

Improving public safety by positively changing lives

Opportunity for Supervision Reform and Reentry

January 2020



The primary goal of community corrections is to reduce recidivism among the formerly incarcerated and currently supervised individuals in the community. The method by which the Department of Corrections (DOC) supervises individuals in the community has evolved over time – lean budgets, public policy changes, rigorous research, advancement of the social sciences and critical incidents in the community have shaped what community-based corrections looks like across the nation.

Graduated Reentry has offered an opportunity for our incarcerated population to have a structured reentry plan, receive housing assistance (if needed), transitional services, connections to the community, and a coach/mentor to walk alongside them as they navigate the responsibilities of community living. Corrections works to move our population from “acting and reacting” into “thinking and planning.”

Community Corrections Today

Today, community corrections officers (CCOs) manage caseloads of individuals court-ordered to community supervision. They monitor and enforce the conditions as set forth by the courts in the Judgment and Sentence form and apply Swift and Certain responses to violation behaviors as required by statute. The DOC matches supervision and frequency of contact in the community to an individual’s identified risk to reoffend based on static and dynamic factors. Officers also assess criminogenic needs, which they use to target treatment strategies and mitigate individual identified risk. CCOs also follow up and notify local law enforcement of individuals who commit new crimes while in the community.

What Research Suggests

The DOC and its employees are committed to positively changing the lives of individuals on supervision. Research provides evidence and supports the following:

- The complexity of sentencing laws, primarily those specific to tolling (pausing supervision) and consecutive supervision terms, lend themselves to some individuals being supervised for multiple years with diminishing returns. According to the Sentencing Guidelines Commission 2019 Review of the Sentencing Reform, “Experts agree that maximum supervision terms should not exceed five years...as the impact of supervision diminishes after a few years.”
- The SGC 2019 Review recommends expanding the system with front-loaded reentry services based on individual needs for all individuals with felony sentences released from confinement as well as concurrent supervision terms.
- A wide spectrum of sanctions (i.e. non-, partial and total confinement) coupled with incentives for supervision compliance are more effective in shaping the behaviors of individuals.
- Sanctions must be commensurate with the alleged violation and responsive to an individual’s risk, needs and circumstances. They must be swift, certain *and* fair.

Supervision reforms

Based on the recommendations of the SGC and other research, as well as the results of the Second Chance Pilot and the Graduated Reentry Program (GRE), the Governor’s budget supported some fundamental changes to align with research

Focusing correctional and reentry programming and practices on these needs [thinking patterns, substance addictions, etc.] can help build a roadmap for creating individualized case plans and identifying interventions that will be the most effective in reducing recidivism.

— Council of State
Governments Reentry Matters, 2018

Probation based on a model of strict accountability with non-draconian penalties for violations can be successfully implemented in a variety of settings. But this (Swift and Certain) supervision approach will not reduce recidivism rates or costs. — Honest Opportunity Probation with Enforcement Demonstration Field Experiment (HOPE DFE) Evaluation, 2016

and be responsive to the recommendations. The following were included in Governor Jay Inslee's Proposed 2020 Supplement [Budget highlights](#) and [agency recommendation summaries](#):

"With a focus on best practices and simplification, the community supervision and violator populations are reduced through sentencing changes that include concurrent supervision, positive achievement time, and swift and certain sanctioning reforms."

Swift and Certain sanctioning

"Reduce the community violator population through a sentencing change that would allow for nonconfinement sanctions for low-level violations; remove the requirement that after an individual commits five violations under community custody, each subsequent violation must be addressed through a hearing and is subject to a sanction of up to 30 days in jail; and remove requirements outlining special rules for addressing violations that constitute new crimes by individuals on supervision for one of 21 underlying offenses."

Concurrent supervision

"Require terms of supervision to be served concurrently unless the court expressly orders the terms to be served consecutively. This change simplifies supervision and will allow the department to more accurately track adherence with conditions and ensure treatment for the offender is delivered at the most appropriate time."

Positive Achievement Time

"Allow supervised individuals to earn positive achievement time in accordance with procedures that are developed and adopted by the Department of Corrections. Positive achievement time may be awarded to offenders who are in compliance with supervision terms, including participation in targeted interventions, programming or treatment."

In addition to these highlights, the [Summary of Policy Changes in the Department of Corrections Recommendations Summary](#) posted on the Office of Financial Management web site contains language that supports efforts to:

- Establish a centralized tolling unit in 2019-21 biennium to audit all individuals releasing from prisons and cases being supervised for accurate release dates.
- Consider sentencing reforms such as concurrent supervision, positive achievement time and swift and certain sanctioning reforms.

Resources & Publications

- *Second Chance Grant Report:* <https://www.doc.wa.gov/docs/publications/reports/wsu-second-chance-grant-report.pdf>
- *Sentencing Guidelines Commission Report:* https://sgc.wa.gov/sites/default/files/public/SGC/publications/SRA_review_report_rev20190802.pdf
- *HOPE DFE Findings & Summary:* <https://justicecenter.la.psu.edu/research/projects/files/HOPE%20DFE%20Findings%20Summary%202016%2009%2007.pdf>
- *Reentry Matters:* <https://csgjusticecenter.org/wp-content/uploads/2018/11/Reentry-Matters-2018.pdf>
- *Effective Responses to Offender Behavior:* <http://www.appa-net.org/eWeb/docs/APPA/pubs/EROBLLPPS-Report.pdf>
- *Swift and Certain Sanctioning – 2018 Report to the Washington Legislature:* https://app.leg.wa.gov/ReportsToTheLegislature/Home/GetPDF?fileName=2018%20SAC%20Report%20%28002%29_49eb2d39-061a-4230-b55f-40c7f2cdef85.pdf

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