

KEY TAKEAWAYS: IMPROVING OUTCOMES AND SAFELY REDUCING REVOCATIONS FROM COMMUNITY SUPERVISION IN FLORIDA

BACKGROUND

In 2019, the Crime and Justice Institute (CJI) partnered with the Florida Department of Corrections (FDC) to examine the factors driving revocations of community supervision, including probation and community control. The goals of this effort were to identify opportunities to safely reduce revocations and enhance public safety by strengthening supervision practices intended to reduce recidivism. This resource summarizes findings and recommendations from CJI's July 2022 report, *Improving Outcomes and Safely Reducing Revocations from Community Supervision in Florida*.

FINDINGS

- Florida's revocation rate across supervision types has consistently hovered near 48% since 2012.ⁱ
- Among all revocations from 2010 to 2019, 57% were due to technical violations—violations of the terms and conditions of supervision as opposed to new offenses.
 - The most frequently occurring violation was a technical violation related to substance use, comprising 13% of all violations.
- Revocation rates are highest for community control (85%), drug offender probation (63%), and felony probation (44%), and lowest for administrative supervision (8%).
- Nearly one in three revocations resulted in state prison time, but the use of jail in response to revocations has increased over the past decade.



6th largest community supervision population in the countryⁱⁱ



Felony probation makes up the largest overall supervision type



Almost 50% of the community supervision population is revoked

OPPORTUNITIES TO IMPROVE COMMUNITY SUPERVISION OUTCOMES IN FLORIDA

Remove Barriers to Supervision

- **Individualize conditions to remove barriers to supervision success.**
 - Revise statutes to require that supervision conditions be based on factors driving recidivism.
 - Use drug testing to determine treatment needs rather than solely as a means of compliance.
 - Establish an administrative review process to ensure conditions align with factors tied to recidivism and allow FDC to modify conditions.
- **Implement alternative approaches to payment of financial obligations.**
 - Develop individualized conditions for payment of financial obligations, establishing a debt forgiveness process after conducting an assessment to determine an individual's ability to pay.
 - Allow financial obligations to be transferred into community service hours.
 - Prohibit driver's license suspension for inability to pay fines and fees and other non-driving related behavior.

A number of barriers impact individuals' success on supervision



87% of probation officers report that financial barriers and limited resources often impact an individual's ability to comply with court-ordered conditions



86% of probation officers report that many individuals lack access to transportation, making it difficult to attend required treatment programs and maintain employmentⁱⁱⁱ

- **Expand the use of technology and access to community-based reentry services that increase success on supervision.**
 - Establish a text notification program to remind individuals of reporting appointments, court dates, and programming requirements.
 - Partner with affordable housing companies to connect supervisees with access to housing.
 - Develop an employment assistance program to connect supervisees to second-chance friendly employers.
 - Conduct a treatment gap analysis to assess the programming needs of individuals on community supervision and identify gaps in available programming and treatment services.

Focus Resources on the High-Risk Population

- **Expand and streamline incentives to motivate positive behavior change and focus resources on those who pose the greatest public safety risk.**
 - Expand the use of the telephone reporting system to all supervision regions and expand eligibility for administrative probation.
 - Establish an automatic review process for individuals eligible for early termination and administrative probation.
 - Establish a presumptive early termination process for individuals who have met certain eligibility criteria.

- **Strengthen responses to technical violations to proactively change behavior and reduce the use of incarceration for individuals who do not pose a public safety risk.**

- Create statewide, uniform responses for probation officers to use when responding to behavior and managing individuals on their caseload to minimize disparities.
- Establish a set timeframe for when a revocation hearing must be held following detention.

Research shows that individuals on supervision are more likely to be successful when:^{iv}

- » Resources, supervision, and treatment are targeted towards higher risk individuals.
- » Needs that impact recidivism are addressed, (i.e. negative thinking/networks, substance use, employment, education, family support).
- » Barriers that impact an individual's compliance are addressed (mental health, housing, transportation, childcare, learning styles).

Ensure Sustainability of Evidence-Based Practices Intended to Improve Outcomes on Community Supervision

- **Provide enhanced training to system stakeholders on evidence-based policies and practices that improve outcomes on community supervision.**

- Train system stakeholders and FDC staff on evidence-based policies and practices that have been found to improve outcomes on community supervision.
- Hold education sessions for stakeholders including judges, prosecutors, and defense attorneys to discuss FDC's approach to supervision and use of evidence-based practices.

- **Strengthen implementation of tools to improve outcomes and strengthen public safety.**

- Ensure FDC's risk and needs assessment tool is validated for the state's community supervision population.
- Establish a quality assurance process to ensure accurate scoring of the risk and need assessment and use of effective case management practices.

ENDNOTES

ⁱ There are several kinds of supervision, including: felony probation; drug offender probation; sex offender probation; administrative probation (form of no contact, nonreporting supervision into which an offender who presents a low risk of harm to the community may, upon satisfactory completion of half the term of probation, be transferred by FDC); and community control (an intensive form of supervision for high-risk individuals with additional home confinement restrictions).

ⁱⁱ *Florida Department of Corrections, Annual Report 2021-2022*, <http://www.dc.state.fl.us/pub/annual/2021/Annual%20Report%2021-22.pdf>.

ⁱⁱⁱ An online survey was distributed on October 27, 2020 to FDC staff. The survey included questions about officer experiences supervising cases within the department, officer interactions with clients, and challenges related to treatment programming, transportation, and other financial barriers. The survey closed on November 25, 2020 with a total response rate of 38%.

^{iv} James Bonta and D.A. Andrews, "Risk-Need-Responsivity Model for Offender Assessment and Rehabilitation," *Rehabilitation* 6, no. 1 (2007): 1-22, <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/rsk-nd-rspnsvty/index-en.aspx>; Mark W. Lipsey and Francis T. Cullen, "The Effectiveness of Correctional Rehabilitation: A Review of Systematic Reviews," *Annu. Rev. Law Soc. Sci.* 3 (2007): 297-320, <https://doi.org/10.1146/annurev.lawsocsci.3.081806.112833>.

For more information on this initiative or the Crime and Justice Institute, please visit our website at www.cjinstitute.org or contact Colby Dawley, Deputy Director.

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