

RESEARCH REPORT

# Reducing Probation Revocations in Pima County, Arizona

## Findings and Implications from the Reducing Revocations Challenge

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*July 2021*



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# Acknowledgments

This report was funded by Arnold Ventures and the City University of New York Institute for State and Local Governance. We are grateful to them and to all our funders, who make it possible for Urban to advance its mission.

The views expressed are those of the authors and should not be attributed to the Urban Institute, its trustees, or its funders. Funders do not determine research findings or the insights and recommendations of Urban experts. Further information on the Urban Institute’s funding principles is available at [urban.org/fundingprinciples](https://urban.org/fundingprinciples).

The authors would like to thank the Adult Probation Services Division of the Arizona Administrative Office of the Courts and the Pima County Adult Probation Department for their engagement in our policy review, interviews, and site visits and for providing the administrative data for this analysis. Thank you to the probation officers, judges, and community-based service providers who participated in our research activities. Chief David Sanders, Cara Singer, Shanda Breed, Edward Gilligan, Mary Hoyle, Krista Forster, and Matias Nevarez provided meaningful contributions to this report and worked with our team to identify viable strategies to reduce probation violations and revocations. We are also thankful to Ramses Rocha for patiently providing assistance during the case file review. Finally, we want to thank Mari McGilton and Susan Nembhard for their reviews of this report.

# Executive Summary

Probation revocation to incarceration is the most serious consequence imposed for violating the conditions of community supervision ordered at sentencing. As a “suspended incarceration sentence,” probation can be withdrawn and, ultimately, result in incarceration for the remainder of a person’s sentence or longer (Frankel 2020). Most often, revocation is not the result of a new criminal conviction but rather technical violations, including substance use or positive drug tests, failure to report address changes, or not making required payments. Other times, minor criminal violations, such as public order offenses, may result in revocation. The threat of revocation, while intended to reduce violations, may lead people to abscond or avoid contacting their probation officer, which is itself a violation. Given the widespread use of probation sentences in the US and its role in contributing to prison and jail populations, probation revocation has come under increased scrutiny among researchers, practitioners, and policymakers.

Through the Reducing Revocations Challenge, the Urban Institute, the Adult Probation Services Division of the Arizona Administrative Office of the Courts, and the Pima County Adult Probation Department conducted a mixed-methods study on the drivers of probation revocations to incarceration in Pima County. The main objectives of this study were to examine (1) the types of probation violations that occur (i.e., new crimes and technical violations); (2) the responses to noncompliance across different probation populations, including racial and ethnic groups; and (3) the role of client, caseload, and supervision characteristics on formal violations filed with the court—termed “petition to revoke” (PTR) in Arizona—and on revocation. Summarized below are key findings from the policy review, administrative data analysis, interviews with probation officers and judges, and case file reviews.

## Key Takeaways

- Technical violations account for a substantial portion of both formal violations and revocations; over two-thirds of PTRs filed were for purely technical probation violations, including absconding.
- Overall, fewer than a third of PTRs are filed for either a combination of new crimes and technical violations (27 percent) or for new crimes alone (2 percent).

- » Based on interviews with judges and officers and a review of case files, we found that violations of conditions relating to new crimes, absconding, and repeated drug use were more likely to lead to revocation than other violations.
- » The administrative data also showed that PTRs involving new crimes resulted in revocation at a somewhat higher rate, and reinstatement to probation at a slightly lower rate, than technical violation-only PTRs. Still, few people were revoked for a new crime.
- Caseload and supervision characteristics were important predictors of PTRs and revocations.
  - » People with a felony as their primary charge had over three times greater odds of having a PTR filed and over seven times greater odds of having probation revoked, compared with those who had a misdemeanor as their primary charge.
  - » Supervision type and risk level had large impacts on these outcomes, with intensive probation supervision (IPS) clients having six times greater odds of being revoked compared with clients on low supervision under standard probation supervision (SPS).
  - » Qualitative and quantitative data sources both showed that people sentenced to probation on a drug or property offense, compared with a person offense, and on a domestic violence caseload had increased odds of having a PTR filed or being revoked. Those with a driving-under-the-influence (DUI) status had reduced odds of PTR filing and revocation.
- Given that individual biases and discriminatory policies and practices have been shown to embed and perpetuate inequities across the justice system, we examined probation outcomes across racial and ethnic groups. There were noteworthy disparities in the racial and ethnic composition of the IPS caseload and across incarceration outcomes by race and ethnicity.<sup>1</sup>
  - » For any jail or prison outcome, Black clients made up a greater proportion of people receiving a jail termination (a coterminous outcome), and Hispanic and Native American clients were overrepresented among revocations to prison.
  - » The multivariate analyses showed that Native American clients had greater odds of both PTR filing and revocations, whereas Hispanic clients had greater odds of revocation only, controlling for other case and supervision factors.
- Probation officers exercise wide discretion and may impose intermediate and informal responses or sanctions to address noncompliance. Though a PTR filing was often described as a last resort, with fewer than half the people in this study receiving at least one, filings do not always result in revocation. Rather, they can lead to increases in supervision level or reinstatement to probation.

The findings from this work indicate that formal violations of probation in Pima County are resulting in incarceration outcomes largely for technical violations of supervision. To reduce revocations and incarceration outcomes, several changes could be implemented to limit the number of PTRs filed, particularly when there are no new criminal charges. These changes include reinforcing effective case planning practices, targeting services and programming to clients with the highest risk and needs, expanding programs to support both SPS and IPS caseloads, efficiently applying nonincarceration options, and filing petitions to modify as either an incentive or an intermediate sanction. Additionally, building out the incentives and sanctions available to officers, and providing guidance on when to file a PTR, could limit formal violations and improve uniformity in officer responses. We also discuss implications for racial and ethnic disparities in both supervision level and outcomes.



# Reducing Probation Revocations

Probation supervision is often described as a less punitive alternative to incarceration (Alper, Corda, and Reitz 2016; Pew Charitable Trusts 2020), though it nonetheless entails onerous requirements that may, ultimately, lead to incarceration through revocation (Phelps 2017). A revocation occurs when a person violates their conditions of probation, which includes both technical rule violations and new arrests or convictions. As a result, a person may receive a sentence to confinement in jail or prison and be discharged from probation.<sup>2</sup> Revocations on technical violations account for over 10 percent of prison admissions from probation nationally (Council of State Governments Justice Center 2019).<sup>3</sup> Ultimately, noncompliance with supervision conditions—such as drug testing, payment of fines and fees, regular reporting, and maintaining employment—can have serious incarceration consequences.

Certain groups of people on probation are at a heightened risk of revocation. Evidence shows that the more socially privileged a person is, the more likely they are to be sentenced to probation (Phelps 2017), but these factors also relate to success on supervision (Sims and Jones 1997; Steinmetz and Henderson 2016). People who have stable employment, who have higher incomes, and who are white tend to receive probation as a sentence and tend to complete it. Though the composition of the probation population tends to be more similar to the general population than to the prison population, racial and ethnic disparities persist, particularly in probation revocation for technical violations. These disparities remain after accounting for purportedly race-neutral legal factors, such as prior justice involvement and risk assessment score (Albonetti and Hepburn 1997; Gray, Fields, and Maxwell 2001; Jannetta et al. 2014; Roberts Freeman, Hu, and Jannetta 2021; Rodriguez and Webb 2007). Broader inequities within our society, stemming from racist policies and practices, pervade the justice system and distinctly disadvantage Black, Hispanic, and Indigenous people. Moreover, contact or interaction with the justice system for more marginalized populations can accumulate and entrench into the system those who are less able to meet financial obligations and other probation requirements (Phelps 2018).

Given this backdrop and recent calls to downsize correctional control and reduce racial and ethnic disparities in the justice system, a closer examination of the drivers of probation revocations to incarceration is important to understand the behaviors and decisionmaking leading to revocations and how to reduce them. The Urban Institute (Urban) partnered with the Adult Probation Services Division (APSD) of the Arizona Administrative Office of the Courts and the Pima County Adult Probation Department (APD) to conduct a mixed-methods study of formal violations and revocations, including qualitative interviews and a case file review and a quantitative analysis of administrative data on people under supervision in Pima County. Using administrative data on supervision outcomes for people on

probation between 2014 and 2018, we analyzed trends in the population sentenced to supervision, noncompliance with probation conditions, and formal violation and revocation outcomes. We also interviewed APD probation officers, judges, and community providers about their perspectives on probation supports, violations, sanctions, and revocations.

This report focuses on the filing of a petition to revoke (PTR) and revocation. A PTR is a request to the court to revoke probation based on violations alleged by the probation officer. We also refer to this as a *formal* violation. Once a PTR is filed, the court may issue a summons to appear or an arrest warrant to hold someone in custody while the PTR is resolved. Revocations to prison or jail are two of several potential outcomes of a PTR. Another option in Pima County is a coterminous jail sentence, which is when a judge imposes a jail term and the probation period ends upon release from jail. Although we focus on revocations, we provide information on coterminous outcomes.

We begin with an overview of the local context and supervision process based on our review of relevant policies and practices. We then describe the research methods, variables, and study population before presenting findings for Pima County. Next, we present policy implications to improve outcomes for people on probation. We conclude with directions for future research.

## Pima County, Arizona

The APSD operates state-level adult probation programs and services in Arizona, and each of the state's 15 counties has a probation department that supervises adult probation populations (Hoyle 2020).<sup>4</sup> As a statewide agency under the judiciary, the APSD works with each department to advance evidence-based practices, support new initiatives, provide trainings and other resources, and administer funding in accordance with statutory and administrative guidelines. In addition, the APSD works with the superior courts, several statewide working groups, and national leaders in probation to advance best practices in supervision. The APSD also maintains the statewide case management system, the Adult Probation Enterprise Tracking System (APETS), and conducts operational reviews and research. APETS is a comprehensive database containing information on probation clients, court orders, conditions of supervision, noncompliance, and formal violations.

### Population Characteristics

As of 2019, Pima County, Arizona, had a population of 1,047,279 people, about half of whom live in Tucson.<sup>5</sup> The county is compositionally similar to the US in terms of age, sex, education, and foreign-

born status, but 14 percent of the population lives below the federal poverty level compared with 11 percent nationally. There are also larger populations of Hispanic and Native American residents, and a smaller proportion of Black residents in Pima County versus the nation as a whole. Looking at the jail and prison populations, we can see, in part, the reach of the county's local justice system.<sup>6</sup> The Pima County jail population peaked at 319 people jailed per 100,000 residents in 2014. This number declined through 2018 to 283 per 100,000 residents, or 1,849 people. Most of the people in jail that year (1,526) were held pretrial, meaning they were awaiting the disposition or conclusion of their criminal case.

The racial and ethnic disparities in the Pima County jail have declined over time. But Black, Native American, and Hispanic people are still overrepresented in the jail population compared with their proportions in the general population. Thirty-eight percent of the county is Hispanic, but this group made up 45 percent of the jail population (841 people) in 2018. Black people made up 12 percent of the jail population in 2018 (223 people), and Native American people made up 5 percent (101 people), even though they made up only 4 percent each of the county population.<sup>7</sup> The prison population composed of people sentenced in Pima County also declined from 2014 through 2016 (the most recent year for which data are available) but reflects similarly disproportionate incarceration by race and ethnicity as the jail population.

The number of people under probation supervision from 2014 through 2019 in Pima County has been stable, fluctuating between 7,895 and 8,195.<sup>8</sup> The total population hit a peak of 8,252 in March 2020 and then fell sharply to 7,705 in August 2020, following the onset of the COVID-19 pandemic (box 1). Of those serving probation in August 2020, 5,074 were on standard probation supervision (SPS), and 438 were on intensive probation supervision (IPS). Even as the success rate of people on probation increases, racial and ethnic disparities persist within the probation population, with a greater proportion of Black, Hispanic, and Native American clients under supervision relative to their numbers in the general population.

