Research in Brief

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Use of Structured Sanctions and Incentives in Probation and Parole Supervision[i]

KEY POINTS

- The use of sanction grids or matrices to respond to client behavior has not been shown to have a significant impact on recidivism outcomes. There are no evaluations of grids/matrices that include both sanctions *and* incentives.
- The use of sanction grids/matrices are associated with better uses of agency resources and reduced use of jail or prison sanctions.
- There is strong evidence that the use of incentives by supervising officers produces improved supervision outcomes for individuals convicted of more serious offenses and people classified as higher risk to reoffend.
- Implementation challenges can interfere with the effectiveness of structured sanction and incentive policies.

Policy and Purpose

Structured sanctions and incentives are tools used by supervision officers to respond to the behavior of individuals on supervision with the goal of promoting pro-social change and improving long-term supervision outcomes.[1] Sanctions are targeted punishments in response to noncompliance (e.g., testing positive for substance use, missing a meeting) on supervision, and may include informal sanctions such as verbal warnings or more formal administrative sanctions, such as jail time. Incentives are targeted rewards given to promote positive behaviors (e.g., meeting supervision goals, avoiding drug use) among people on supervision and may include verbal praise, fewer contacts with a supervision officer, waived fees, and reductions in the time to serve on community supervision.

The use of sanctions and incentives in community supervision became popularized in the 1990's as more therapeutic approaches to community corrections became popular.[2] The underlying theory behind this approach focuses on deterrence (i.e., rational choice) and operant learning. Deterrence theory suggests that sanctions will discourage clients from undesirable behavior because the costs of the sanction will outweigh the benefits of the behavior (i.e., noncompliance), particularly if the response is swift, certain, and of appropriate severity.[3] Similarly, operant learning theorizes that individuals on supervision will learn how to behave through consequences that result from their actions, such as reinforcements for appropriate behavior and punishment for undesirable behavior.[4] When individuals are reinforced with responses that please them, they are more likely to continue that behavior in order to continue receiving the desired response, and vice versa. The goal of using sanctions and incentives is not just to ensure compliance to conditions while on supervision, but to establish pro-social skills and promote long-term behavioral change.

[i] This brief focuses on sanctions and incentives specific to policies and practices employed by supervision officers (parole and probation officers), and does not include research or discussion of sanctions and incentives in drug courts. Please see our brief on the efficacy of drug courts for more information on this topic.

Sanctions and incentives can be used in an unstructured format to respond to client behavior; however, the use of structured responses, generally in the form of a grid or matrix, have been adopted by many supervision agencies. In 2008, approximately 60% of respondents to a survey of supervising agencies said that their department used sanctioning grids or guidelines.[5] Response grids/matrices establish a set of sanctions — and less often, incentives — for specific client behaviors. They can help establish a uniform response to noncompliance and provide transparency in response to behavior. Incentives appear to be incorporated into formal supervision policies less frequently. In their review of 18 grids/matrices used by supervising agencies, Robinson and colleagues found that just two of the grids/matrices included incentives.[6]

Summary of Research

Four studies of medium and high research quality have examined the use of sanctions grids by parole and probation departments; however, only two examined the effect on recidivism. **These studies show that there is no effect of the use of sanction grids/matrices on re-offending, compared to the use unstructured supervision policies. However, there is promising evidence that the use of sanctions grids/matrices provide for a better use of agency resources and lower the use of custodial (i.e., prison or jail) sanctions.** It should be mentioned that all studies noted at least some issues with implementation, which complicates evaluation of their effects.

An examination of Ohio Adult Parole Authority's progressive sanction grid showed that implementation of the grid significantly reduced reliance on revocation hearings, revocation sanctions, and local jail detention, and created a more efficient and concentrated use of hearings and better congruence between the risk level of the individual and revocation sanctions.[7] However, the authors found no effect of the new sanction structure on recidivism, which was measured as felony reoffending and time to failure. A follow up survey found evidence that the grid was not implemented fully by supervising officers in response to behavior, thus it is possible that the lack of effect on recidivism outcomes was due to implementation issues.[8] The findings suggest that progressive sanction regimes can serve as a cost-effective population management tool without threat to public safety.

California's Parole Violation Decision-Making Instrument was designed to automate sanctions based on both the severity of an individual's violation and their risk for recidivism. A pilot study by Turner and colleagues showed that the tool did not perform as designed.[9] Substantial percentages of low- and moderate- risk individuals who committed low-severity offenses were sanctioned with returns to prison and individuals who committed technical violations were more likely to be returned to custody than those who committed new crimes. The rate of 6-month recidivism for the groups subject to the tool were not statistically different from those handled by routine parole violation practices. This study suggests that structured response policies may suffer from implementation issues, thus complicating evaluations of their potential effectiveness.

