

Technical Violations, Treatment and Punishment Responses, and Recidivism of Women on Probation and Parole

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Reasons for Examining Punitive and Treatment Responses to Technical Violations

There is much debate about the effects of punitive or treatment responses to offenders who violate technical rules and requirements of supervision. Technical violations include actions such as failure to report, non-compliance with substance abuse testing requirements, nonpayment of fines and fees, and use of alcohol and illegal drugs.

The Research

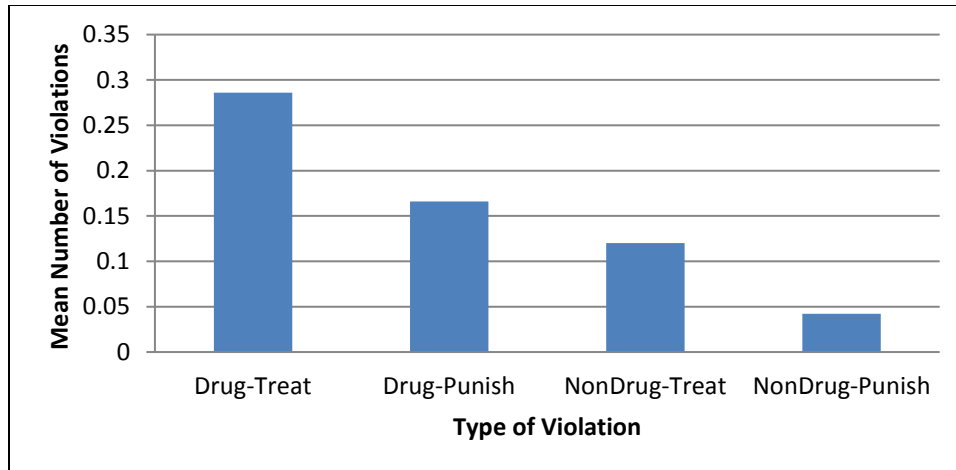
To study technical violations and responses to them, we examined the official records of 385 women on probation or parole for a felony offense. We counted up four different pairings of type of violation with type of response:

- (1) A drug-related violation and a treatment response
 - (2) A drug-related violation and a punitive response
 - (3) A violation that was unrelated to drugs and a treatment response
 - (4) A violation that was unrelated to drugs and a punitive response
- *Drug-related violations* included drug use and failure to comply with treatment or drug testing requirements.
 - *Non-drug related violations* included failure to report, pay fines and fees and restitution, notify of change of address or employment, avoid contact with a known felon, and complete community service.
 - *Treatment responses* encouraged, required, changed, or increased substance abuse treatment.
 - *Punitive responses* included jail time, community service, increased intensity or length of supervision, increased drug testing, and revocation of supervision resulting in incarceration.

We examined the connections between the number of times these four pairs of violation type and response occurred in 18 months and recidivism in the two years after the 18 months had passed. We carried out this examination in a way that we could determine whether violations and responses to them were differently related to recidivism for women with extensive and minimal criminal histories. We refer to the two groups as high-risk and low-risk women, since criminal history is a strong predictor of recidivism.

Frequencies of the Different Types of Violations

The graph below shows the average number of each of the four types of violations. As can be seen, drug violations that were responded to by treatment were most frequent, followed by drug violations that were responded to by punishment.



Findings about Violations, Responses to Them, and Recidivism

High Risk Women. For high-risk women, treatment responses to non-drug violations are related to reduced recidivism. In contrast, for the same high-risk group, punitive responses for non-drug violations are related to increased recidivism.

Low Risk Women. The findings were different for low-risk women. For the low-risk group, treatment responses to non-drug related violations were related to increased recidivism and punitive responses to non-drug violations were related to decreased recidivism.

Remaining Questions

Women who differ on their initial risk for recidivism have different recidivism outcomes following similar experiences with an agent's issuing a violation and responding to it.

Beyond this finding, for several reasons the research did not have clear implications for policy and practice. The findings did, however, raise some important questions that practitioners and researchers should address.

1. For high-risk women, do technical violations that are not clearly related to substance use actually result from drug and alcohol problems, such that a treatment response leads to lower recidivism?
2. For high-risk women, do punitive responses to non-drug related violations increase client burdens in ways that contribute to recidivism?
3. Would the finding that treatment responses to drug-related technical violations are unrelated to recidivism generalize to settings that are not as treatment-oriented as the current research setting?
4. Given the connection of treatment responses to drug-related violations for low-risk women, should supervising agents follow the commonly accepted practice of concentrating services on the highest risk offenders?