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## BOX 1

### Impacts of the COVID-19 Pandemic on Local Probation

Since the pandemic, Pima County has implemented several changes to policy and practice. Several measures have been implemented around hygiene, sanitization, personal protective equipment, temperature screening, and social distancing and safety. In addition, there have been changes to supervision practice, including telephonic presentence interviews and virtual conferences with judges, video communication with individuals on probation, limiting revocations to violations that relate to public safety, and efforts to identify cases eligible for early termination. The pandemic also led to efforts to reduce both the probation and jail populations. In addition to a 7 percent reduction in the probation population from March to August 2020, the jail saw a 25 percent reduction in the average incarcerated population from March through December 2020.<sup>a</sup> It is possible that some of these changes may affect postpandemic policy, but at the time of publication, the public health crisis is ongoing, and the future policy and practice impacts are unknown.

<sup>a</sup>Stephanie Casanova, “Countywide Effort Reduces Jail Population in Bid to Reduce Coronavirus Spread in Tucson,” *Tucson.com*, April 15, 2020, [https://tucson.com/news/local/countywide-effort-reduces-jail-population-in-bid-to-reduce-coronavirus-spread-in-tucson/article\\_939b67cc-d91c-5ff2-a204-8c6d0061d1d5.html](https://tucson.com/news/local/countywide-effort-reduces-jail-population-in-bid-to-reduce-coronavirus-spread-in-tucson/article_939b67cc-d91c-5ff2-a204-8c6d0061d1d5.html).

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## Policies and Practices Aimed at Reducing Revocations

There were over 7,500 revocations statewide in 2008 when the Arizona legislature passed the Safe Communities Act. Revocations to incarceration declined as a combination of strategies affecting both supervision lengths and the revocation process were rolled out (Pew Center on the States 2011; Phelps 2013). People on probation were able to shorten their probation term for each month they were compliant (termed “earned time credits”). In addition to encouraging compliance, this was meant to focus time and attention toward people with higher risk and needs and provide more targeted case supervision. Performance incentive funding was promised for counties that safely reduced revocations without an increase in their new felony conviction rate. This would allow departments to reinvest cost savings from reductions in incarceration back into community supervision services and treatment.<sup>9</sup> Between 2008 and 2011, revocations declined substantially, to under 5,000. Statewide revocations began to increase in 2012 and then stabilized from 2016 through 2019 (between 5,567 and 5,918), still below the 2008 peak (Waters, Price, and Brown 2019).<sup>10</sup>

A report by the Pew Charitable Trusts (2020) and the Crime and Justice Institute at Community Resources for Justice, in collaboration with Arizona probation stakeholders, explored the state’s recent probation population increase and the corresponding increase in PTRs, particularly among probation

clients receiving IPS. Using data from fiscal year 2018, they found that (1) revocations continued to be driven by technical violations, (2) fewer than half the people who were successful on probation were granted an early termination, and (3) slightly over half of those on IPS were revoked. They recommended reducing the number of conditions imposed,<sup>11</sup> establishing a presumption of early termination at 12 months for people who meet certain requirements, and further limiting the use of IPS. Arizona is now modifying its standard conditions and IPS requirements, but these changes have not yet been implemented.

The Pima County Adult Probation Department has been focused on reducing revocations for over three decades (Burke 1997), and they continue to work toward improving probation success. In 2015, Pima County joined the MacArthur Foundation's Safety and Justice Challenge, resulting in several policy changes within the local criminal justice system to reduce the jail population. One of the goals for the county was to reduce the jail population 26 percent by 2019.<sup>12</sup> Additionally, through supplemental funding by the Safety and Justice Challenge in 2019, the probation department made a commitment to limit probation drivers of the jail population through reduced use of jail sanctions. As of the time of publication, Pima County had begun to eliminate automatic holds, issue fewer and shorter nonrevocation jail outcomes (i.e., coterminous probation exits), and limit the number of PTRs filed. Pima County probation officials also committed to identify individuals convicted of misdemeanors and nonviolent felonies on probation who may be eligible for early termination (Pima County 2019). While not the focus of this study,<sup>13</sup> these efforts are expected to have impacts beyond the local jail, given that fewer PTRs should mean fewer revocations to both jail and prison.

## Probation Supervision in Pima County

**Probation sentences.** The Adult Probation Department of the Arizona Superior Court in Pima County receives clients sentenced to probation on a felony charge and, at times, on a misdemeanor charge from other local courts.<sup>14</sup> These sentences are largely driven by a plea agreement and may include consecutive probation terms (e.g., a 3-year sentence on one charge followed by an 18-month sentence on another). Although sentence length ranges may be stipulated in these agreements, judges have discretion to impose a specific supervision term and can terminate probation at any time through an early termination or earned time credit. The Pew Charitable Trusts (2020) analysis indicates that average sentence lengths in Arizona are long and that half the people who received a PTR in fiscal year 2018 received their first one for a technical violation within 6 months of probation. For a new crime, this was within about 8 months. Receipt of a PTR also related to assessed risk level, with those at lower risk being the least likely to receive a PTR after 12 to 18 months of supervision.

Probation staff conduct a presentence investigation and administer the Offender Screening Tool (OST) risk assessment to assist the judge at sentencing. Results from the OST, along with any requirements in a plea agreement, are used to determine caseload and supervision level at the start of probation. Arizona has two main probation caseloads, SPS and IPS, as well as specialized caseloads. SPS has three supervision levels: low, medium, and high. IPS is the highest form of supervision, with varying levels of contacts (levels I through V). IPS imposes strict requirements as a prison diversion program for people assessed at high risk of recidivism, though people may move down to SPS over time.

Judges must also decide at sentencing whether to apply any special conditions to the uniform conditions. Standard conditions of probation include abstaining from drug and alcohol use, avoiding contact with people with felony convictions, participating in programming, and abiding by curfew and movement restrictions or other special conditions depending on their assigned caseload. Based on the court-ordered conditions and risk assessment, referrals are then made to programming and community providers for such services as substance use treatment, employment services, and other interventions.

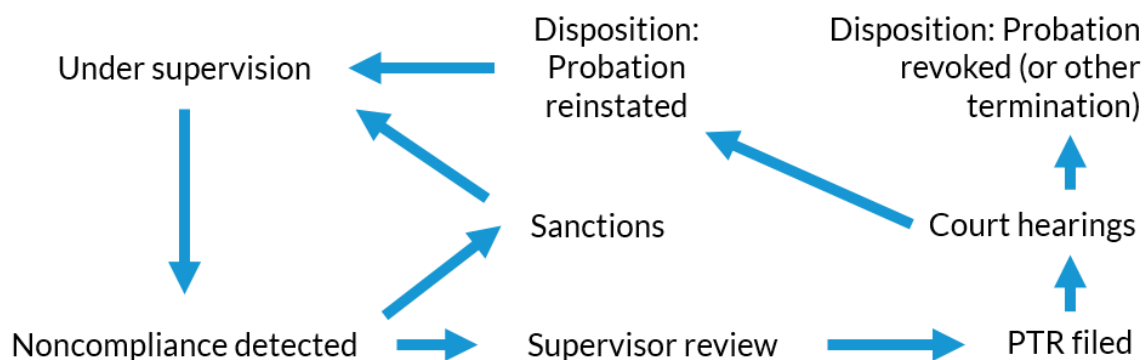
**Supervision.** Once under probation supervision, officers administer the Field Reassessment Offender Screening Tool every six months to update the original risk level with a more recent follow-up period. Officers also develop and revise case plans to support compliance through goal setting and identification of programs and services that target client needs. Recent changes in the case plan process and reporting in APETS support more dynamic and continuous case planning practices. Pima County has a continuum of treatment services available in the community to refer clients and bolster success. A petition to modify (PTM) may be used to change probation conditions, move to a different caseload or supervision level, or shorten the probation term.

**Noncompliance.** Officers use their discretion to respond to noncompliance and will engage their supervisor for more serious forms of noncompliance. Guidance on informal responses to noncompliance are directed to *control* and *correct* behavior. For instance, drug use often results in increased drug testing and referral to treatment. Other informal sanctions include admonishment, essay writing, and increased reporting. These consequences are meant to promptly address willful noncompliance and prevent it from recurring. Though no standardized graduated response matrix or guide exists across all caseloads, specific guidance exists around the continuum of responses for drug court caseloads and for violations involving drug use. Noncompliance can also result in changes to a person's case plan or provision of services to effect change. These informal violations and the officer's responses are tracked in APETS as case contact notes.

**Formal violations.** Not all noncompliant behavior will result in a sanction or formal violation, but repeated noncompliance or observed law violations may be alleged in a PTR.<sup>15</sup> The probation officer initiates the PTR process in consultation with a unit supervisor and involves filing a formal violation, or PTR, with the court. The type of PTR filed depends on the alleged noncompliance. Though the classification of a technical PTR, new crime PTR, or technical and new crime PTR is documented in APETS, the distinction between these categories is not always straightforward. For example, a PTR can be filed alleging new criminal activity, such as an arrest, but is not categorized as such until there is a conviction. If the court does not substantiate a new crime allegation in a PTR, the PTR may be categorized as technical violation only. Moreover, some violations of conditions around drug use and weapons could be considered both technical violations and new crimes.

Violation and disposition hearings are scheduled to reach a settlement regarding the alleged violations. If a new crime is alleged and the person was also convicted by the court, the PTR disposition hearing and sentencing on the new conviction may occur at the same time. This allows for the probation sentence to be amended together with the new sentence imposed. If there is no new conviction, the court may dispose of the PTR as a technical violation. Technical violations include absconding, or the willful evasion of probation supervision. Judges have multiple options for disposing of a PTR. They may revoke to jail or prison, terminate the probation sentence without revoking and impose a jail sanction (a coterminous outcome), reinstate to probation (with an extended term), or judicially terminate the probation sentence (figure 1). A person on probation may have multiple PTRs filed over the course of their supervision term before ultimately being revoked.

**FIGURE 1**  
**Revocation Process**



**Revocation.** The decision to revoke to prison or jail depends on the original charge and possible sentence. A person with a felony charge can be revoked only to prison, not to jail. Revocation to jail is possible only for people who have misdemeanor charges. But in Pima County, a person with a felony

charge may still receive a jail termination through a coterminous disposition, a nonrevocation outcome. This occurs when a judge orders that probation terminate after imposition of a jail sanction. Rather than revoke a person with a felony charge to prison, a coterminous outcome allows the person to serve the remainder of their term in the local jail, and often for a shorter period of incarceration than a revocation to prison.

**Termination.** A person may also exit probation because their probation term expires (i.e., full termination) or through an early termination. Early and full termination are considered successful exits, while other exit types are neither positive nor negative, including judicial termination and closed interstate compact. When an officer enters a judicial termination on a PTR, it is not possible to determine whether the outcome was successful, neutral, or unsuccessful. But this category could include early termination, coterminous exit, transfer to another jurisdiction, reincarceration, or death. Though there is some ambiguity in the outcomes based on how a judge disposes of a PTR and an officer enters it into APETS, we focus on revocation to jail and prison.

To identify strategies for reducing revocations, research on the local drivers of these outcomes is needed that describes the alleged behaviors and violation responses, pathways to revocation among probation populations, stakeholder perspectives, and racial and ethnic disparities that permeate the system (Schulenberg 2007). Therefore, after describing the research methods, variables, and study population, we answer the following questions:

1. What types of noncompliance are most prominent among violations and revocations?
2. Who is most likely to be violated or revoked?
3. What are the drivers of violations and revocations?

## Research Methods and Findings

Using data on people starting supervision terms between 2014 and 2018 who had a termination date before March 2020 (when we collected the data), we analyzed the trends and factors associated with supervision violations and revocations in Pima County. We also interviewed judges, probation officers, and community treatment partners about their perspectives on probation client needs, engagement in services and noncompliance, officer and judicial responses, and drivers of revocations. Lastly, researchers conducted a case file review to examine the conditions most often violated and revoked, the alleged behaviors leading up to the most recent PTR filing, and the case contact notes before the end of a probation term for select cases. The qualitative activities (including a policy review) and close



collaboration with APSD and Pima County stakeholders informed the context of probation supervision and revocation we describe in this report.

