

PROBATION VIOLATIONS AS DRIVERS OF JAIL INCARCERATION IN ST. LOUIS COUNTY, MISSOURI

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Supported by the John D. and Catherine T. MacArthur Foundation

This research was supported by the John D. and Catherine T. MacArthur Foundation through the Safety and Justice Challenge Research Consortium (Consortium). Launched in 2019, the Consortium advances criminal justice research, grounded in the efforts and data of Safety and Justice Challenge sites, to expand the field’s collective knowledge of how to safely reduce the overuse and misuse of jails and racial and ethnic disparities through fair and effective pretrial reforms. The Consortium is comprised of research organizations who develop and are granted projects under independent review by a panel of academic, policy, and practice experts, including individuals with lived experience. The Consortium is managed by the CUNY Institute for State and Local Governance.



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Contents

EXECUTIVE SUMMARY	5
KEY TAKEAWAYS	6
TRENDS IN JAIL INCARCERATION IN ST. LOUIS COUNTY, MISSOURI	9
INTRODUCTION	9
OVERALL JAIL TRENDS	9
PROBATION TRENDS	11
LENGTH OF STAY TRENDS	13
RACIAL DISPARITIES IN JAIL TRENDS	14
Barriers to Probation Success and Perceptions of Probation	16
The Probation Violation Process	18
Phase 1: Probation Office's Response to the Behavior	19
Phase 2: Filing of a Formal Violation Report with the Court	19
Phases 3 and 4: Detention of the Individual and Issue of Probation Officer's Recommendation	20
Phase 5: Judge Makes a Decision on the Case	21
The Effect of COVID-19 on Probation Violation Case Processing	21
THE EXPEDITED PROBATION PROGRAM	23
PROGRAM MODEL	23
Program Participants	24
Process Analysis	24
Stakeholder Perceptions of the Expedited Probation Program (EPP)	25
OUTCOME ANALYSIS	26
Outcomes for EPP Participants Versus the Comparison Group	26
Length of Stay	26
Consequences of Long Jail Stays	28
Likelihood of a Short Jail Stay	29
Likelihood of Return to Jail	30
Barriers to Success in the EPP	32

Supplemental Analyses: The Impact of the EPP on the Total Number of Admissions for Probation Violations.....	33
POLICY RECOMMENDATIONS	36
Expedite the violation process.	36
Collaborate with the judiciary to enhance case processing.	37
Assign specific officers to court dockets to improve the collaboration between the probation office and the court.	37
Ensure officer discretion in issuing a violation/citation for non-compliance.	37
Expand technology and policies for virtual communication.	38
DATA AND METHODS	39
ADMINISTRATIVE DATA ANALYSES	39
Administrative Data	39
Statistical Analyses	39
Comparison of EPP Participants with the Comparison Group	39
QUALITATIVE ANALYSIS.....	40
Data Collection Procedure	40
Data Analysis Strategy.....	42

EXECUTIVE SUMMARY

Many have argued that we are in the era of *mass probation*, as more people are under probation supervision than under any other correctional sanction.ⁱ Although there have been declines in the national probation population over the past decade, one in 84 adult US residents is currently on probation.ⁱⁱ Nationwide, local jail populations have also grown—from 184,000 in 1980 to 741,900 in 2019.ⁱⁱⁱ The increased use of probation inflates the population at risk of subsequent confinement in jail or prison.^{iv} Individuals who violate their probation, in some states, are detained in jail and await a hearing. Despite the growth in probation revocations and the increased use of jail stays as a response to technical violations, however, there is little evidence to suggest that short-term stays of incarceration reduce recidivism.^v

Adding to the growing rate of probation is the problem of racial disparity in incarceration. People of color are disproportionately represented among the probation population. In 2018, Black people represented 30% of the US probation population, twice their proportion in the national population.^{vi} Further, almost half of all young Black men (24 to 32 years old) with no high school degree reported having been on probation at some point.^{vii} Black individuals, particularly young men, are also more likely than White individuals to struggle on probation and to be given multiple conditions of supervision.^{viii} Although there is evidence that Black individuals are more likely to have their probation revoked, less is known about how revocation to jail influences trajectories and outcomes for this group.^{ix}

Jail stays also have deleterious effects in the short and long term.^x For example, Harding and colleagues found that short terms of jail incarceration resulting from technical violations suppressed the earnings of individuals by about 13% in the nine months after release from custody.^{xi} The churn of multiple jail stays, even if short in length, also causes strain and instability among families, leaving them feeling hopeless under the constant eye of supervision.^{xii} Yet, the unique needs of jail populations overall, and those of individuals who violate probation terms, are rarely considered in correctional reforms.

