The Technicalities of Technical Violations

Presented to ICRN/NCRP Meeting
St. Louis, Missouri
September 19, 2019
4.5 Million

*Bureau of Justice Statistics*
45% Returned to Prison for Probation and Parole Violations

*Council on State Government
Of all state prison admissions are due to Technical violations

*Council on State Government*
Probation/Parole Violation with a New Charge vs. Technical Violation

There IS a DIFFERENCE
What are Technical Violations?

- Not a criminal offense in and of itself
- Violation of supervision condition(s) imposed by court or parole board
- Do not usually result in a new arrest
Examples of Technical Violations

- Failure to report
- Failure to pay supervision fees or restitution
- Positive drug screen
- Curfew violation
- Changing residence without permission
Community Supervision Revocations

- **New Charge**: 537
  - Prison: 382
  - Alternative to Incarceration: 155
- **Technical**: 575
- **Special Condition**: 262

Legend:
- Red: Prison
- Blue: Alternative to Incarceration
Things to Consider

- The definition of revocation
- Are violations with a new charge included
- State laws limit certain technical violations to be sanctioned by prison
- Are graduated sanctions or alternative sentencing available
Graduated Sanctions
Probation Options Management

- Permits technical violations to be addressed internally
- Reduces court calendars
- Reduces jail and prison overcrowding
- Reduces jail stay awaiting court