## **Data Collection and Methodology**

At the start of the project, we collected and reviewed documents on both state and local policies and procedures. This included relevant sections of the Arizona Criminal Code, the Code of Judicial Administration, local probation operations and caseload manuals, court petitions and orders, and state and local reports. In January 2020, we visited both the APSD and APD to introduce the research team and coordinate on our evaluation plans. The APSD provided a view of the state’s centralized APETS database, including fields related to client characteristics, supervision conditions, petition-related information, and violation allegations. Details about the administrative data extract were also discussed. We next visited Pima County probation leaders, judges, and court administrators. This provided an opportunity to engage in knowledge discovery through unstructured interviews and a focus group with probation supervisors before formal data collection.

After establishing a data use agreement, we received a data extract with information on people who had a probation start between July 1, 2013, and June 30, 2019.<sup>16</sup> Many of these records had a termination date, including through when the data were pulled in March 2020. We restructured the data from the charge level to the person level using the most serious offense for the most recent supervision period.<sup>17</sup> We retained corresponding case and supervision information along with a complete history of PTRs filed and disposed (including before the current probation term) for each person.<sup>18</sup> We developed all findings in this report from the “inactive” people who had their most recent probation term begin between 2014 and 2018 and who had a termination date. Probation termination was constructed to be a dichotomous measure of revocation to jail or prison compared with all other exit or termination types. These other exit types may be positive, neutral, or negative. Specifically, judicial termination is included as a nonrevocation outcome but may be caused by an unsatisfactory outcome, such as a new sentence to incarceration. Thus, revocation is not compared with successful completion but rather compared with nonrevocation outcomes.

We visited again in March 2020 to complete semistructured interviews with 14 probation officers and 4 superior court judges. The officers we selected came from SPS, IPS, and specialized caseloads, including drug court, aggravated DUI, and sex offense caseloads. This allowed for a broad understanding of differences across caseload type and supervision levels, as well as perceptions of noncompliance. The judges provided greater context on the PTR and revocation process and their role

relative to the officers. During this visit, we also conducted a case file review. We selected a random sample of 100 client identifiers from the full administrative data to conduct file reviews. We developed a case coding sheet to record information on conditions and petitions for our sample of clients.<sup>19</sup>

After receiving secure access to APETS while on site, we received assistance navigating the modules and gaining definitional clarity (e.g., “HV” for home visit and “OV” for office visit). After modifying the coding sheet based on the fields in APETS, we coded data on the probation conditions set initially by the court and those that were eventually violated. The team also recorded the officers’ notes ahead of filing a petition to revoke or to modify probation and before termination. Data collection required navigating several screens and text fields in APETS to find the necessary information and record it into our coding sheet. We completed coding for 41 clients (5 active and 36 inactive). We used the data to identify common themes across clients and to select our case studies, presented in boxes 4 and 6.

Lastly, we conducted a one-month virtual site visit in early 2021 to conduct interviews with five community-based service providers and a treatment liaison. These interviews focused on the extent of services available to probation clients; engaging with people on probation, officers, and the superior court bench; responses to noncompliance; and the challenges associated with the COVID-19 pandemic. After compiling all written responses from each interview, we thematically analyzed the text based on the respondent type and section of the interview protocol (e.g., conditions, violations, resources, and challenges).

Table 1 summarizes our data collection activities and analyses. We used the administrative data to develop our study sample, analysis variables, and statistical models. We supplement our quantitative analysis with themes and lessons drawn from across the policy review, interviews, and case file review.

**TABLE 1**  
**Summary of Data Sources, Sample Sizes, and Analyses**

<b>Data source</b>	<b>Sample size</b>	<b>Analysis type</b>
APETS (person level)	10,863	Bivariate, multivariate analysis
Interviews with judges	4	Thematic analysis
Interviews with officers	14	
Interviews with county providers	5 + 1 liaison	
Case files reviewed (person level)	41	Quantitative and case studies

**Note:** APETS = Adult Probation Enterprise Tracking System.

## ANALYSIS VARIABLES

Several client, case, and supervision variables were available for analysis (see appendix tables A.1 through A.3 for descriptive statistics). Table 2 shows the outcomes and other variables we used for the reported statistics and quantitative models. As the focus of this research, the two outcomes we assessed include dichotomous measures of formal violations and revocation to jail or prison. Formal violations are measured as the filing of at least one PTR compared with no PTRs. Revocation to incarceration is measured as the termination or exit type and is compared with all other nonrevocation outcomes (e.g., early and full termination, judicial termination, and coterminous exit). We examined indicator variables for client demographics (e.g., sex, age, and race and ethnicity), case factors (e.g., offense, sentence length, risk level, and prior record), and supervision characteristics (e.g., supervision level and status) through descriptive and regression analyses.

**TABLE 2A**  
**Description of the Dependent Variables**

Dependent variables	Measurement
Received a PTR	2 categories (yes and no)
Received a revocation	2 categories (yes and no)

**TABLE 2B**  
**Description of the Independent Variables**

Independent variables	Measurement and categories <sup>a</sup>
Sex	2 categories ( <b>female</b> and male)
Age	Continuous (16–87)
Race and ethnicity	5 categories ( <b>white</b> , Black, Hispanic, Native American, and other)
Offense type	6 categories ( <b>person</b> , weapons, property, drug, DUI, and other)
Offense class	3 categories ( <b>misdemeanor</b> , undesignated felony, and felony)
Probation length (months)	Continuous (0–470)
Risk level	4 categories ( <b>low</b> , medium-low, medium-high, and high)
Criminal history score	2 categories ( <b>1–3</b> and 4–9)
Prior PTRs and revocations <sup>b</sup>	2 categories (yes and <b>no</b> )
Supervision level	4 categories ( <b>low</b> , medium, high, IPS)
SO, DV, and DUI status <sup>b</sup>	2 categories (yes and <b>no</b> )
Probation tail status	2 categories (yes and <b>no</b> )

**Source:** Arizona Probation Enterprise Tracking System.

**Notes:** DUI = driving under the influence; DV = domestic violence; IPS = intensive probation supervision; PTR = petition to revoke; SO = sex offense. A probation tail indicates that a probation term was sentenced to follow an incarceration term.

<sup>a</sup> Reference categories for the multivariate analyses appear in boldface.

<sup>b</sup> These are distinct variables but are summarized together, as they represent similar characteristics and measurements.

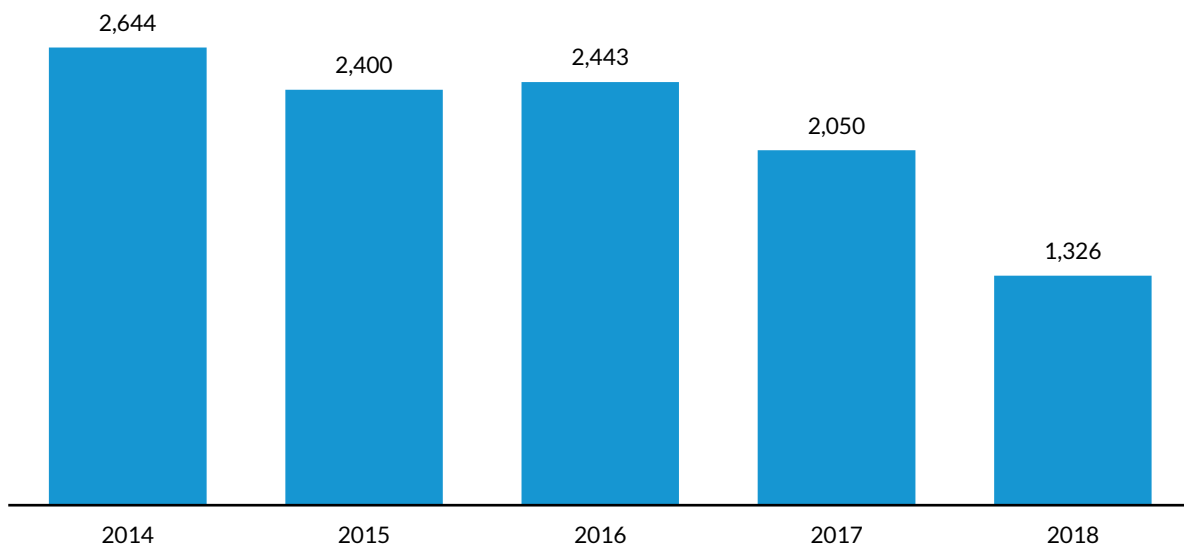
## STUDY POPULATION AND STATISTICS

After processing the administrative data and removing cases with missing data, we included 10,863 people in the final study population who started probation between 2014 and 2018 and ended probation by March 2020 (figure 2). As expected, the number of people who were inactive decreased as the follow-up period decreased. In other words, more people who were sentenced to longer terms are included in the earlier periods, as they were able to start and complete probation within the five years we examined. People who started in December 2018 had about a 15-month follow-up period. Most probation terms ended within three years, and revocations occurred even earlier (appendix tables A.4 and A.5 show the start and end years among the total and revoked populations).

FIGURE 2

### Study Population Sizes, by Probation Start Year

*People who started probation in each year and had a termination before March 2020*



Source: Adult Probation Enterprise Tracking System.

Note: N = 10,863.

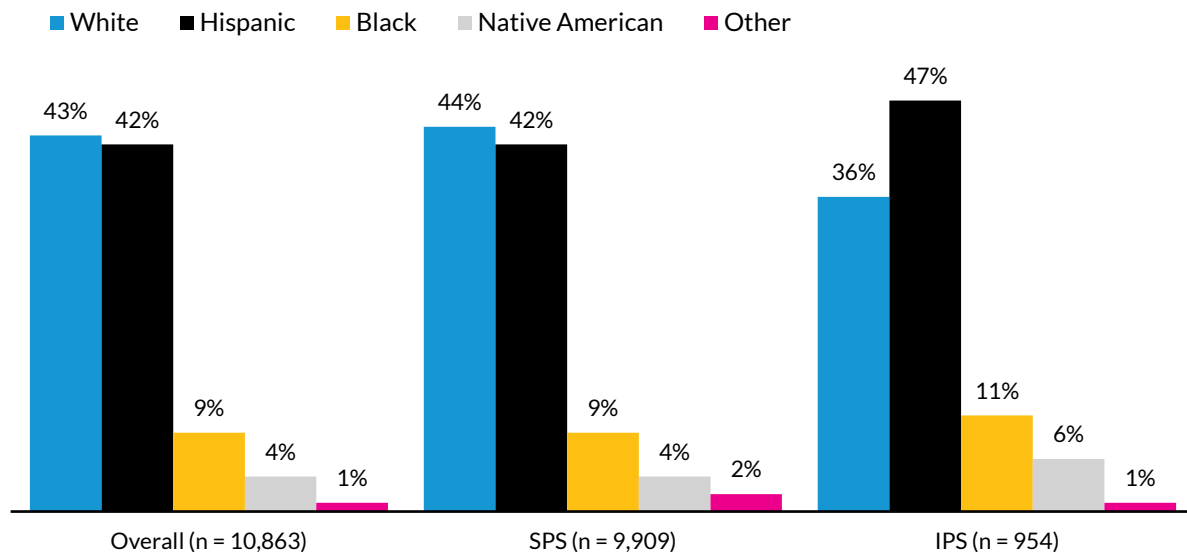
The demographic composition of Pima County's probation population is primarily male (73 percent), younger than 35 (62 percent), and white (43 percent) or Hispanic (42 percent).<sup>20</sup> About 9 percent of the population is Black, and 4 percent is Native American. Most people are on probation for a drug-related primary offense (33 percent), followed by a person-related primary offense (30 percent), which includes domestic violence charges. Twenty-two percent of the population is on probation for a misdemeanor charge. A large share of people on probation were sentenced on an undesignated felony charge as the primary charge (30 percent).<sup>21</sup>

Sentences to probation were generally set for either a 36-month or 18-month supervision term, with a 36-month sentence being slightly more common (they each make up about 35 percent of cases).<sup>22</sup> Some people were sentenced on multiple cases and started probation for those cases on the same date (9 percent).<sup>23</sup> Most people were scored medium-high risk (43 percent) on the OST, followed by medium-low risk (25 percent) and then high risk (22 percent). More than half had a criminal history score below 4, while 19 percent had a prior PTR and 10 percent had a prior revocation.

