

10 Things You Need To Know About Washington's Innovative Parole Program



Handling parole violations fairly and predictably is hard.

For example, a violation could be a missed check-in or a failed drug test. Depending on the parole officer's prerogative, it might be the first missed check-in, the fourth or even sixth that triggers an official sanction. Once in front of a judge, the punishment may be disproportionate to the minor infraction, if the judge hands down a sanction at all. To say the least, it's a subjective and uncertain process for all parties involved.

Not so, however, in Washington State. The state restructured probation and parole, collectively called "community supervision", to avoid uncertainty; they call it Swift and Certain (SAC). SAC's sanctions are immediate, proportional and predictable. Instead of waiting for multiple violations to trigger a trip to a judge and possibly jail, SAC's sanctions happen quickly and are predetermined based on the violation.

To better understand SAC, Washington State University released a report this week entitled "Evaluation of Washington State Department of Corrections Swift and Certain Policy Process, Outcome and Cost-Benefit Evaluation." Funded by the Laura and John Arnold Foundation, it's 73 pages of analysis, tables, outcomes and recommendations.

To save you some time, here are 10 things you need to know about Washington's Swift and Certain community supervision program and how it's improving the criminal justice system.

1. SAC uses jail to decrease the use of jail.

SAC's deterrence model uses one to three day stints in jail to keep people from longer stays, which used to be 30 to 120 days. While more people were being arrested, the report shows SAC reduced confinement by about 20 percent. The average amount of time someone spent in jail also decreased by about 16 days.

2. SAC keeps people in the community, improving quality of life.

The report notes, "[b]y reducing the duration of confinement for 'low level' violations, offenders were more likely to maintain employment, social supports and continue to participate and receive needed treatments and services in the community." As Jacqueline van Wormer, the report's co-author, reasons, "It's easier to explain away a missed day to your employer than 30 [days]."

3. SAC increases the use of treatment.

Not only does SAC keep people in the community, it keeps them in treatment. There are two main treatment options for those in SAC, cognitive behavioral therapy (CBT) and chemical dependency (CD) treatment. Participation in CBT doubled as compared to those in non-SAC community supervision. SAC also doubled the amount of time a participant spent in therapy.

The study didn't find an increase of CD utilization, but it did find that SAC participants in CD increased their time spent in treatment by about 25 percent.

4. SAC improves public safety.

Under SAC, sending people to jail for just a day or two improved public safety. The report found that SAC participants were 20 percent less likely to be convicted of any crime, including felonies and property crimes. Further, SAC participants were 30 percent less likely to be convicted of a violent felony.

5. SAC saves money.

Every dollar spent on SAC saves the Washington Department of Corrections \$16. That's over \$40 million saved so far, according to Dan Pacholke, the Secretary of Washington's Department of Corrections.

6. Proportionality in punishments matter.

The study reports that SAC participants had a "greater appreciation of known consequences" and felt that the punishments were proportional to the violations. This led to an increased feeling of personal responsibility among participants, which created the positive outcomes discussed above.

7. A key to Washington's success is training and quality assurance.

Like most successful things, this program took work. Too often policy shifts in corrections are like a Potemkin village: they look good on their face but don't have the follow up and structure to be long lasting. The study specifically points to the Washington Department of Corrections' training and quality assurance practices as a major reason why SAC works. The report says that this component can't be overlooked if other jurisdictions want to implement SAC.

8. Washington moved quickly to implement this program.

In the criminal justice world, change happens slowly--not so for SAC. In 2011, King County, home of Seattle, ran a 60-day SAC pilot program. By June 1, 2012, the Washington Department of Corrections took the model statewide and expanded it to everyone released on parole, as well as certain high-risk probationers.

9. SAC's roots are in Hawaii.

While Washington is the first to scale the program statewide, this model started with a disenchanted judge in Hawaii. Judge Steven Alm saw an uncertain, disproportional and not standardized probation system. So, he created Hawaii Opportunity Probation with Enforcement (HOPE) for probationers that committed non-violent drug crimes. Hawaii, like Washington now, saw promising results.

10. There's still stuff we don't know.

This report is thorough, but there's more research to be done. As the study admits, the one-year look at recidivism, that is participants being found guilty of a new crime, is insufficient to fully know the model's impact. Similarly, further study is required to know who is most likely to benefit from this type of community supervision. Zachary Hamilton, the report's co-author, anticipates looking at both issues in the future.

Even with some questions unanswered, this new study shows promising results. According to the report, 40 jurisdictions across 18 states have adopted a similar model. Undoubtedly, SAC and this report will garner more interest from criminal justice reformers and governments around the country looking to make sense of their unpredictable parole system.