The goals of this research are twofold. First, we document the probation revocation process in St. Louis County, Missouri, and using jail data, we consider probation violations as one driver of jail incarceration. We pay particular attention to the length of stay among individuals who violate probation terms and to the racial variation in jail trends. This work is important, since while most of the extant research on jail reform is focused on the pretrial population, less is known about individuals returned to jail for a probation violation. Using a racial equity framework for this study, we examine whether jail reform efforts disproportionately affect people of color.

Second, we undertake a process and outcome evaluation of the St. Louis County Expedited Probation Program (EPP), which was designed to accelerate case processing and provide services for individuals detained on a technical probation violation.

In 2015, the Department of Justice Services was awarded funding from the MacArthur Foundation to participate in the Safety and Justice Challenge.^{xiii} The purpose of the grant award was to develop interventions to reduce the jail population, as well as to narrow racial and ethnic disparities. The EPP was one of the first interventions developed as part of the Safety and Justice Challenge.

In this part of the project, we consider not only how individuals are revoked to jail and whether the expedited program is effective, but also why individuals violate probation in the first place.

Understanding the needs and lived experiences of individuals on probation is essential for effective public policy; including the perspectives of system-involved individuals can allow for a holistic picture of the problem and provide a sound base for effective solutions.

This project is focused on the St. Louis County Jail, which is managed by the Department of Justice Services. We utilize administrative data, from 2010 to 2020, provided by Justice Services. The research is further informed by data collected through qualitative interviews with individuals on probation (n = 47) and local jail and probation staff (n = 17). Pseudonyms, instead of given names, are included for all participants to protect their identities. This evaluation is funded as part of the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge Research Consortium managed by the CUNY Institute for State and Local Governance.

KEY TAKEAWAYS

- Individuals who are booked into jail for probation violations represent a small part of the total jail population in St. Louis County; however, they have substantially longer jail stays than other groups do. **The average length of stay for the total probation group declined by 32% between 2016 and 2019, from 44 to 30 days.** In comparison, the average length of stay for the total jail population remained relatively stable at 23 days during this period. The decline in the length of stay among this population can be attributed, at least partially, to reforms implemented as part of the Safety and Justice Challenge, including the Expedited Probation Program (EPP). Although improvements have been made in the case processing of individuals who are returned to jail for a probation violation, more work could be done to reduce their lengths of stay, which could pay dividends for the overall jail population.
- **Some racial disparities in length of stay have declined among the probation population, but substantial racial disparities remain in jail admissions and length of stay, overall.** While the county population is about two-thirds White and one-fourth Black, the 2016 and 2019 jail probation population comprised about 54% Black individuals, compared to about 45% White individuals. The average lengths of stay for Black and White individuals admitted for probation violations were higher than the mean lengths of stay for the general jail population, but there was a decline in the length of stay for people on probation and a narrowing of the race gap. Between 2016 and 2019, the mean length of stay for Black individuals admitted for a probation violation reduced from 74 to 51 days, a 31% decrease. In comparison, during the same period, the mean length of stay for their White counterparts declined from approximately 64 days to about 49 days, a 23% decrease.
- **There is substantial discretion in the probation violation process,** as it includes several phases and multiple stakeholders. Unpacking this process is key to increasing its efficiency and potentially reducing lengths of stay.
- **The Missouri Department of Corrections (MoDOC) has made significant organizational changes during COVID-19, shifting to a partially remote model.** The statewide supervision system witnessed a shift from a primarily in-person work model, with most meetings occurring at local offices, to a remote model wherein officers met clients in the field or held teleconferences with them. There was general support for this change, as less time was dedicated to waiting on court dockets and more efforts could be made to enhance communication with individuals on probation. People on probation also appreciated the ability to text their supervising agent and the flexibility afforded when meetings were held in the community. Furthermore, probation officers felt that community meetings reduced the number of missed appointments and

potential technical violations, as individuals on probation did not have to contend with potential work obligations or transportation barriers that might make an office visit more difficult.