In terms of the supervision characteristics we examined, 14 percent have a domestic violence status, and very few have a sex offense status (2 percent) or probation term imposed after a period of incarceration, called a probation tail (3 percent). Most people are on the SPS caseload under a medium supervision level (68 percent), which corresponds with the share of people who scored as medium-high and medium-low risk on the OST. The IPS population makes up only about 9 percent of those under supervision in Pima County. But the racial and ethnic composition of SPS and IPS caseloads differ (figure 3), with fewer white clients on IPS (36 percent) relative to their overall population share (43 percent).

**FIGURE 3**

**Pima County Probation Population Racial and Ethnic Composition, by Caseload Type**



**Source:** Adult Probation Enterprise Tracking System.

**Note:** IPS = intensive probation supervision; SPS = standard probation supervision.

Of the 10,863 people in the study population, 4,839 (45 percent) had at least one PTR and, of those, 2,102 (43 percent) had a revocation to prison or jail. Thus, nearly half the people on probation receive a formal violation at some point, but fewer than half of those who do are revoked. Judges can impose

nonrevocation outcomes and consider officer recommendations and other factors, such as a person's history on probation (figure 1).

Looking first at PTR filings and outcomes, table 3 shows the number of PTRs filed most recently for the study sample by the year the petition was disposed and the violation type.<sup>24</sup> We include data on PTRs disposed through March 2020, which is when the data were collected. After combining new crime-only and combination (new crime and technical) PTRs, we see that over two-thirds of PTRs were for technical violations. This pattern is consistent across each year and suggests that people on probation are receiving a formal violation most often for technical violations of supervision conditions rather than for new offenses.

**TABLE 3**  
**Number and Share of PTRs ,by Year Disposed and Violation Type**  
*Most recent PTR disposed for the study sample*

PTR disposition year	Technical Violations		New Crime		Total Petitions	
	N	%	N	%	N	%
2014	167	64.2	93	35.8	260	100.0
2015	530	68.2	247	31.8	777	100.0
2016	628	69.6	274	30.4	902	100.0
2017	806	70.6	336	29.4	1,142	100.0
2018	788	75.0	263	25.0	1,051	100.0
2019	501	75.8	160	24.2	661	100.0
2020 (partial year)	29	63.0	17	37.0	46	100.0
<b>Total</b>	<b>3,449</b>	<b>71.3</b>	<b>1,390</b>	<b>28.7</b>	<b>4,839</b>	<b>100.0</b>

**Source:** Adult Probation Enterprise Tracking System.

**Note:** PTR = petition to revoke.

Turning next to the outcomes of these petitions, table 4 presents the PTR dispositions for the most recent PTR filed by violation type. Though the violation type is reported, no information is available on either the specific technical violations or new crime charges for these PTRs. A closer analysis of the allegations would be necessary to examine this. The total petitions column indicates that 36 percent of these PTRs result in revocation to prison and 5 percent result in revocation to jail. Comparing across violation type, there are some notable findings:

- A somewhat smaller share of people with technical violations were revoked to jail or prison (40 percent) compared with those with a new crime (44 percent), but most people receiving incarceration sentences are those with technical violations (1,387) compared with those with a new crime (610).

- Coterminal jail dispositions were infrequent across violation type but were slightly more common among those with a technical violation.
- Reinstatements were less common for people with a new crime (34 percent) compared with a technical violation (38 percent).
- Judicial terminations made up 16 percent of dispositions, with a higher share of new crime violations resulting in this disposition (18 percent). The reason for these outcomes is not available, but they may be closed by the court after a person is reincarcerated, is deceased, or has their PTR otherwise resolved.

**TABLE 4**

**Share of PTR Dispositions, by Violation Type**

*Most recent petitions disposed for study population*

<b>Disposition on most recent PTR</b>	<b>Technical violations (n = 3,449)</b>	<b>New crime (n = 1,390)</b>	<b>Total petitions (n = 4,839)</b>
Revocation to prison	35%	39%	36%
Revocation to jail	5%	5%	5%
Coterminal outcome	7%	5%	6%
Reinstated to IPS	8%	8%	8%
Reinstated to SPS	30%	26%	29%
Judicial termination/null	15%	18%	16%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

**Source:** Adult Probation Enterprise Tracking System.

**Notes:** IPS = intensive probation supervision; PTR = petition to revoke; SPS = standard probation supervision. Percentages may not sum to 100 percent because of rounding. Some people had more than one PTR disposed. We use only the most recent petition for a person (from 2014 to 2018), as these are the most closely tied to the termination outcome type.

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## BOX 2

### Deciding to File a PTR and PTR Recommendations to Revoke

Though we do not have data on officer recommendations, our qualitative findings indicated that officers exercise considerable discretion in deciding whether to pursue a PTR and to recommend revocation. Judges generally do not weigh in on whether or when to file a petition because they usually become aware of a violation only through a PTR. Interviews with officers indicated that a PTR was often a last resort. Additionally, a status conference or hearing before the court may be requested before filing a PTR or revoking probation to discuss the client's history and overall case with the judge and others, such as treatment providers. This may be done to get the person on probation to reengage and to make it clear what the consequences are for a violation and revocation more broadly.

Ahead of or during a disposition hearing, officers can make recommendations regarding continued supervision and revocation to the judge, and people on probation may also discuss their progress and preferred outcome before the court. Judges tend to agree with officer recommendations, which may not be revocation. We could not assess the extent to which officers recommend nonrevocation outcomes, such as reinstatement to a higher supervision level or extended probation term or to revocation. Judges use their discretion to extend probation for those who are reinstated. Likewise, judges impose an incarceration sentence length at the revocation hearing.

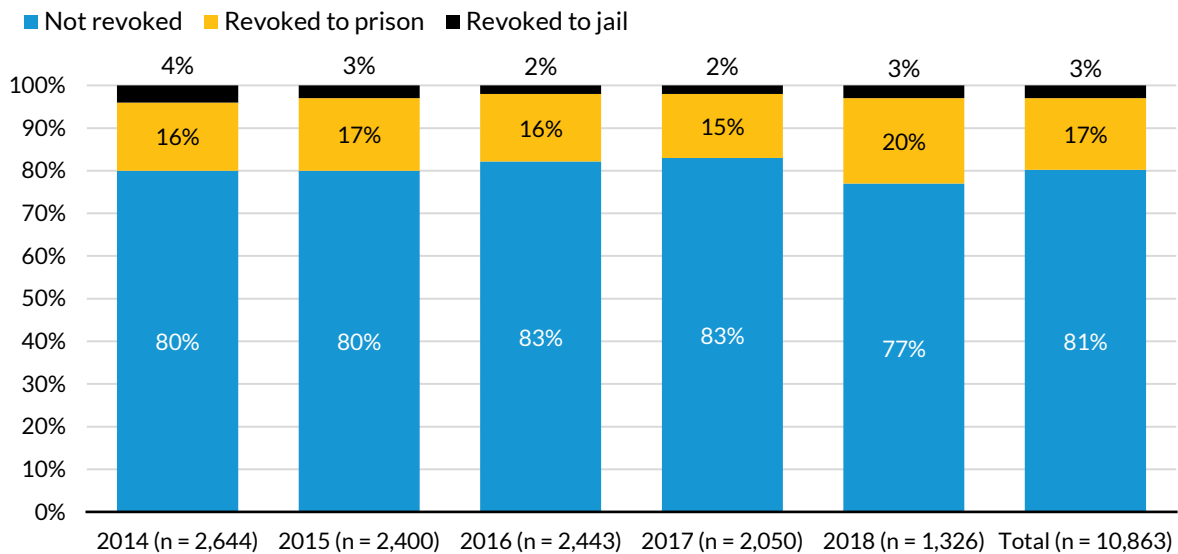
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We next describe the revocation outcomes across the full study sample to examine the overall revocation rate and violation types. The cumulative prison and jail revocation rate for the study population was 19 percent (figure 4), and revocation to prison made up the largest proportion of revocation outcomes (16 percent). Like PTR filings, revocations were primarily driven by technical violations, which composed about two-thirds (1,441) of the most recent PTR dispositions (figure 5).



FIGURE 4

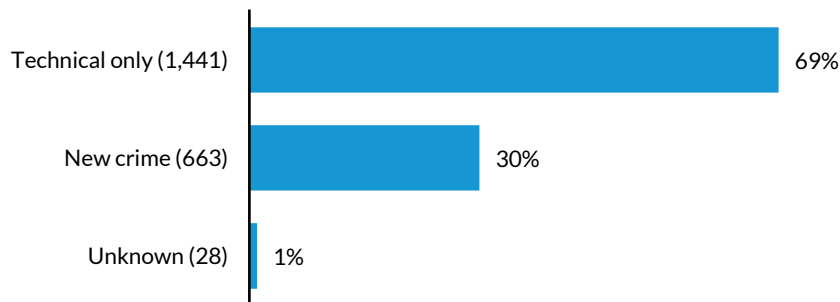
Termination Outcomes, by Revocation Status and Start Year



Source: Adult Probation Enterprise Tracking System.

FIGURE 5

Proportion of Revocations to Incarceration, by Violation Type



Source: Adult Probation Enterprise Tracking System.

## What Types of Noncompliance Are Most Prominent among Violations and Revocations?

There are 21 uniform conditions of probation in Arizona, and additional special conditions may be added. Though most of the formal violations and revocations are for technical violations, information was not available in the administrative data on the specific conditions set or violations alleged in the petition. We gleaned more detailed information on both violation allegations and general

noncompliance through our qualitative interviews with probation officers, judges, and treatment providers and through a case file review (see appendix table A.6 for case file sample characteristics).

In interviews, officers and judges commonly explained that drug use and criminal activity related to drug use were drivers of both informal and formal violations (box 3). But most of the interview respondents explained that they would not file a PTR for this alone. Instead, they would address the noncompliance swiftly with sanctions and treatment supports. Nearly all the probation stakeholders we interviewed suggested that PTRs were reserved for only the most serious violations: new crimes, absconding, and repeated violations. Although some officers suggested that a PTR may be used as an intermediate response to gain compliance, most respondents explained that a PTR is a last resort. Some also indicated that they will file a PTR for clients who will not engage, have persistent issues with substance use, or who state that they prefer to complete a jail term to continued probation.

Based on our review of select case files, we found largely consistent information regarding the types of noncompliance described in the interviews. Relying on the most recent petition information and officer contact notes (particularly in the period leading up to the end of the probation term), we found that most petitions included several alleged violations. No one in the sample received a revocation for violation of only one condition. Appendix table A.7 lists all the standard conditions that people within the case file sample were alleged to have violated on a PTR. The conditions that were violated the most include the following:

- **Condition 1:** Maintaining a crime-free lifestyle
- **Condition 6:** Reporting to the APD
- **Condition 7:** Living in an approved residence and providing APD access
- **Condition 11:** Actively participating in treatment
- **Condition 12:** Possession of controlled substances and submission to drug testing

The conditions resulting in the most revocations are the same, except that noncompliance with treatment (condition 11) was not often associated with revocation. This is in line with our qualitative analysis of officer interviews, which indicates that many revocations occur because of absconding (condition 6 and possibly condition 7), new crimes (condition 1), and multiple missed drug tests accompanied by drug use (condition 12).<sup>25</sup> Additionally, although drug use was a commonly alleged violation, it did not result in revocation as often as absconding and new criminal behavior. Given the prominent themes regarding substance use, further study should examine how drug- and alcohol-related noncompliance leads to technical and new crime PTRs.

