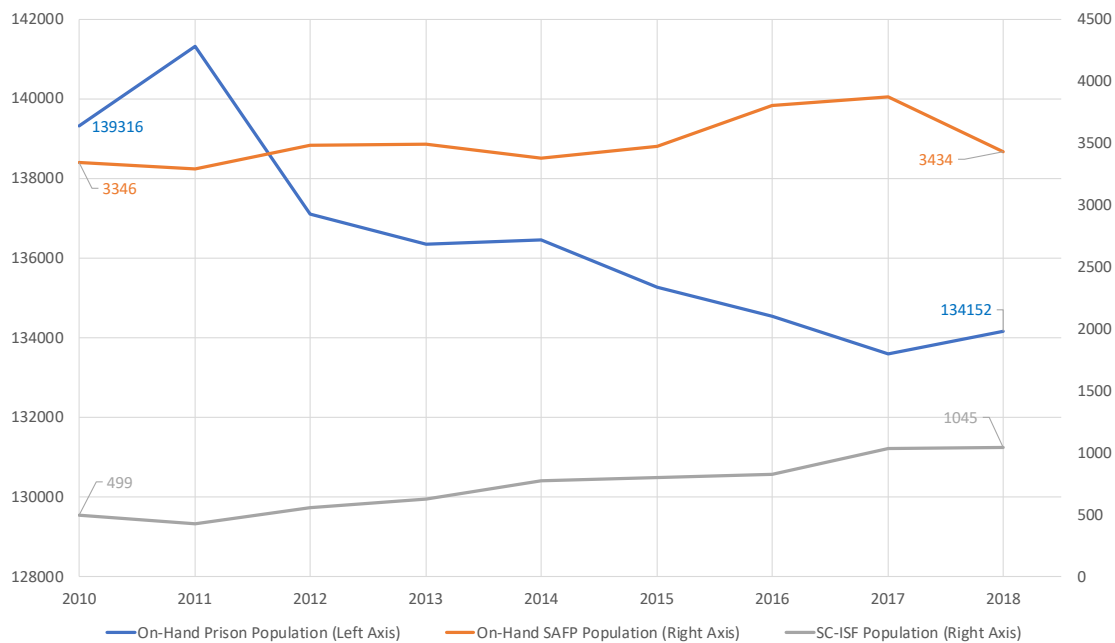
Outcomes

As alternatives to revocation for supervision violations, SAFPFs and ISFs have borne positive fruit in providing

more flexible and deliberate treatment options to those with underlying behavioral issues and helping to restrain Texas' growing prison population. Taking 2010 as a start point—the first year in which a majority of new capacity in SAFPFs and ISFs became operational (CSG 2009, 4)—state data shows that on-hand populations in these facilities increased modestly while the general prison population peaked in 2011 and steadily fell thereafter (see **Figure 1**).⁶ Considering that individuals with certain behavioral issues are less likely to have such problems successfully addressed in a prison setting, this is a welcome finding.

Infusing more capacity and resources into Intermediate Sanction Facilities in particular appears to have made several positive impacts on active parole supervision since 2010.⁷ Between 2010 and 2018, the parole revocation rate fell nearly 5 percent despite over 3 percent growth in the number of individuals being actively supervised over the same period due to an increase in grants for parole

Figure 1. Falling prison population versus rising populations among alternative facilities



Source: Texas Department of Criminal Justice, “Statistical Reports” (TDCJ), and Texas Department of Criminal Justice—Community Justice Assistance Division, “Report to the Governor and Legislative Budget Board on the Monitoring of Community Supervision Diversion Funds” (TDCJ-CJAD).

⁶ Because many factors influence a state’s on-hand prison population year over year, primarily crime rates, one should not necessarily expect a one-for-one decline in prison population with a concomitant increase in an alternative facility’s population when an individual is sanctioned for supervision violations. Indeed, the entirety of the increase in SAFPFs and ISFs cannot explain all of the reduction among the prison population since 2010. Nonetheless, a falling trendline among the general prison population coincident with a rising trendline in intermediate facilities is what is expected to happen in response to such facilities being used as alternatives to revocation.