- Probation officers reported that **the primary reason individuals were returned to jail for a technical violation was because they absconded**, meaning that they did not comply with requirements to check in with their supervising officer. Individuals admitted to jail on probation violations and additional charges were most frequently booked on both a warrant and a probation violation. Individuals on probation further reported that challenges with compliance, particularly during the COVID-19 pandemic, could be linked to what they perceived as the opaque nature of the supervision process. Individuals who were released from jail reported that they were not sure of the conditions of their probation and unclear regarding how to contact their PO. Individuals on probation and POs both also reported that some people on probation distrusted the probation system, which led some to abscond instead of reengaging in treatment or supervision.
- **The Expedited Probation Program (EPP) achieved its goal of reducing the number of days individuals admitted to the program were detained in jail**, and these reductions were substantial. On average, EPP participants spent 28 days in jail, compared to 65 days among people not in the program. Further, the processing time continued to decline as the program progressed.
- **An evaluation of the EPP indicates Black individuals admitted for probation violations had shorter jail stays than did their White counterparts.** The difference in the lengths of stay between Black EPP participants and Black members in the comparison group was significantly greater than that observed for White EPP participants and their comparison group counterparts. Further research is needed to disentangle the factors generating these racial differences, since these disparities could have arisen from factors not included in our data; however, there is some evidence that White participants in the EPP were identified as having a greater need for mental health and substance use treatment than Black participants, which may have contributed to their longer processing times and lengths of stay.
- **Participants in the EPP were significantly more likely to be readmitted to jail than members of the comparison group.** Specifically, just over half (52%) of EPP participants were readmitted to jail within one year of their release, while the comparable percentage for the control group was 32%. These findings were observed regardless of race.
- **The increase in recidivism among the EPP group, according to staff interviewed, is likely a partial result of additional surveillance of this group and the stress from and barriers to compliance with court-mandated programming.** While the enhanced services were intended to assist with reentry, the greater surveillance of EPP participants and additional requirements placed on them (which they had difficulty meeting) may have had the unintended consequence of increasing the incidence of probation violations. The probation staff have since revised the program and added evidence-based risk- and need-centered procedures to better link individuals with services. The staff also use motivational interviewing to engage clients and have recently moved to community-based supervision of clients to enhance trust and reduce barriers to compliance.
- In terms of policy, **there is evidence to suggest that improved collaboration and coordination between probation officers and the court could enhance case processing**, potentially reducing lengths of stay. Probation staff indicated that much of the power to reduce the delays lay in the

hands of the judiciary. They felt there was a need to improve their communication with the court, which could be achieved through enhancing technology and potentially assigning staff to specific dockets or judges. At the same time, POs valued their autonomy and wanted to preserve their discretion to intervene early in cases of technical violations.

TRENDS IN JAIL INCARCERATION IN ST. LOUIS COUNTY, MISSOURI

INTRODUCTION

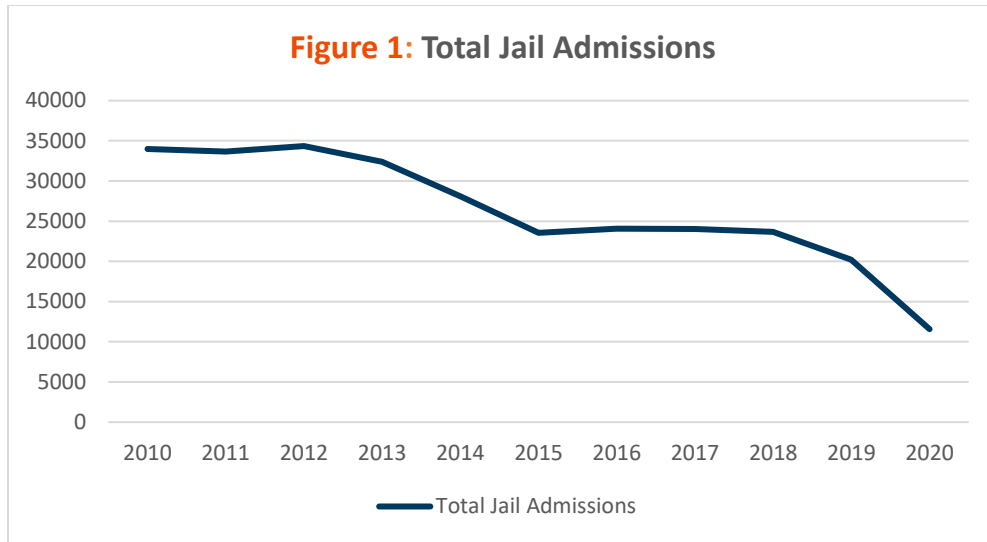
St. Louis County, Missouri, provides an ideal location to study the jail–probation nexus. It is a large and diverse community comprising 68% White people, 25% Black individuals, and less than 3% belonging to the Hispanic and Latinx population. The county's poverty rate of 9.7% is slightly lower than the national average. The St. Louis County Jail serves as the central detention facility for the region. Although St. Louis County is a separate county from St. Louis City, there is much overlap in the populations served by justice agencies in the region.^{xiv}

