





# Immediate Sanction Probation Pilot Program Evaluation

# 2016 Acts of Assembly Item 50 of Chapter 780 (Appropriations Act)

#### Virginia Criminal Sentencing Commission

- B.1. Notwithstanding the provisions of § 19.2-303.5 of the Code of Virginia, the provisions of that section shall not expire on July 1, 2016, but shall continue in effect until July 1, 2017, and may be implemented in up to four sites.
- 2. The Virginia Criminal Sentencing Commission, with the concurrence of the chief judge of the circuit court and the Commonwealth's attorney of the locality, shall designate each immediate sanction probation program site. The Virginia Criminal Sentencing Commission shall develop guidelines and procedures for implementing the program, administer the program, and evaluate the results of the program. As part of its administration of the program, the commission shall designate a standard, validated substance abuse assessment instrument to be used by probation and parole districts to assess probationers subject to the immediate sanction probation program. The commission shall also determine outcome measures and collect data for evaluation of the results of the program at the designated sites. The commission shall present a report on the implementation of the immediate sanction probation program, including recidivism results to the Chief Justice, Governor, and the Chairmen of the House and Senate Courts of Justice Committees, the House Appropriations Committee, and the Senate Finance Committee by November 1, 2016.



#### **Construction of a Matched Comparison Group**

- Select a comparison jurisdiction
  - Crime rates, predominant drug of use, demographics, supervision practices, violation sanctioning practices, average length of time on supervision, level of supervision, etc.
- Within the comparison jurisdiction, select probationers who are similar to probationers in the pilot program
  - Similar demographic characteristics, criminal record, risk level, and current offense group.
    - While the incorporation of additional variables was explored, data were not consistently available for all probationers.



#### **Challenges Encountered**

- Data for evaluation
  - Certain data that would have been helpful to selecting comparison districts was not available in the DOC data systems.
  - There were challenges in identifying offenderbased data best suited for use in the evaluation.
  - Format of DOC data made it difficult to identify comparison offenders who would have been eligible for the program and the date they would have become eligible.



### Immediate Sanction Probation (IMSP) Pilot Program Probationer Eligibility Criteria

#### Offender must:

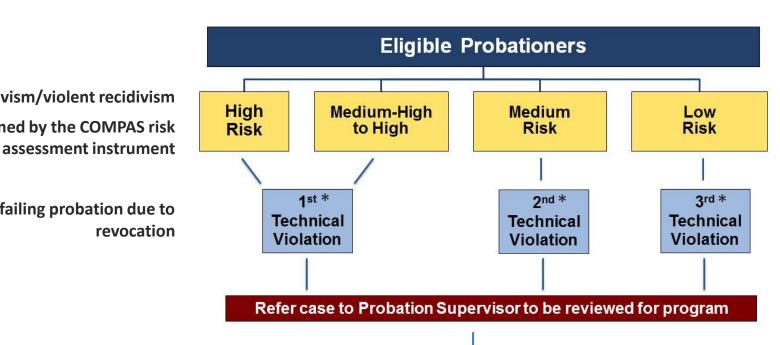
- Be 18 years of age or older at the time offense
- Not be on probation for a violent offense (as defined in § 17.1-805)
- Be on supervised probation for a felony conviction
- Be under supervision in the same jurisdiction where the offender was sentenced (with no obligations to another court)
- Not have a diagnosis involving a severe mental health issue
- Not have any pending charges



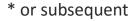
#### **Immediate Sanction Probation (IMSP) Pilot Program Probationer Eligibility Criteria**

Risk of recidivism/violent recidivism **Determined by the COMPAS risk** 

> Risk of failing probation due to revocation



Offender will be placed on the court's docket for judge to consider offender for program