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### BOX 3

#### Community Treatment Services and Noncompliance

Community treatment providers collaborate with probation officers at all stages of a client's treatment, from the initial intake and service plan to completion of services and probation. Providers indicated that they value the level of communication they have with probation officers and judges about their clients' needs and overall progress. These relationships are particularly important when it comes to noncompliance with probation and court-ordered treatment.

Because most probation clients are required to attend court-ordered treatment, providers encourage their clients to comply with the conditions of probation, citing that achieving treatment goals aligns with successful probation termination. At the initial intake meeting with clients, providers explain that they will be in regular communication with officers, particularly regarding engagement in treatment, but emphasize self-accountability. When a violation occurs and providers are made aware of it during a client interaction, providers first offer to help their clients plan how they will notify their probation officer and discuss the possible consequences. Some providers offer to be part of that conversation with their clients and probation officer. But if the client does not self-report the violation, the provider will notify the probation officer, particularly if the client has absconded.

Providers occasionally attend court hearings to support their clients if they are doing well in treatment and engaging with the required services. If the hearing is related to a violation, most providers perceive judges as willing to work with clients to provide the support they need to get back on track with treatment before the violation results in a revocation. Although we could not assess the quality of treatment available in the community, the providers indicated that many treatment services are available, mostly for substance use and domestic violence. Many people on probation can cover these costs with Medicaid or copayments through probation.

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Additionally, there was some evidence of noncompliance—or informal violations that were noted by officers and not included in a formal PTR—that were domestic violence related. Few formal allegations in the PTR were related to prohibited contact with family members and others, but the contact notes in APETS contained descriptions of domestic violence and noncompliance with no-contact requirements. Additionally, the administrative records contained a large share of misdemeanor domestic violence cases, which were the third-most-common category of offenses sentenced to probation behind drug and property offenses, respectively (see box 4 for a case study on a person with a history of domestic violence).

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#### BOX 4

##### Case Study 1: No Revocation Despite Multiple Violations

- **Original charges:** Narcotics drug possession, drug paraphernalia
- **Case type:** Standard probation supervision
- **Special caseload:** Domestic violence
- **Violation type:** Technical/New crime
- **Conditions violated:** Standard (2), domestic violence (3)
- **Petition-to-revoke outcome:** Reinstated
- **Eventual exit type:** Full termination

One person on the domestic violence caseload had a petition to revoke filed for violating multiple conditions—both standard and domestic violence caseload related—and for a new crime allegation but was reinstated to probation instead of being revoked. They eventually completed probation.

This person had a new crime violation on a domestic violence assault charge. The officer noted that they were intoxicated at the time of arrest and described seeing a car with a shattered window and broken trunk latch, though the person under supervision was not found near the car. The victim filed a report with the police, and the person later admitted to some of the allegations in the petition to revoke. The case notes pertaining to the technical violations leading to the petition indicated that this person had been depressed when they came in once for an office visit because they had lost their job because of the court-ordered community service requirements. They had violations related to both drinking and cocaine use and were asked to reenroll in substance abuse treatment. Additionally, they had missed a probation-related payment.

Once the person was reinstated, the officer noted significant behavior change, such that they eventually completed probation, achieving full termination. The person attended 34 out of 36 domestic violence support groups and demonstrated how they were empathetic, willing to hold themselves accountable, and helpful to peer recovery. They also participated in parenting groups.

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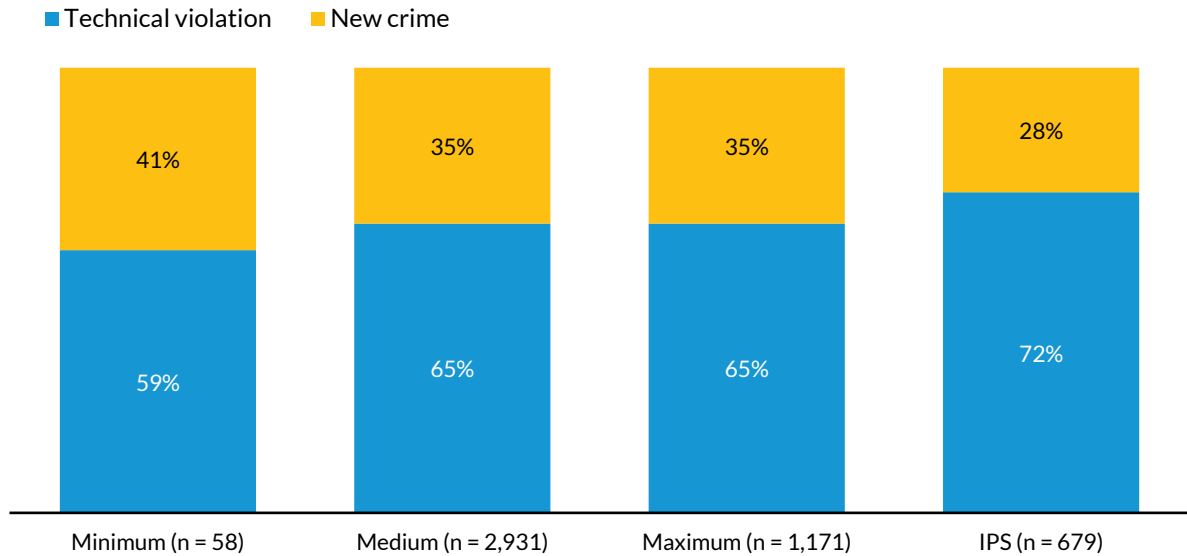
### Who Is Most Likely to Be in Violation or Revoked?

There are several ways to examine the populations most likely to receive a PTR or revocation, but we explored these outcomes across four factors: IPS caseload, primary charge type, probation client's race or ethnicity, and indicators of social disadvantage, including mental and behavioral health issues, among clients. Later analyses identify the impacts of several client, case, and supervision characteristics on

these outcomes. There is utility in describing the composition of people on probation to understand patterns and trends in supervision and the populations at highest risk of revocation.

**People on the IPS caseload.** Officers viewed people on IPS as more likely to violate and receive a revocation than those on other specialty court caseloads. We found that the violation rate among the IPS population was 71 percent compared with 42 percent among the SPS population. When looking at the most serious violation type among those with at least one PTR by supervision level (figure 6), we found that those on IPS had a greater share of technical violations, which may not be surprising, given the extra scrutiny these clients face. People on IPS face serious restrictions on their movements and must report to their probation officer frequently. This close supervision makes it easier to discover noncompliance when it occurs, but it does not appear to identify a greater share of new crimes. Specifically, the share of technical violations is around two-thirds for the full sample but is closer to three-quarters among those on IPS.<sup>26</sup>

**FIGURE 6**  
**Most Serious Violation Filings, by Violation Type and Supervision Level**  
*Both number and percentage of the population are shown*

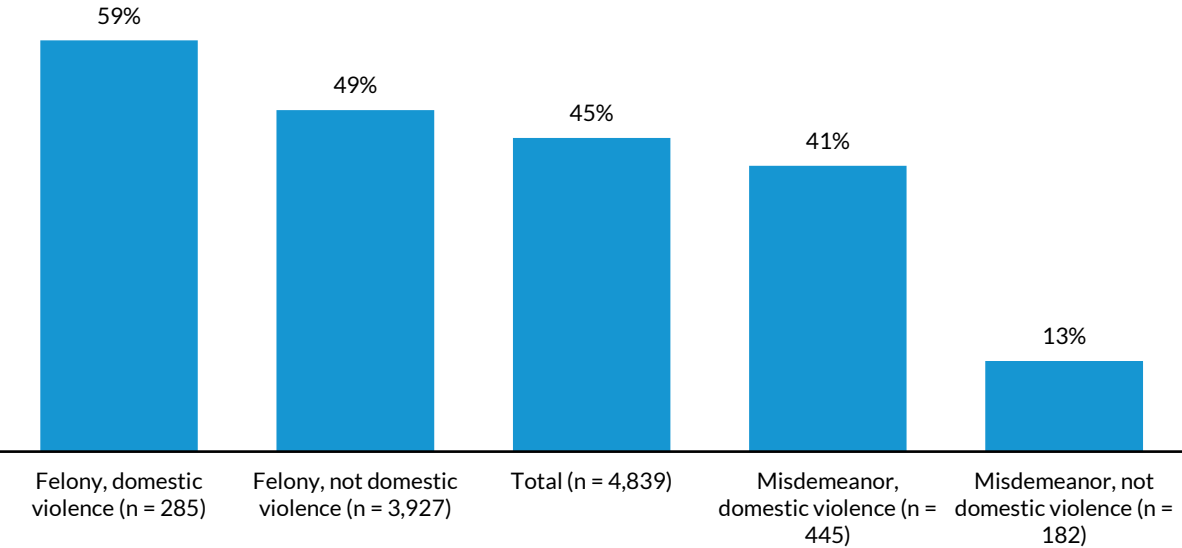


**Source:** Adult Probation Enterprise Tracking System.  
**Note:** IPS = intensive probation supervision.

**People with domestic violence charges.** Given that a sizeable share of people with a violation has a domestic violence–related charge, we descriptively examined violation rates among probation clients based on their primary charge. Figure 7 shows the violation rates among people sentenced to probation on a felony and misdemeanor domestic violence compared with those who did not have a domestic

violence-related primary charge and to the overall rate. Although 45 percent of the population had a violation filed, the rate was much lower among people sentenced on a non-domestic violence misdemeanor (13 percent). The highest rates are found among those with felony charges, but the violation rate among people sentenced for a misdemeanor domestic violence charge (41 percent) is close to the overall rate.

**FIGURE 7**  
**Violation Rates (Ever), by Primary Offense Class and Domestic Violence Status**



**Source:** Adult Probation Enterprise Tracking System.

**Note:** The violation rate is calculated as the number of people who ever had a petition to revoke filed divided by the total number of people in that group.

**People of color.** Structural barriers to economic inclusion, community safety, and individual well-being, along with intensified surveillance and racialized justice policies, have systematically affected low-income and minority communities. Thus, it is important to note that the size and demographic composition of the population of people arrested, sentenced, and imprisoned in Pima County affects the probation population as well as success or failure on probation. Because people of color are overrepresented within the criminal justice system, they are likely to be overrepresented on probation. Moreover, although Pima County has been changing policies and practices over the past several years to reduce the overall corrections population and racial and ethnic disparities within that population, earlier disparities across justice system outcomes often continue into the future to produce cumulative disadvantages. Probation can, thus, feed and perpetuate systemic inequality if not directly examined and challenged.

Looking at termination outcomes or exit types by client race or ethnicity, we found disparities in the proportions of people who receive revocations and coterminous outcomes. Table 5 displays the number and share of people, by race or ethnicity, who were revoked or received a coterminous outcome compared with those who received no revocation or coterminous outcome.

**TABLE 5**

**Probation Exits among the Study Population, by Race or Ethnicity**

	Successful and Other		Revoked		Coterminous/Jail		Total Exits	
	N	%	N	%	N	%	N	%
White	3,214	44.0	855	40.7	631	43.5	4,700	43.3
Black	590	8.1	197	9.4	162	11.2	949	8.7
Hispanic	3,138	42.9	914	43.5	547	37.7	4,599	42.3
Native American	253	3.5	121	5.8	89	6.1	463	4.3
Other	116	1.6	15	0.7	21	1.5	152	1.4
<b>Total</b>	<b>7,311</b>	<b>100.0</b>	<b>2,102</b>	<b>100.0</b>	<b>1,450</b>	<b>100.0</b>	<b>10,863</b>	<b>100.0</b>

**Source:** Adult Probation Enterprise Tracking System.

**Note:** Outcomes are based on termination type and not petition-to-revoke disposition.

Black clients make up 9 percent of the people discharged from probation and 9 percent of those revoked over the study period, but Hispanic and Native American clients were overrepresented among people revoked (44 percent and 6 percent, respectively) compared with their share of total probation exits (42 percent and 4 percent, respectively). White clients were underrepresented among revocations (41 percent compared with 43 percent). Fewer Hispanic clients received a coterminous outcome (38 percent) compared with their numbers in the overall population, while a greater share of Black clients received a coterminous outcome (11 percent). We examine race and ethnicity in the regression analyses that follow but do not fully assess how supervision differentially affects specific populations in Pima County. Thus, greater attention and action are needed to address both the challenges people of color face and the disproportionate use of incarceration.