The Missouri Department of Corrections (MoDOC) has a centralized system, and each year, it is responsible for supervising an average of approximately 280,000 incarcerated individuals, 43,000 individuals on probation, and 17,000 Individuals on parole.^{xv} Missouri's rate of individuals on probation (909 per 100,000 population) is lower than that of the nation (1,364 per 100,000 population).^{xvi}

A large proportion of the state's probation population is supervised in the St. Louis region, and individuals placed on probation for a felony are supervised by MoDOC.^{xvii} As of July 2022, there were 4,086 clients on probation in the greater St. Louis region. While the St. Louis County offices supervised 2,481 of these clients (61%), the remainder were supervised by the St. Louis City office.^{xviii} The local probation population has fallen dramatically in the past year (21%) due to COVID-19-related court closures and delays, which have postponed revocation hearings. Before the start of the pandemic in January 2020, there were 5,871 clients on probation in the region, and St. Louis County offices supervised 3,163 of them (54%). There are currently 86 probation officers (PO) employed by the County.

OVERALL JAIL TRENDS

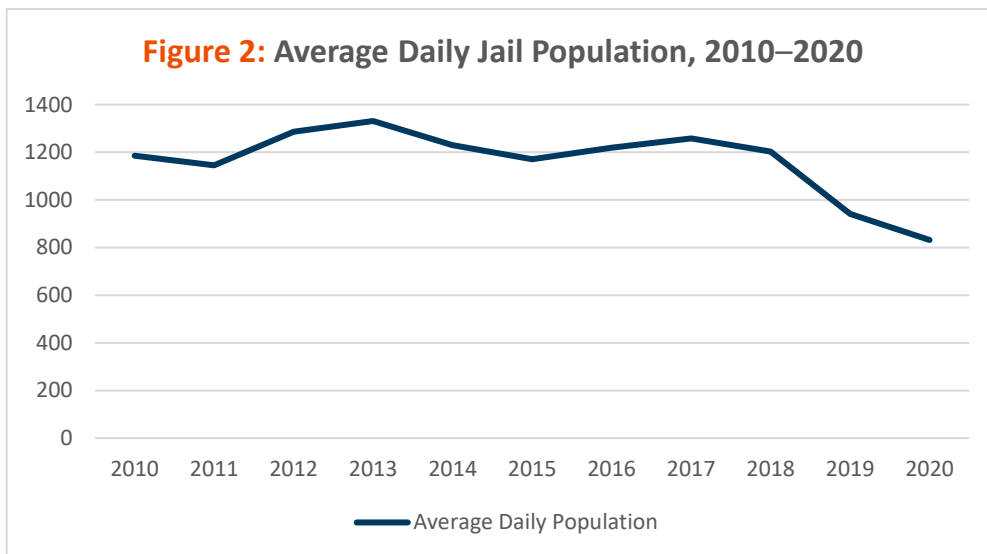
The number of jail admissions to the St. Louis County Jail decreased markedly during 2010–2020 (see Figure 1). Jail admissions were highest in 2012, with 34,351 individuals admitted, whereas the fewest individuals (11,569) were admitted in 2020. The total number of jail admissions since 2010 declined by 41% until 2019 and by 66% until 2020. This decline can be attributed to several factors, but there is evidence that the policing of low-level crimes in the region reduced during this time,^{xix} specifically after the killing of Michael Brown in 2014 by a police officer in Ferguson, Missouri—a municipality in St. Louis County.^{xx} Several legislative changes were enacted in 2015, with the passage of Senate Bill 5 (SB5) limiting the amount of money that municipalities could derive from economic sanctions and limiting the use of jail stays for failure to pay fines.^{xxi}



The jail remained at or above capacity (1,232 jail beds) for most of the study period (2010–2020), but after 2018 the population decreased (see Figure 2).

The average daily population (ADP) represents the total population incarcerated divided by the number of days in the year.