⁷ Most of the ISF release cohort—72 percent in 2015, the latest year for which data is available—are released to active parole supervision (LBB 2019, 13).

(although the revocation rate has increased since 2016) ([LBB 2015, 15](#); [LBB 2019, 17](#)).

However, other outcomes show more of a mixed bag, specifically regarding technical violations. Although the proportion of adult parolees revoked from supervision for commission of a new offense fell from 84.1 percent to 77.2 percent over that period—the real number fell as well—there has been a concomitant increase in those revoked for technical violations, both proportionally and in real terms ([LBB 2011, 44](#); [LBB 2019, 17](#)). Fewer crimes being committed by those on active parole supervision translates to safer communities, but parolees are increasingly violating their terms of supervision in other ways that may not amount to criminal wrongdoing, yet still undermines successful completion of their supervision. Investigation as to why this is occurring is warranted, including whether various administrative responses meant to address such violations are being adequately utilized.

Outcomes among felony probationers have also been varied. Between 2010 and 2018, there has been a small decrease in the raw number of individuals on felony community supervision being revoked for technical violations (1.1 percent) ([TDCJ-CJAD, 9](#)). However, this decrease is far lower than would be expected compared to the 11.1 percent reduction in those being actively supervised over that period ([TDCJ](#)). Furthermore, the overall revocation rate for those on direct felony supervision increased by 8.8 percent ([LBB 2015, 3](#); [LBB 2019, 4](#)).

There are at least two possible explanations to account for some of the lack of progress in certain revocation markers among probationers and parolees. First, as mentioned briefly before, the entire country has experienced a rapid increase in drug addiction and its sequelae in recent years—with certain drug arrests increasing in parallel. In Texas, arrests for synthetic narcotics—e.g., prescription opioids and fentanyl—and other dangerous drugs, primarily methamphetamine, have skyrocketed by double digits since 2010.⁸ It is very likely that these increased arrests—which function as a reasonable proxy for increased consumption—are undermining community-treatment programs and partially contributing to revocations from supervision

(especially since the plurality of revocations for technical violations occur among those who were originally placed on community supervision for a drug offense) ([TDCJ-CJAD, 9](#)).

Second, there has been a steady reduction in the average number of employed community supervision officers available to supervise individuals to begin with (from 3,530 in 2010, to 3,064 in 2018) ([TDCJ-CJAD, 11](#)). Average regular caseload size has risen since 2014 as a partial result. In order to reduce the likelihood that those being supervised do not fall through the cracks in light of increased drug usage and its downstream effects—to say nothing of maintaining community supervision as a reliable sentencing option for the courts—it will be important to prioritize finite resources toward supervision and to reduce revocations, including front-loading probation funding toward the beginning of supervision when the risk of failure is highest ([Haugen, 6](#)).

Overall, expanding SAFPF and ISF capacity and use in Texas has connected more people with underlying behavioral issues to intensive, community-based treatment than was previously possible, creating a bridge to sobriety and helping to restrain prison populations. Yet challenges remain. Further reforms to community supervision ought to be considered that can incentivize results and improve outcomes ([Glod](#)).

Conclusion

People ought not to be let off the hook for breaking the rules. Indeed, they must understand that failure to comply with supervision terms will be met with proportional responses, lest alternatives to imprisonment fail their intended mission. But accountability does not necessarily mean bringing down a hammer. Many of the potential solutions listed here are built around the core insight that people respond to incentives, whether positive or negative. Incarceration can be used for such a purpose, but evidence seems to show that it works best over short periods and in service of promoting compliance. Coupled with other intermediate responses—for good and bad behavior alike—it is possible for community supervision to advance the cause of public safety while also serving as a “gateway to success rather than a tripwire for failure” ([Levin, 2](#)). ★

⁸ Between 2010 and 2018, arrests for synthetic narcotics went up by 44 percent, while arrests for “other dangerous drugs,” which include methamphetamine and benzodiazepines, increased by over 63 percent ([TX-DPS](#)).

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About Texas Public Policy Foundation

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