**People facing economic barriers.** Finally, the qualitative research components shed light on the serious challenges the probation population faces in terms of substance use and mental health issues, lack of transportation and issues reporting to the office, and financial obligations (box 5). People on probation are required to be employed, but meeting their probation requirements while maintaining stable employment is difficult for some clients. Officers did not indicate that they would file a PTR for unemployment, but some described the difficulties associated with obtaining employment, particularly for specific populations, including people with sex offense convictions. Lastly, although housing was only rarely mentioned during interviews, it was noted that people can lose housing while in custody, and

absconding was a major issue, though we could not examine this in the administrative data (see box 6 for a relevant case study).

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#### BOX 5

##### **Probation Challenges and Success: Perspectives from Treatment Providers**

When asked about the challenges people on probation face, treatment providers listed barriers that applied before and during the COVID-19 pandemic. Treatment providers cited reliable transportation as a major challenge before the pandemic, but some providers noted the benefits of virtual treatment options for clients in rural communities who would normally have trouble finding reliable transportation to sessions. Although telehealth has increased access to treatment, some clients struggle to engage with treatment in a virtual environment because of distractions in their environment and a general dislike for receiving services virtually. In addition, many clients may not have access to the technology needed to support service delivery, such as smartphones or laptops with audiovisual capabilities or access to reliable internet for video communication. The pandemic has also made it difficult for clients to achieve goals that involve face-to-face interaction, such as interviewing for a job or family reunification.

Much like before the pandemic, treatment providers suggested that clients continue to experience other challenges related to their readiness for change and engagement in treatment and the consequences associated with probation violation and involvement in the justice system, which can spill over into attaining stable housing and employment. Clients may have a difficult time balancing their mandatory treatment requirements, employment and family obligations, and paying for treatment. Despite these challenges, providers emphasized the successes of their clients in reaching their treatment goals, obtaining stable employment and housing, and terminating from probation.

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## BOX 6

### Case Study 2: Revocation to Prison

- **Original charge:** Dangerous drug possession
- **Case type:** Standard probation supervision
- **Special caseload:** N/A
- **Conditions set by court:** Standard (9)
- **Violation type:** Technical only
- **Condition violated:** Standard (2)
- **Petition-to-revoke outcome:** Revocation to prison
- **Eventual exit type:** Revocation to prison

One person serving probation on the standard probation supervision caseload had a petition to revoke filed for violating two standard conditions and was revoked to prison.

The number of violations is comparatively small in this case, and they are classified as technical violations only, but they pertain to the person having absconded. In Pima County, absconding while on probation supervision is recorded as a technical violation and is not a separate category. The officer reported they made several attempts to get in touch with the person on probation, including reaching out to their mother and friends, but was not able to do so. Additionally, a felony warrant was issued for false reporting to law enforcement and drug paraphernalia possession and use. Absconding while under supervision is considered one of the most serious violations in Pima County and is usually considered sufficient grounds to revoke probation, per interviews with staff. In this case, the addition of a felony warrant made the case for revocation stronger.

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## What Are the Drivers of Violations and Revocations?

Though the bivariate relationships reveal important characteristics about the probation population, it cannot explain their influence on violations and revocations or the relative importance of each factor on the outcomes. To estimate the effects of our client, case, and supervision factors on probation violations and revocations, we used logistic regression to model these relationships and assess the factors that have the largest impacts. Odds ratios are reported as a measure of the strength and direction of association between the observed characteristics and the outcomes. An odds ratio greater than 1 means there is a direct (or positive) association between the independent variable and the outcome, and a ratio less than 1 means there is an inverse (or negative) association.

The results of the regression analyses (table 6) show that caseload type, risk level, and offense type (e.g., drug offense or domestic violence status) are significantly related to the filing of a PTR or revocation, net of other factors.<sup>27</sup> Among the full sample, IPS exerts the largest impact, with clients on IPS having three and six times greater odds of PTR filing and revocation, respectively, compared with those on standard-low. The increased requirements for IPS clients, together with closer monitoring, makes it more likely that a violation will occur and more likely for an officer to detect noncompliance. It also appears that, for clients on IPS, the filing of a petition is much more likely to result in revocation to incarceration compared with SPS clients.

Other important case and supervision factors included length of probation term, number of cases of conviction, risk level, prior offending and revocation, and domestic violence status. Perhaps not surprisingly, people with more serious and a greater number of criminal cases sentenced, and those with a history of misconduct, are more likely to be revoked. Those with a felony charge had over three times greater odds of having a PTR filed and over seven times greater odds of having probation revoked compared with those with a misdemeanor as their primary charge. Additionally, people on probation for drug charges had greater odds of having a petition filed than those who were on probation for person-related offenses.<sup>28</sup> Although officers indicated they did not always file a PTR for drug use, it may factor into other forms of noncompliance. The case file reviews also confirmed that drug use was widespread among the probation population and was a common theme within the officer contact notes.

Client characteristics also affected outcomes after controlling for several supervision factors, such as risk score, supervision length, and prior history. Overall, the odds of a petition filing and revocation were reduced for older clients. Native American clients had greater odds of both petition filing and revocation, whereas Hispanic clients had greater odds of revocation only.

We omitted some potentially important variables from the models, such as indicators for stable housing and employment, number of supervision conditions, and officer assignment. These factors all likely play a role in compliance and probation success but were not collected or were largely missing. It might, for instance, be important to understand whether lack of employment explains differences across demographic groups or interacts with race and ethnicity in ways that result in disparate treatment (e.g., unemployed Hispanic clients may fare worse on probation than unemployed white people) (Tapia and Harris 2006). Though evidence of disparity was weaker among certain racial and ethnic populations, future work should consider how race and ethnicity are linked to other markers of social disadvantage and heightened supervision. Additionally, both the nonrevocation and “successful” outcomes should be more closely examined across different subpopulations.

TABLE 6

## Logistic Regressions of Violations and Revocation to Incarceration Outcomes

	PTR filing odds ratio	Revocation to incarceration odds ratio
<b>Defendant demographics</b>		
Male	0.69**	0.87
Age	0.98**	0.98**
Black	0.96	0.89
Hispanic	0.92	1.17*
Native American	1.35**	1.43*
Other	1.11	0.79
<b>Case characteristics</b>		
Weapons offense	0.72*	0.62
Property offense	1.30**	1.29**
Drug offense	1.22**	0.98
DUI offense	0.86	1.08
Other offense	0.87	0.99
Undesignated felony	2.40**	1.14
Felony	3.63**	7.76**
Probation length (months)	1.00**	1.01**
Sentenced cases	1.61**	1.39**
Criminal history score	1.06**	1.08**
Prior PTRs	1.32**	1.37**
Prior revocations	1.39**	1.31*
<b>Supervision characteristics</b>		
OST: Medium-low risk level	1.45*	1.08
OST: Medium-high risk level	2.94**	1.93**
OST: High risk level	4.66**	2.49**
SPS: Medium supervision	2.48**	3.62**
SPS: High supervision	2.86**	5.16**
IPS (all levels)	3.34**	6.43**
DV status	2.10**	1.53**
DUI status	0.75**	0.48**
SO status	1.26	1.14
Probation tail status	0.81	0.80
<b>Year fixed effects</b>		

Source: Adult Probation Enterprise Tracking System.

Notes: N = 10,859. DUI = driving under the influence; DV = domestic violence; OST = Offender Screening Tool; PTR = petition to revoke; SO = sex offense.

\*  $p < 0.05$ ; \*\*  $p < 0.01$ .

## Policy and Practice Implications

The findings on probation revocations in Pima County have several policy and practice implications for reducing the use of incarceration and addressing racial and ethnic disparities within probation populations. Notwithstanding the efforts to support clients in behavior change and reintegration, several factors hinder probation success, including the inability to meet specific conditions of probation

resulting in multiple violations, limited case planning and goals orientation, and IPS monitoring. Based on our findings, we identified four implications for policy and practice in Pima County. Together with state and local agencies, Pima County could work to (1) reduce violations for noncriminal behavior, (2) focus on proven ways to motivate clients, (3) efficiently use nonrevocation options available to the judiciary, and (4) further examine and address the disproportionate outcomes across race and ethnicity.

## **Reduce Chances of Violating and Revoking**

Our research findings indicate that violations were tied to a lack of motivation and readiness for change, persistent drug use, and specific caseloads. Despite the real or perceived public safety concerns associated with people on probation, revocations were most often related to technical violations of probation conditions, and we found that it was often for only a subset of the more than 21 conditions that can be imposed. Thus, narrowing conditions to only the most serious violations and new crimes, along with other measures listed below, can reduce the rate of violation. Pima County is already participating in a statewide working group focused on reducing the conditions required for clients to abide by on supervision. They propose reducing the number of conditions from 21 to 8 and have modified the language to be client and action oriented.

In addition to limiting conditions, more guidance on the application of informal responses to noncompliance across caseloads and improved clarity around the continuum of options available may improve response effectiveness and client understanding of the consequences for noncompliance. This might require expanding intermediate sanctions to provide officers with sufficient options to address the types of violations most likely to lead to a PTR. Given that officers may pursue a PTR when their options run out or seem inadequate, developing a more formal resource can guide officers in their decisionmaking, reduce the need to file a PTR, and improve consistency and transparency in the application of sanctions and responses.

The number of technical violation filings could also be substantially reduced by implementing best practices around drug treatment and testing (Robina Institute 2020), addressing transportation and other barriers to participation, and building trust and engagement to prevent absconding. People who are not meeting requirements because of substance use, competing obligations, or lack of resources may be more likely to abscond, and this is more likely to lead to a formal violation. It would be prudent to develop standards around “filing threshold(s)” with the aim of reducing solely technical violations, particularly those related to repeated drug use and nonreporting.

- **Limit the number of conditions** to shift focus away from responding to noncompliance or rule violations and toward facilitating behavior change during the probation term.
- **Increase officers' options for responding to noncompliance** and ensure all relevant options have been exhausted before approving a PTR filing.
- Develop additional **guidance around when to file a PTR** related to drug use and absconding, and systematically assess PTR filing rates and recommendations across different caseloads.

## Motivate Clients to Succeed

Probation supervision tends to be more risk management driven than case plan driven (Viglione 2019), but adherence to the risk-need-responsivity model as routine practice—where officers focus on the client's stage of change and motivation—can lead to long-term success and reduce arrests related to substance use or other behavioral issues. Based on the average scores on the OST risk assessment tool and the descriptions of the population provided by probation staff and providers, people on probation in Pima County are at high risk of future system involvement and often have complex needs in health, employment, housing, and other areas.

Targeting appropriate interventions and responding to noncompliance as “coachable moments” (Lovins et al. 2018) can result in fewer violation filings. To that end, it is important to ensure that people are not oversupervised and that supervision supports and resources are allocated according to risk and treatment needs. Rather than broadly impose drug testing, for instance, testing could be restricted to those who are at highest risk of substance use and not enrolled in treatment. Requiring a statement of reasons to impose drug testing (e.g., risk of overdose) is another way to ensure people are being monitored appropriately. Furthermore, to reduce noncompliance associated with missing these appointments, drug testing fees could be waived or covered by probation for those who cannot pay.