The ADP was highest in 2013, with an average of 1,331 individuals in jail. It was lowest in 2020, with an average of 832 individuals in jail. The decline in the jail population likely resulted from several factors. The St. Louis County region began implementing formal interventions that are part of the Safety and Justice Challenge (SJC) initiative in 2016, and the second round of funding began in 2018.^{xxii} In 2019, Prosecutor Wesley Bell was elected, running on a platform focused on reducing mass incarceration and enhancing the existing prosecutorial diversion program.^{xxiii}



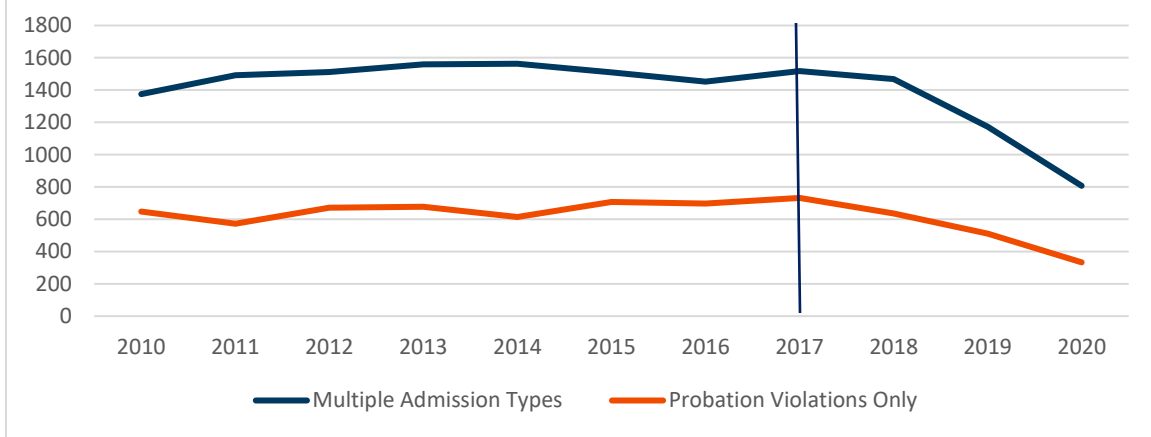
PROBATION TRENDS

Defining Probation Violations. Probation violation admissions typically involve technical violations, which include behaviors that are not unlawful but go against the terms of supervision (i.e., violating curfew, failure to maintain employment). There is some overlap between a probation violation and a new crime. For example, individuals who are arrested for drug possession or test positive for drug use can be returned to jail on a probation violation; however, these behaviors could also be charged as new crimes. It is difficult to understand from official data the nature of the underlying behaviors, and the use of probation violations is highly discretionary. Individuals admitted to jail for multiple admission types may have a probation violation and another charge, but many individuals are returned to jail for a probation violation and a warrant on a different charge or for a combination of reasons (see Figure 4).

Individuals who were admitted to the St. Louis County jail for a probation violation had most often been admitted with multiple charges. The number of individuals admitted to jail on a probation violation, either for only a probation violation (i.e., single admission type) or for a probation violation and another reason (i.e., multiple admission types) remained relatively consistent between 2010 and 2017 (see Figure 3). In 2017, the number of admissions for only probation violations peaked at 732 and fell sharply thereafter, with a low of 333 admissions in 2020. Probation violation admissions for multiple admission types also exhibited a significant decline post 2017, falling to 807 in 2020 from a peak of 1,563 in 2014. Further, the number of admissions for only probation violations declined by 27% from 2016 to 2019, and the corresponding decline rate in multiple admission types was 19%.