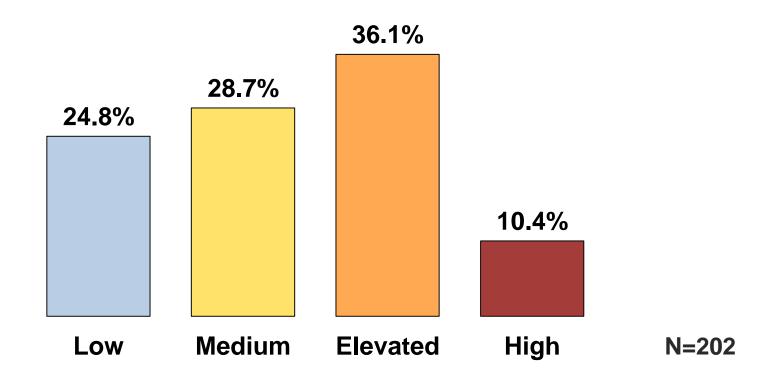




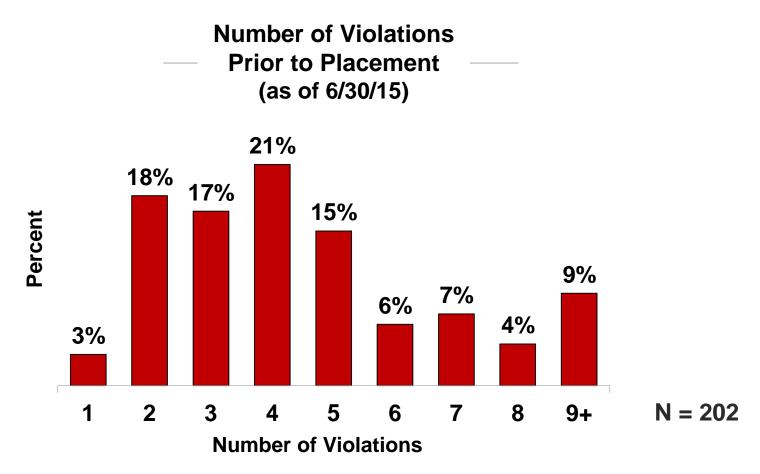
Locality	Participants Placed in Program (as of 6/30/15)	Completions	Removals	Absconders	Participants Still Active in Program (as of 10/1/16)
Henrico	69	19	47	2	1
Lynchburg	60	32	19	2	7
Harrisonburg/ Rockingham	56	19	34	1	2
Arlington	17	7	6	1	3
Total	202	77	106	6	13



Recidivism Risk Level for Probationers Placed in the Program by June 30, 2015













#### Successful Completions – Probationers Placed in the Program by June 30, 2015

Locality	Completions	Violation-Free for 12 Months	Removed from Supervised Probation
Henrico	19	16	19
Lynchburg	32	28	32
Rockingham	19	19	11
Arlington	7	7	6
Total	77	70	68



### Immediate Sanction Probation (IMSP) Pilot Program Evaluation Selection of Comparison Sites

**Comparison Site Pilot Site Henrico County Chesterfield County Roanoke City** Lynchburg City Harrisonburg/ **Washington County Rockingham County** Arlington/Falls Church | **Fairfax County/City** 



#### Immediate Sanction Probation (IMSP) Pilot Program Evaluation Approach to Selecting Comparison Offenders

- Once comparison jurisdictions were selected, staff identified a pool of potential comparison probationers in each corresponding jurisdiction who might meet the eligibility criteria of the program based on automated data sources.
- Coarsened Exact Matching (CEM), wherein subjects are grouped based on certain characteristics and then matched, was used to identify similar probationers in the comparison jurisdictions based on the following criteria:

Gender

Recidivism Risk Level

Age Group

Current Offense Group

Race

Prior Record Characteristics

Result: 111 members of the evaluation cohort matched to 309 potential comparison offenders; 84 participants did not match and were excluded from further analysis.

### Immediate Sanction Probation (IMSP) Pilot Program Evaluation Approach to Selecting Comparison Offenders

- Additional information was required to determine if matched probationers met the eligibility criteria related to the requisite number of violations.
  - Staff reviewed probation case notes for each of the potential comparison offenders to determine:
    - if they met the criteria and, if so,
    - the date they would have been eligible for program placement.
  - Based on this review, a suitable match could not be identified for an additional 48 participants.
    - All potential comparison probationers were ineligible because they did not have sufficient technical violations, had pending charges, or had severe mental health issues.