In terms of probation supports, we heard less in the way of incentives, case planning, and specific types of services for clients (e.g., housing and employment services), though some interviewees touched on these topics. Effective integration of case plans into supervision services and implementation of core correctional practices will better encourage clients to engage with the probation department and other community agencies to improve their supervision and life outcomes. This could mean that people who are participating in treatment, have demonstrated changed behavior, or are otherwise meeting their goals can lessen their supervision requirements. This can be particularly important for people on IPS to

ensure their needs are being met in the community, they are engaging in services, and they achieve supervision level reductions.

We learned that the APD collaborates with local judges and court leaders, both at the superior court and other courts in the county. Given that judges consider officer recommendations in their decisionmaking, probation officers could more systematically use PTMs to change supervision requirements or recommend early termination. Conversely, PTMs could be filed in lieu of a PTR. The number of reinstatements to probation seems to indicate that it may be appropriate to increase supervision level and supports rather than revoke probation. A PTM appears to be the best mechanism for that. When a PTM is filed, relevant information on a person's needs could also be provided to the court to inform modification decisions. Though PTRs may be taken more seriously by people on probation and allow for more judicial options, including probation termination and revocation, more formal modifications through PTMs built into the response options may reduce PTRs and improve client success.

- **Restrict drug testing and its associated costs** to prioritize participation in treatment, shift focus toward goal setting and accomplishments, and reduce petition filing.
- Consistently **provide incentives for engagement and case plan progress** through reductions in supervision requirements or petitions to modify supervision level.

## **Work with the Judiciary to Increase Nonincarceration Outcomes**

Expanding diversion to nonincarceration programs could better address the economic and structural challenges the officers, judges, and providers raised. This might include additional resources for treatment, transportation, and financial management support. Other diversionary programs, including home confinement with authorized release for work instead of jail confinement, would allow clients to continue supporting themselves while being held accountable for violations. Pima County has begun to impose these alternatives for people on specific caseloads, including drug court.

Most of the probation stakeholders we interviewed expressed positive views of the specialty courts and indicated they could be an effective alternative to revocation or serve as an intermediate sanction. Though judges and officers cited drug use as a factor driving revocations, all interview respondents (including service providers) named treatment availability and referral as a strength. The drug court is also a highly regarded program to support clients. It may be important to understand who is eligible to participate in drug court and receive treatment. As problem-solving courts were particularly

highlighted in interviews, expanding the use of evidence-based court programs to reach a greater share of the population could reduce revocations to incarceration.

Officers and judges could also consider reducing probation term lengths to downsize the population under supervision, divert resources to those with the most needs, and further reduce incarceration. Sentence lengths are often determined through a plea agreement, but officers and judges can identify the best candidates for early termination, reducing probation lengths and caseload size. A smaller probation population, along with stable funding, could result in more efficient and improved resource allocation. At the same time, it is critical to assign people to the lowest supervision level possible to achieve desired outcomes for the community and the person on probation. Supervision level reductions and early termination could be effective incentives to engage and avoid violation.

- Supervision should **center individual needs**, such as housing, employment, parenting or cognitive skills, and health care, to mitigate drivers of violations related to structural disadvantages and to support successful transition from supervision.
- Provide evidence-based interventions and **diversion programs** that are targeted to these needs and for a larger share of the population under supervision.
- **Apply early terminations more routinely** to downsize the population and concentrate resources on the people at highest risk of revocation and further system involvement.

Altogether, streamlining probation conditions, continuing to review progress among clients on their caseloads, recognizing the barriers to meeting case plan goals, using incentives and appropriate treatment supports to encourage behavior change, and expanding problem-solving courts will aid officers in identifying the right responses to noncompliance and reducing revocations.

## Mitigate Disparities in Probation Outcomes

The disproportionate representation of people of color on probation and receiving incarceration outcomes (including coterminous exits) highlights the need to further examine and address the racial and ethnic disparities that arise across different decision points and outcomes. It is critical for policymakers and practitioners to acknowledge and confront disparities and develop evidence-based solutions to promote equity and justice.

There are limited ways probation can effect change at earlier decision points, but probation departments are in a unique position to bolster the protective factors that can help people avoid future contact with the system, such as by linking clients to community-based services and treatment. This is

particularly true for people on IPS caseloads, who are disproportionately people of color. Rather than focus on rule violations, it would be important to provide the necessary supports for people who may be the most socially and economically disadvantaged, to disrupt some of the structural contributors of these disparities.

Moreover, as violation and revocation outcomes are related both to the behaviors of people on probation and to the officers, judges, and other stakeholders who respond to them, it is important for the department to assess how their local policies and practices may be contributing to disparities among the most marginalized populations. For instance, people who live on tribal land may face distinct barriers to completing probation. Yet, it is unclear as to how this might factor into probation sentences and supervision. To best serve everyone and reduce disparities, probation departments must design policies and practices with them in mind, including implementation of culturally responsive and accessible programming and factoring in the impact of systemic racism on the ability of specific populations to be successful.

## Conclusion

More holistic probation reforms to reduce probation revocations and improve the lives of people on probation, while supporting community safety, is of paramount importance. Probation is a unique stage in the justice process that allows for structural solutions to prevent further system involvement, such as by offering people the support they need to overcome social, economic, and cultural barriers. This could be achieved simply by interviewing clients on the kinds of supportive services that could help them. In these ways, probation would function to both deflect people from incarceration and improve social stability (Phelps 2018).

There are some areas of future research that would be important to examine. Notably, officer-client relationships and rapport mattered in terms of an officer's inclination to file a PTR, but other factors around available responses also affect when a PTR might be filed. As violations of conditions may recur before an officer runs out of options or sanctions for addressing noncompliance, and given the varying levels of supervision, it would be important for future research to examine what the PTR filing threshold is for different populations and caseloads. This might be achieved by assessing when a PTR is filed relative to the start of probation for people on sex offense, domestic violence, and drug court caseloads. Moreover, given that a history of PTRs is predictive of revocation in this analysis, a closer look at why some people receive multiple PTRs might shed light on how to reduce their occurrence.



Certain behaviors were consistently identified as drivers of revocation, such as new crimes and absconding. More detailed information on PTR classifications by violation type, and the extent to which the APD is making an arrest rather than local law enforcement, would provide clarity as to the type of behavior that leads to PTR filing and revocation. This might be conducted through a qualitative study on probation warrants and the reasons behind probation-initiated arrests. Additionally, though we could not examine absconding separately in the administrative data, looking more closely at people who have absconded could provide important context on the personal and public safety implications that might relate to this type of violation. Specifically, people who abscond may be struggling with substance use or be unable to meet the contact requirements imposed rather than reoffending.

Lastly, revocation and other unsuccessful outcomes related to probation could be examined in terms of the incarceration sentences imposed. People may be required to complete their full suspended sentence in prison when they have probation revoked. Depending on the variation in incarceration outcomes (e.g., large sentence length ranges among people revoked to prison), it might make sense to impose a limit on incarceration terms (probation revocation caps), particularly for people who receive their first revocation (Pew Charitable Trusts 2014).

There are also limitations with the available administrative data and analyses we conducted. Indicators for treatment receipt, social disadvantage (e.g., unemployment or lack of housing), sanctions and incentives, drug court caseload, and complete information for officers or judges were not available. Client characteristics related to socioeconomic status and treatment likely play an important role in violations and revocations. Unmet treatment needs could lead to revocation and other negative outcomes. Additionally, this study does not focus on the deterrent effect of probation strategies, such as those around service provision, case planning, or drug testing. Our results are aimed at identifying factors related to probation outcomes. Different research methods, including those that employ experimental or quasi-experimental designs, are required to understand the effects of any given program or intervention (e.g., drug court).

We did not conduct analyses using measures of rearrest or reconviction recidivism or long-term social stability outcomes (e.g., employment or stable housing), which might provide alternative measures of probation success or failure. Moreover, probation success might include people who have violated their probation conditions but ultimately completed their supervision term. People on probation may also have different views of their success on probation in terms of how it has affected their life and stability in the community. We did not interview people on probation for this study and did not evaluate whether officers are meeting the needs that individual clients identify for themselves, which would also be an important avenue for future study.

# Appendix A. Supplemental Tables

**TABLE A.1**

**Descriptive Statistics for Total Population, Violations, and Revocations**

*Demographics of people who started probation between 2014 and 2018*

Population demographics	Total Population (n = 10,863)		PTR Filed (n = 4,839)		Revoked (n = 2,102)	
	N	%	N	%	N	%
Male	7,914	73	3,543	73	1,609	77
Female	2,949	27	1,296	27	493	23
Up to age 25	2,936	27	1,445	30	586	28
Ages 26 to 35	3,846	35	1,857	38	835	40
Ages 36 to 45	2,248	21	940	19	434	21
Older than 45	1,833	17	597	12	247	12
White	4,700	43	2,068	43	855	41
Black	949	9	465	10	197	9
Hispanic	4,599	42	1,983	41	914	43
Native American	463	4	266	5	121	6
Other	152	1	57	1	15	1

**Source:** Arizona Probation Enterprise Tracking System.

**Notes:** PTR = petition to revoke. Percentages may not sum to 100 percent because of rounding.

TABLE A.2

**Descriptive Statistics for Total Population, Violations, and Revocations***Case characteristics for people who started probation between 2014 and 2018*

Case characteristics	Total Population (n = 10,863)		PTR Filed (n = 4,839)		Revoked (n = 2,102)	
	N	%	N	%	N	%
Person offense <sup>a</sup>	3,275	30	1,428	30	614	29
Weapons offense	240	2	96	2	46	2
Property offense	2,367	22	1,227	25	638	30
Drug offense	3,563	33	1,690	35	642	31
DUI offense	547	5	110	2	39	2
Other offense	871	8	288	6	123	6
Misdemeanor	2,422	22	627	13	148	7
Undesignated felony	3,248	30	1,316	27	185	9
Felony	5,193	48	2,896	60	1,769	84
Sentenced to up to 18 months	3,771	35	1,399	29	331	16
Sentenced to 19 to 24 months	2,064	19	930	19	349	17
Sentenced to 25 to 36 months	3,972	37	1,945	40	1,022	49
Sentenced to 37 or more months	1,056	10	565	12	400	19
Sentenced on 2 or more cases	980	9	628	13	294	14
OST: Low risk	1,027	9	119	2	40	2
OST: Medium-low risk	2,797	26	762	16	252	12
OST: Medium-high risk	4,649	43	2,299	48	911	43
OST: High risk	2,390	22	1,659	34	899	43
Criminal history score under 4 (max. = 9)	6,380	59	2,239	46	792	38
Prior PTRs	2,085	19	1,295	27	695	33
Prior revocations	1,036	10	705	15	399	19

**Source:** Arizona Probation Enterprise Tracking System.**Notes:** DUI = driving under the influence; OST = Offender Screening Tool; PTR = petition to revoke. Percentages may not sum to 100 percent because of rounding.<sup>a</sup> Person offense includes 1,378 people with a domestic violence charge as the primary offense.

TABLE A.3

**Descriptive Statistics for Total Population, Violations, and Revocations***Supervision characteristics for people who started probation between 2014 and 2018*

Supervision characteristics	Total Population (n = 10,863)		PTR Filed (n = 4,839)		Revoked (n = 2,102)	
	N	%	N	%	N	%
SPS: Low	735	7	58	1	14	1
SPS: Medium	7,382	68	2,931	61	995	47
SPS: High	1,792	16	1,171	24	615	29
IPS	954	9	679	14	478	23
DV status	1,553	14	730	15	252	12
DUI status	1,201	11	306	6	98	5
SO status	177	2	79	2	48	2
Probation tail sentence	363	3	185	4	114	5

Source: Arizona Probation Enterprise Tracking System.

Notes: DUI = driving under the influence; DV = domestic violence; IPS = intensive probation supervision; PTR = petition to revoke; SPS = standard probation supervision; SO = sex offense.