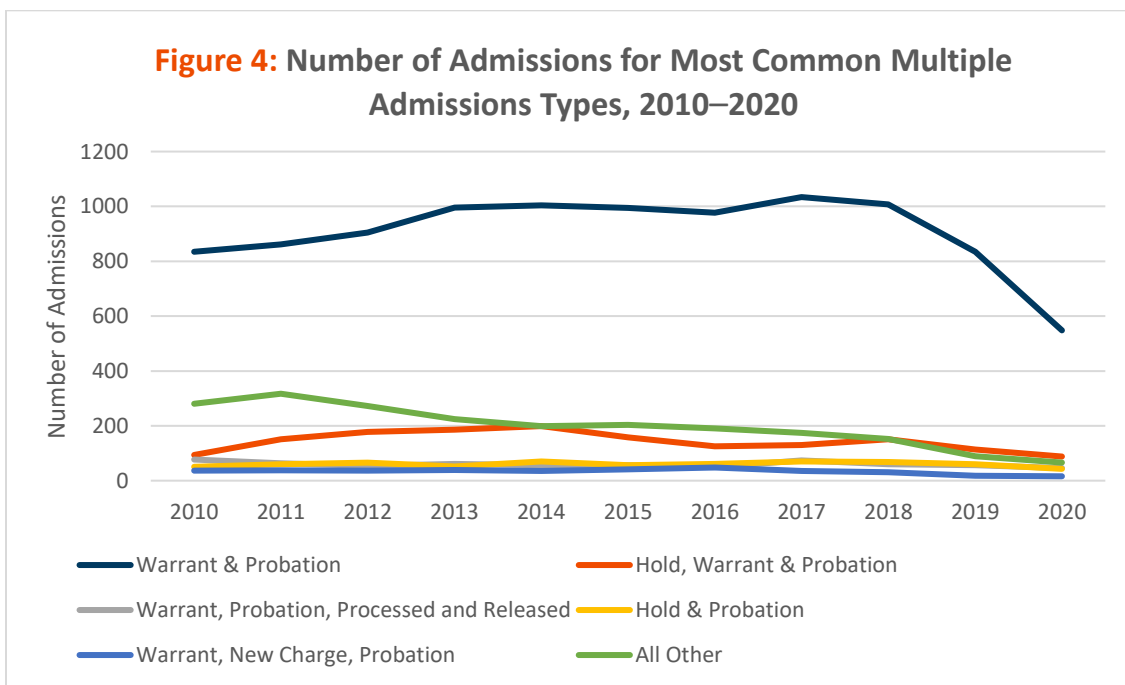
Individuals admitted to the county jail with only a probation violation constituted a small percentage of the total jail admissions across the study period. At their lowest, single admission type probation violations contributed to 1.7% of the total jail admissions. The percentage of jail admissions for only probation violations peaked in 2017 at 3.1% and then fell to 2.9% by the end of the study period in 2020. Individuals admitted to the jail for probation violations and at least one other type of admission, whereas, formed a slightly higher proportion of the total jail admissions. Multiple admission type probation violations amounted to 4% of jail admissions in 2010 and then steadily increased to their peak of 7% in 2020.

Figure 3: Number of Probation Admissions by Number of Admission Types, 2010–2020



Individuals admitted to jail on probation violations and additional charges were most frequently booked on both a warrant and probation violation (see Figure 4). At the highest, this group totaled 1,034 admissions in 2017, and at the lowest, there were 548 admissions in 2020. People are admitted into jail under various contexts. For instance, a judge or PO can issue a warrant for failure to comply with probation requirements. In addition, warrants can be issued to require a person to come to court, either for failure to comply with court requirements (i.e., failure to appear) or if there is evidence of a new crime.^{xxiv} Warrants are commonplace in St. Louis region, and for many individuals, they often remain unresolved. There also are significant racial disparities in arrests by warrants.^{xxv} Finally, individuals can be admitted to jail on a hold, typically while awaiting transfer to another jurisdiction. Very few people are booked into jail for a probation violation also on suspicion of a new crime, but as noted, the warrant may reflect potential rule breaking.

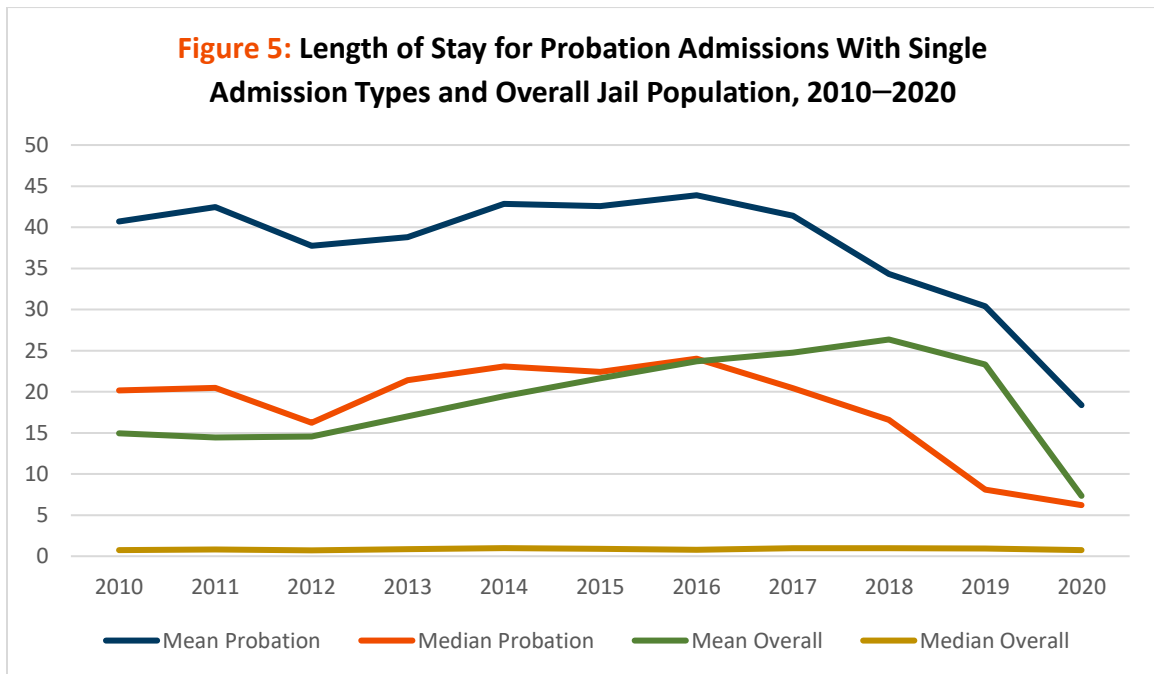
Figure 4: Number of Admissions for Most Common Multiple Admissions Types, 2010–2020