Georgia's Probation Options Management program (POM) — used by Chief Probation Officers and Hearing Officers once a violation is filed by the supervising officer — provides sanctions increasing in severity based on the seriousness of the violation. An evaluation showed that its implementation reduced the need for a new court hearing with a judge by allowing Hearing Officers to deal with violations using lower sanctions (e.g., assigning community service).[10] The evaluation also showed that, compared to non-POM participating sites in the same circuit, probation violators spent less time in both jail and in court, and sanctions were delivered with significantly less delay (i.e., an increase in punishment 'swiftness'). Finally, Hearing Officers appeared to impose appropriate and proportionate sanctions in all POM pilot circuits, saving custodial sanctions for repeat violators. Recidivism was not evaluated for this study. This shows that graduated sanction policies can empower agencies to respond to some violations with more expediency, resulting in less time in court and jail for clients, and while utilizing a greater number of non-custodial responses for technical violators.

In contrast to the studies above, an evaluation of the Violation Sanction Grid, used by Pennsylvania parole officers to sanction technical violations, found that, overall, parole officers had high conformity to the grid as indicated by high congruence between the seriousness of the violation and the severity of the sanction imposed.[11] However, there was less congruence between the grid and officer behavior in response to chronic noncompliance, which tended to illicit departures from the grid. The researchers also determined that the grid was working as intended because the decision to incarcerate for a technical violation was always preceded by serious criminal misconduct. However, without a comparison group it is not clear whether the sanctions grid contributed to this finding.

While correctional literature suggests that rewards for positive behavior are an important component of behavioral change,[12] the majority of response matrices/grids in use by supervising agencies do not include incentives. **Thus, there are no empirical evaluations of matrices/grids that include both sanctions *and* incentives.** However, evaluations on incentives in client case management show that the use of incentives by supervising officers improves client outcomes. Two studies examine the use of unstructured sanctions and incentives in the community supervision setting. A medium research quality study by Wodahl and colleagues examined how officers responded to behavior in an Intensive Supervision Program for individuals classified as higher risk in Wyoming by reviewing case notes, violations reports, and correspondence from a random sample of program participants.[13] They found that as both sanctions and incentives increased, the likelihood of successful completion of the program increased as well. They also found that a high proportion of rewards to sanctions (at about a 4:1 ratio) was associated with the highest rate of program completion, holding the number of high-risk violations and other individual characteristics constant. However, due to the design of the study (i.e., non-experimental), it is not clear whether a high incentive to sanction ratio caused improved outcomes. A high-quality research study by Mowen and colleagues examined the effect of supervision officer incentives and sanctions on self-reported criminal behavior and substance-use in a sample of men serving parole for serious offenses.[14] They found that praise from supervising officers was significantly associated with both a reduction in recidivism and substance-use over time, but found no such effect for other supervision incentives (e.g., reduced meetings). Both reprimands from supervising officers and other supervision sanctions (e.g., increases in drug testing) were associated with increased levels of substance use and criminal offending. These studies support the importance of incentives in promoting successful supervision outcomes for more serious and higher-risk supervision populations.

Other research indicates that both sanctions and incentives must be individualized in order to affect behavior change. Robinson and colleagues examined 18 sanctions and incentives grids used by supervision departments and then surveyed people on supervision to learn how much they would like or dislike 45 response actions derived from the grids.[15] They found that, on average, clients perceived low-level sanctions, such as sitting in a waiting room for 30 minutes, as bad as or worse than some higher-level sanctions, such as being placed on electronic monitoring. On average, people surveyed on supervision also seemed indifferent to verbal reprimands, which were a common low-level sanction on the sanction matrices/grids examined. Incentives on the grids were generally seen as neutral or positive, with reduced supervision fees and reductions in time on supervision being seen as the most desirable rewards. A study by Wodahl and colleagues found similar results — showing that people on probation ranked earned compliance credits and verbal praise as the most and least desirable incentives, respectively.[16] Individuals also viewed treatment-oriented sanctions as being more punitive than other sanctions. **Both studies found that individual responses varied widely, suggesting that individualized responses, keyed to the individual's motivation, would be most effective at promoting behavioral change.**

Overall, research shows there is no evidence that the use of sanctions grids/matrices used by supervision agencies reduce re-offending compared to non-structured sanction policies. However, there is promising evidence that structured sanction policies make better use of agency resources by reducing the use of custodial sanctions and the time individuals spend in court and jail. No evaluations of matrices/grids that utilize both sanctions and incentives have been completed, therefore there is insufficient evidence to show whether these would produce better outcomes. There is strong evidence that the use of incentives by supervising officers produces improved supervision outcomes in clients who are higher-risk or have committed more serious offenses. Finally, research shows that implementation issues are common in the adoption of structured sanction policies — mainly stemming from supervising officers departing from the grid/matrix. Thus, agencies seeking to benefit from these policies will need to first seek buy-in from supervising officers and monitor the use of these policies long-term to examine adherence to them.

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Endnotes

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The strength of the evidence reviewed in this brief is assessed according to our Evidence of Assessment Criteria and Hierarchy of Study Design, which are posted online: robinainstitute.umn.edu/research-brief.