

Colorado Probation Research in Brief

Offender Perceptions of Graduated Sanctions

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Summary/Conclusions

This article is based on a study out of Wyoming. Researchers surveyed a sample of offenders on active intensive supervision to rate how much of a community based sanction they would accept to avoid going to jail for a period of time. Researchers found that most community based sanctions were felt to be more punitive than a jail sentence. Moreover, the longer the jail sentence the less they were willing to do to stay in the community. There were a few differences in results based on age, education, marital status, gender, and if they had previously experienced the sanction.

Limitations of Information

The sample included volunteers from four of Wyoming's largest field offices, so individuals were not randomly selected. This sample is from a rural state without large urban centers and was comprised of 78.5% Caucasians, which is not comparable to national data or Colorado ISP (59% Caucasian). Statistically, there was "a considerable amount of unexplained variance, which suggests the absence of key variables in the analyses." Also, the sample was active on adult ISP and results may vary with juveniles and those under regular supervision.

Caveat: The information presented here is intended to summarize and inform readers of research and information relevant to probation work. It can provide a framework for carrying out the business of probation as well as suggestions for practical application of the material. While it may, in some instances, lead to further exploration and result in *future* decisions, it is not intended to prescribe policy and is not necessarily conclusive in its findings. Some of its limitations are described above.

What Do Offenders Consider Punitive?

Researchers used a sample of 107 intensive supervision program (ISP) probationers and parolees supervised by the Department of Corrections in four Wyoming counties. The sample of voluntary participants represented 61% of the ISP offenders in the four locations and 30% of all ISP offenders in the state.

The researchers wanted to explore how offenders perceive the severity of commonly used sanctions and whether perceptions were influenced by an offender's characteristics or previous experience with sanctions. Data was collected via surveys. The offenders were asked how much of a certain sanction they would be willing to comply with in order to avoid jail sanctions of 2, 7, 14, 21, and 30 days. The sanctions offered were written assignments, outpatient treatment, EHM, UPS, day program regression, community corrections, and inpatient treatment.

Contrary to popular belief, the results indicated offenders were increasingly *less* willing to complete community sanctions to avoid *longer* jail sentences. For example, offenders were willing to complete a written assignment of 1.5 pages/day to avoid 2 days jail but were only willing to complete 0.7 pages/day to avoid 14 or more days in jail. The offenders were least willing to do inpatient treatment to avoid jail times of any length (0.5 days treatment to avoid one day jail). Also, once the jail time reached 14 days, offenders were willing to do no more to avoid 21 or 30 days; it appears the punitive effect of jail diminishes with increasing length. The offenders' ethnicity, parental and employment status made no significant difference on their willingness to avoid jail. Characteristics that did matter with some sanctions included age, marital status, prior treatment, and education:

an increase in age led to a decrease in the number of outpatient hours an offender would complete; unmarried offenders were willing to complete more EHM than married offenders; and men who previously completed inpatient treatment were willing to complete three times as many days of inpatient treatment than women with the same experience. Overall, education was the most consistent predictor, with high school graduates viewing community sanctions as more harsh than jail.

One way to interpret the findings is to think of jail as a "passive" sanction, as it doesn't require the offender to put forth much effort. Community sanctions, however, may seem more punitive because the offender must put effort into completion, thus taking time away from other pleasurable activities.

Practical Applications

- ✓ Recognize that sanctions must be meaningful to be effective.
- ✓ At the beginning of supervision, review expectations for compliance and what constitutes a violation. Discuss sanctions and incentives to determine what is considered punitive and rewarding for each client.
- ✓ Don't assume jail is a punishment for all probationers. For some, community sanctions (e.g. written assignments) are much worse.
- ✓ Sanctions should reflect the severity and frequency of the violation, as well as the probationer's risk level.
- ✓ Refer to cognitive behavioral classes to assist clients with thinking errors that can lead to violations.
- ✓ Remember to accentuate the positives to influence behavior change with clients. Using a ratio of four affirmations/rewards to one sanction is the optimal balance to effect change with clients.

State Court Administrator's Office
Colorado Division of Probation Services, Evaluation Unit
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