LENGTH OF STAY TRENDS

Length of stay is a continuous measure of one's period of incarceration, calculated by subtracting the date and time of admission from the date and time of release. To capture the substantial case processing delays faced by many individuals on probation, we use the length of stay as a proxy for the efficiency of case processing.^{xxvi}

The length of stay for all admissions increased steadily from 2012 to 2018 (Figure 5), peaking at about 26 days. An increase in the length of stay before COVID-19 has been observed in several communities, such as Durham, North Carolina, and Louisville, Kentucky.^{xxvii} The jail population dropped in 2019 and then again, precipitously, in 2020 with the onset of COVID-19, resulting in a low of 7 days in the length of stay. Like the average daily drop in the jail population, the decline in the length of stay coincided with the second round of funding of the MacArthur SJC and associated interventions, as well as the election of a progressive prosecutor, Wesley Bell. However, the median length of stay remained around one day throughout the study period, indicating that approximately half of the people released from jail were there for less than one day, while the rest were detained longer than a day.



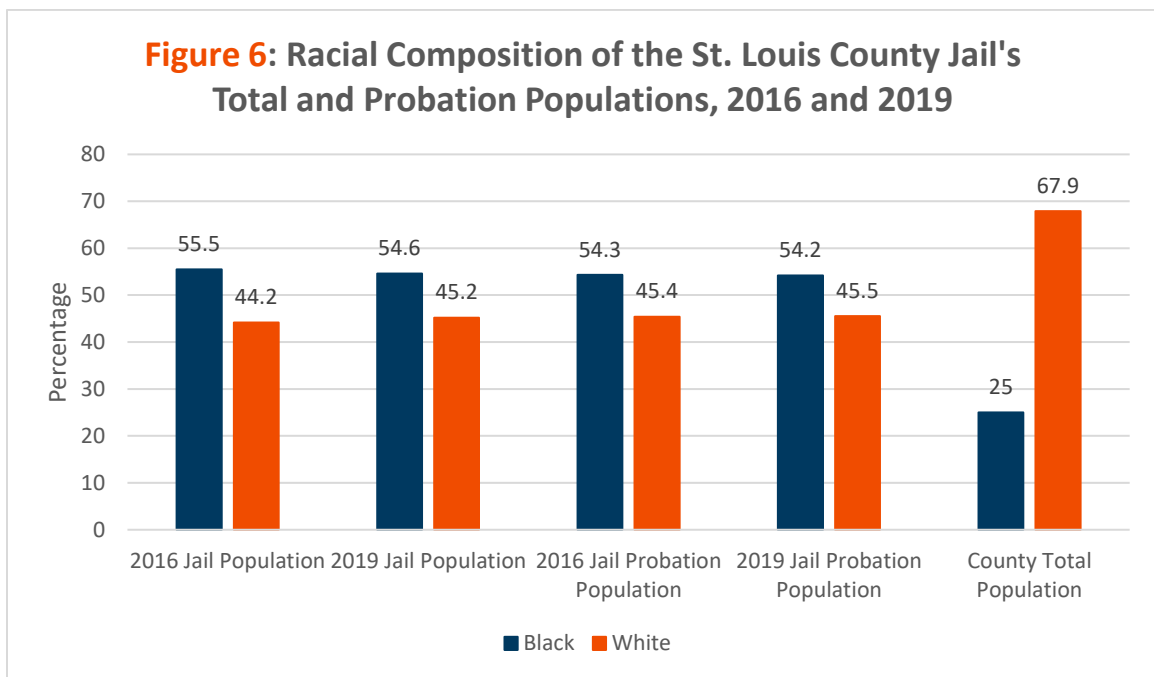
The length of stay for probation admissions was consistently higher than that of the total jail population through the entirety of the study period. It was relatively stable until 2016, after which it appeared to follow a clear downward trend. By contrast, the length of stay for the entire population increased sharply until 2018 before declining. The mean length of stay for individuals admitted to jail on a probation violation declined by 31%, from 44 to 30 days, between 2016 and 2019, while the median declined by 67% (from 24 to eight days) during the same period. Notably, in 2016, the EPP was introduced to reduce case processing time for people admitted with probation violations; this

program is discussed in the next chapter. Consequently, the length of stay for the probation group declined to 18 days by 2020.