TABLE A.4

**Probation Population, by Probation Start and Termination Year**

Probation termination year	Probation Start Year					Total
	2014	2015	2016	2017	2018	
2014	253	0	2	0	0	253
2015	911	246	0	0	0	1,157
2016	770	891	228	0	0	1,889
2017	548	730	976	265	0	2,519
2018	93	407	777	971	233	2,481
2019	66	117	432	740	923	2,278
2020	3	9	30	74	170	286
<b>Total</b>	<b>2,644</b>	<b>2,400</b>	<b>2,443</b>	<b>2,050</b>	<b>1,326</b>	<b>10,863</b>

Source: Arizona Probation Enterprise Tracking System.

TABLE A.5

**Probation Population with a Revocation Outcome, by Probation Start and Termination Year**

Probation revocation year	Probation Start Year					Total
	2014	2015	2016	2017	2018	
2014	145	0	0	0	0	145
2015	247	125	0	0	0	372
2016	94	241	103	0	0	438
2017	30	97	240	117	0	484
2018	5	17	69	174	98	363
2019	6	5	15	58	182	266
2020	0	3	0	9	22	34
<b>Total</b>	<b>527</b>	<b>488</b>	<b>427</b>	<b>358</b>	<b>302</b>	<b>2,102</b>

Source: Arizona Probation Enterprise Tracking System.

TABLE A.6

## Comparison of Sample Characteristics for Administrative Data and Case File Sample

	Administrative data (n = 10,863)	Case file sample (n = 36 inactive clients)
<b>Demographics</b>		
Male	73%	81%
Black	9%	8%
Hispanic	43%	44%
Native American	4%	3%
White	43%	42%
<b>OST risk level</b>		
Low	9%	3%
Medium-low	26%	29%
Medium-high	43%	26%
High	22%	43%
<b>Sentence</b>		
Felony	78%	75%
Misdemeanor	22%	25%
Person	30%	42%
Weapon	2%	0%
Property or fraud	22%	14%
Drug	33%	39%
DUI	5%	5%
<b>Charge history</b>		
Domestic violence	14%	22%
DUI	11%	11%
<b>Probation supervision</b>		
SPS	91%	81%
IPS	9%	19%

Source: Arizona Probation Enterprise Tracking System.

Note: DUI = driving under the influence; IPS = intensive probation supervision; OST = Offender Screening Tool; SPS = standard probation supervision.

TABLE A.7

## Alleged Violation of Standard Conditions from Case File Reviews

Condition type and number	Times violated	Cited in revocation
<b>Law-abiding behavior</b>		
1	12	5
2	4	1
3	2	1
<b>Reporting to the APD</b>		
6	15	6
<b>Residence</b>		
7	15	6
10	1	1
<b>Treatment, behavior change, prosocial activities</b>		
11	10	2
12	13	4
13	3	3
14	2	1
15	5	1
16	5	2
<b>Special requirements</b>		
19	1	0
21	7	2

**Source:** Case file review of Arizona Probation Enterprise Tracking System fields.

**Note:** APD = Adult Probation Department.

# Appendix B. Standard Conditions

Number	Description
<b>Law-abiding behavior</b>	
1	I will maintain a crime-free lifestyle by obeying all laws, and not engaging or participating in criminal activity.
2	I will not possess or control any stun guns, tasers, firearms, ammunition, deadly or prohibited weapons as defined in A.R.S. subsection 13-3101.
3	I will report any contact I have with law enforcement to APD within 24 (or <input type="text"/> ) hours.
4	I will submit to search and seizure of person and property by the APD without a search warrant.
5	If deported or processed through voluntary departure, I will not return to the United States without legal authorization during the term of my probation. If I am deported or processed through voluntary departure, all conditions remain in effect except for <input type="text"/> .
<b>Reporting to the APD</b>	
6	I will report to the APD within 24 (or <input type="text"/> ) hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. I will keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. I will provide a sample for DNA testing if required by law.
<b>Residence</b>	
7	I will provide the APD safe, unrestricted access to my residence and receive prior approval of the APD before changing my residence. I will reside in a residence approved by APD.
8	I will request and obtain written permission of the APD prior to leaving the state ( <input type="checkbox"/> county).
9	I may apply for Interstate Compact supervision in the state of <input type="text"/> and will not proceed to that state until reporting instructions are received and the APD issues a written travel permit.
10	I may apply for an inter-county transfer and will not proceed to that County until APD issues written authorization.
<b>Treatment, behavior change, and prosocial activities</b>	
11	I will actively participate and cooperate in any program of counseling or assistance as determined by APD, or as required by law, given assessment results and/or my behavior. I will sign any release or consent required by the APD so the APD can exchange information in relation to my treatment, behavior and activities.
12	I will not possess or use illegal drugs or controlled substances and will submit to drug and alcohol testing as directed by APD.
13	I will obtain written approval of the APD prior to associating with anyone I know who has a criminal record. I will not knowingly associate with any person engaged in criminal behaviors.
14	I will seek, obtain, and maintain employment, if legally permitted to do so, and/or attend school. I will inform APD of any changes within 72 hours.
15	I will be financially responsible by paying restitution, fines, and fees in my cases as imposed by the court. I understand, if I do not pay restitution in full, the court may extend my probation.
16	I will not consume or possess any substance containing alcohol.
<b>Special requirements</b>	
17	I will complete a total of <input type="text"/> hours of community restitution. I will complete a set number of hours per month as directed in writing by my probation officer. I will complete these hours at a site approved by the APD.
18	I will serve <input type="text"/> <input type="checkbox"/> days <input type="checkbox"/> month(s), in the county jail beginning <input type="text"/> / <input type="text"/> / <input type="text"/> with credit for <input type="text"/> days served, <input type="checkbox"/> not to be released until <input type="text"/> / <input type="text"/> / <input type="text"/> . I will report to the APD within 72 (or <input type="text"/> ) hours of my release from jail. I will comply with all program rules. <input type="checkbox"/> Be screened for or <input type="checkbox"/> shall participate in Work Furlough, if eligible or <input type="checkbox"/> Work Release, if eligible.
19	I will not have any contact with the victim(s) in any form, unless approved in writing by APD.
20	I will comply with the following sanctions based on my behavior: <input type="checkbox"/> up to <input type="text"/> community restitution hours (in addition to any ordered under condition #17), as directed by APD, <input type="checkbox"/> Up to <input type="text"/> days in the county jail (in addition to any ordered under condition #18), at the discretion of the court, upon recommendation from the APD.

Number	Description
21	I will abide by the attached special conditions of probation: <input type="checkbox"/> Intensive Probation, <input type="checkbox"/> Domestic Violence, <input type="checkbox"/> Mental Health, <input type="checkbox"/> Sex Offender, <input type="checkbox"/> Drug Court, <input type="checkbox"/> DUI Court/Program, <input type="checkbox"/> Gang, <input type="checkbox"/> ____.
22	_____.

**Source:** Arizona Code of Judicial Administration, Part 6, Chapter 2, Section 6-207: Uniform Conditions of Supervised Probation.



# Notes

- <sup>1</sup> The analysis does not account for disparities at earlier stages of criminal justice processing, including arrest, pretrial detention, and sentencing.
- <sup>2</sup> Although revocation typically results in incarceration, noncustodial revocations (e.g., fines) are also possible, but these are rare.
- <sup>3</sup> This number increases to 25 percent of all state prison admissions when technical violations for clients under parole supervision are included.
- <sup>4</sup> Seven probation departments are combined adult and juvenile departments.
- <sup>5</sup> “QuickFacts: Arizona; Pima County, Arizona, United States,” US Census Bureau, accessed July 12, 2021, <https://www.census.gov/quickfacts/fact/table/AZ,pimacountyarizona,US/PST045219>. Census estimates are based on total population and not the adult population.
- <sup>6</sup> “Incarceration Trends,” Pima County, AZ,” Vera Institute of Justice, accessed July 12, 2021, <https://trends.vera.org/rates/pima-county-az>.
- <sup>7</sup> “Quick Facts: Arizona,” US Census Bureau.
- <sup>8</sup> Data from an unpublished APD report.
- <sup>9</sup> Although funding was supposed to be made available, counties did not receive incentive funding. Pima County reduced the number of probation officers, and now the probation population is growing.
- <sup>10</sup> Although these reforms appear to have had the desired impact on the probation population, we are not aware of any rigorous research that supports this or that can rule out other explanations for these declines, including the 2008 financial crisis.
- <sup>11</sup> Arizona has 21 uniform conditions for standard probation supervision, along with special conditions for specific caseloads (see appendix B).
- <sup>12</sup> “Pima County among a Select Few Jurisdictions Awarded Prestigious Grant,” Pima County, accessed July 12, 2021, <https://www.webcms.pima.gov/cms/One.aspx?portalId=169&pageId=226609>.
- <sup>13</sup> The findings in this report may reflect 2019 reforms but only in a descriptive manner.
- <sup>14</sup> The superior courts in Arizona are courts of general jurisdiction and handle felony offenses. Some charges may be disposed as undesignated felonies or misdemeanors. More than 75 percent of people under APD supervision are sentenced on at least one felony charge.
- <sup>15</sup> Unless otherwise noted, we use “violation” to refer to a PTR or formal violations. Noncompliance refers to informal violations.
- <sup>16</sup> This represents a cross-section of the population on probation in these years and excludes people who were active but started in earlier years. Additionally, an observation for a person could represent a new probation sentence date or a reinstatement (continuation) date on an earlier probation sentence. There was some overlap between probation terms owing to reinstatement and new probation sentences. The dataset was restructured to include reinstatements within a probation start and end period. Because of inconsistencies in the termination dates, however, a person with a new sentence to probation could be counted as a reinstatement.
- <sup>17</sup> To capture the most recent supervision period, we constructed variables representing the most recent exit date and the earliest start date tied to that exit date. This made it possible to analyze distinct supervision terms for each person, including the development of variables based on the latest supervision term. An indicator for each

supervision term imposed was not available in the data and, practically speaking, difficult to differentiate, given the use of reinstatements.

- <sup>18</sup> There were 13,278 people who had a termination date associated with each of their start dates (i.e., were inactive). Clients with a probation start date in 2013 or 2019 were removed from the analysis ( $n = 1,754$ ), as these were the start and end of fiscal years and were missing data for part of the year. Additionally, we removed clients on a “record only” caseload ( $n = 71$ ) or who were missing data on any of the analysis variables ( $n = 590$ ), resulting in our sample of 10,863 people.
- <sup>19</sup> Data on conditions were not viewable for people who were inactive and never had any violations ( $n = 7$ ).
- <sup>20</sup> Race and ethnicity are combined into a single variable in the APETS data.
- <sup>21</sup> An undesignated felony is a felony charge that can be designated a misdemeanor or felony at a later point, depending on the outcome of the probation term or other diversionary period.
- <sup>22</sup> Half the population received their first PTR within 4.8 months of starting probation. The average was within 7.2 months. Looking only at the most recent PTR filed, the average time to filing was 9.3 months.
- <sup>23</sup> A small number of people were also sentenced to probation on multiple dates.
- <sup>24</sup> Arizona uses three violation categories: technical violation only, new crime only, and technical violation and new crime (i.e., a combination). Because there were few new crime-only PTRs, new crime only is collapsed with the combination violation type as “new crime” in this report.
- <sup>25</sup> We could not analyze violations related to special conditions, as they were not amenable to manual coding (i.e., there was not a standardized, specific condition number).
- <sup>26</sup> Though few people on minimum supervision had a PTR filed, a greater share of these PTRs related to new criminal activity compared with those on other supervision levels.
- <sup>27</sup> The revocation outcome was based on the full sample. When examining revocation among only those who received a PTR, we found that Hispanic clients and those who had a felony offense, longer probation term, and more than one sentenced case had greater odds of revocation. Prior history, risk level, and supervision level were no longer significant predictors of revocation. Those with a DUI had lower odds of revocation. This suggests that, along with client ethnicity, original sentencing characteristics were important factors in the revocation decision for those with a PTR.
- <sup>28</sup> Person-related offenses included murder, assault, kidnapping, robbery, sexual assault, and domestic violence.

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