# Immediate Sanction Probation (IMSP) Pilot Program Evaluation Evaluation Cohort and Comparison Offenders

Characteristics	Evaluation Cohort	Comparison Group
Gender: Male	82.5%	82.5%
Female	17.5%	17.5%
Race: White	50.8%	50.8%
Non-White	49.2%	49.2%
Age: 18-21	6.3%	6.3%
22-29	57.1%	57.1%
30-43	28.6%	28.6%
44+	7.9%	7.9%
Median	28 yrs.	27 yrs.
COMPAS Risk Level		
Low	19.0%	19.0%
Medium	31.7%	31.7%
Elevated/High	49.2%	49.2%



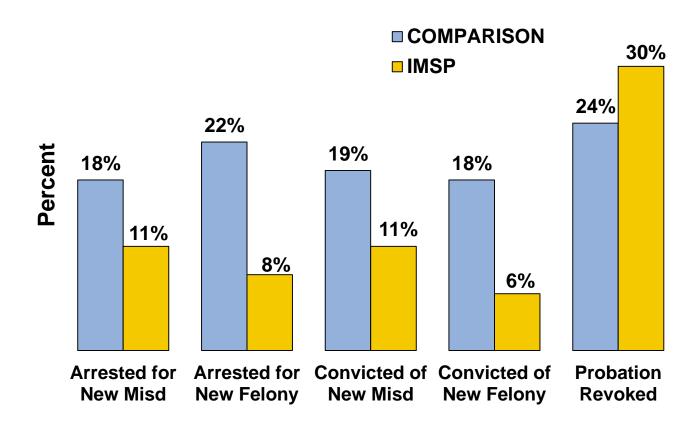
# Immediate Sanction Probation (IMSP) Pilot Program Evaluation Evaluation Cohort and Comparison Offenders, cont.

Characteristics	Evaluation Cohort	Comparison Group		
Most Serious Current Offense				
Drug Felony	74.6%	74.6%		
Property Felony	17.5%	17.5%		
Person Felony	4.8%	4.8%		
Other Felony	3.2%	3.2%		
Prior Criminal Record				
Prior Drug Felony	20.6%	20.6%		
<b>Prior Property Felony</b>	11.1%	11.1%		
Prior Person Felony	0%	0%		
Prior Felony Sentencing Ev	vents			
None	71.4%	71.4%		
One to Two	23.8%	23.8%		
Three or More	4.8%	4.8%		



### Immediate Sanction Probation (IMSP) Pilot Program Evaluation Preliminary Findings

#### IMSP Program Outcomes (One Year Follow-up\*)



<sup>\*</sup> For participants, one year following placement. For comparison probationers, one year following the date they would have been eligible for the program.

N = 126

### Immediate Sanction Probation (IMSP) Pilot Program Evaluation Preliminary Findings

- Staff conducted Exact Logistic Regression and survival analysis to examine the relationship between participation in the Immediate Sanction Probation program and recidivism.
  - Recidivism measured by reconviction for a new felony offense:
    - <u>Logistic Regression</u> Arrest for a new felony offense occurring during one year follow up that resulted in conviction.
    - Survival Analysis Any subsequent offense resulting in a felony conviction.
- Both analyses indicated that, controlling for other factors, participation in the Immediate Sanction program was associated with a reduction in recidivism (p<.05).</p>
  - However, due to the low sample size and the relatively infrequent occurrence of recidivism in the sample, this finding is not generalizable to larger populations.



### Immediate Sanction Probation (IMSP) Pilot Program Evaluation Other Evaluation Aspects

#### Staff is continuing its work on:

- Stakeholder surveys
- Comparison of jail and prison bed days
- Cost-benefit analysis

Staff will provide Commission members with a draft of the report in the coming weeks and the report will be submitted by December 1<sup>st</sup>, at the latest.