RACIAL DISPARITIES IN JAIL TRENDS

Consistent with research of this type, we found racial disparities in all trends considered. Figure 6 displays the racial composition of jail admissions. **We compare 2016, the year in which the MacArthur SJC was initiated in St. Louis County, and 2019, the last full year of data before COVID-19.** Racial disparities in jail admissions persisted across the study period. While the county population is 25% Black, around 56%–55% of those admitted to jail in 2016 and 2019 were Black. In comparison, while about 68% of the county population is White, only about 44%–45% of the jail admissions involved White individuals.

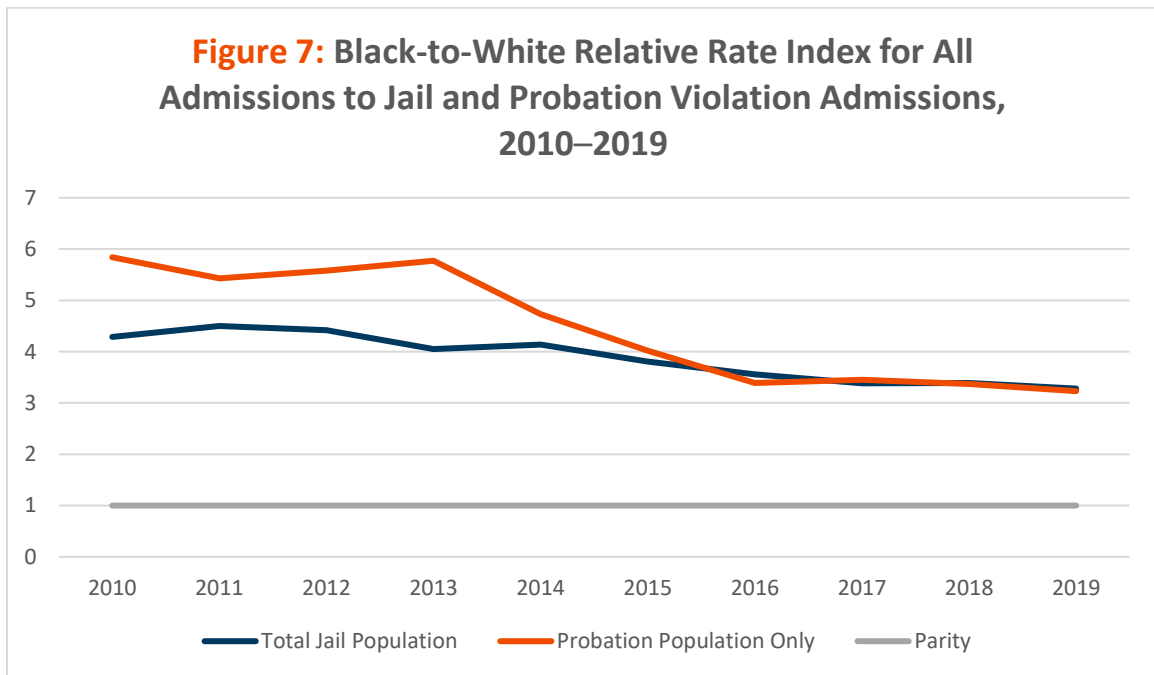
The racial disparities among individuals admitted to jail on probation violations were almost identical to the racial disparities present among the whole jail population. While the county population is about two-thirds White and one-fourth Black, the 2016 and 2019 jail probation populations entailed about 54% Black individuals, compared to only about 45% White individuals.



The relative rate index (RRI) is another measure of disparity in jail admissions. It is calculated by dividing the incidence rate of Black individuals admitted to jail (number of jail admissions of Black individuals/total Black county population) by the incidence rate of White individuals admitted to jail (number of jail admissions of White individuals/total White county population). Two groups that have equal representation, or parity, would elicit an RRI score of 1, even if one group is larger than the other. However, an RRI greater than 1 would indicate that one group has a higher rate of admission (or the factor under consideration) relative to the other group.

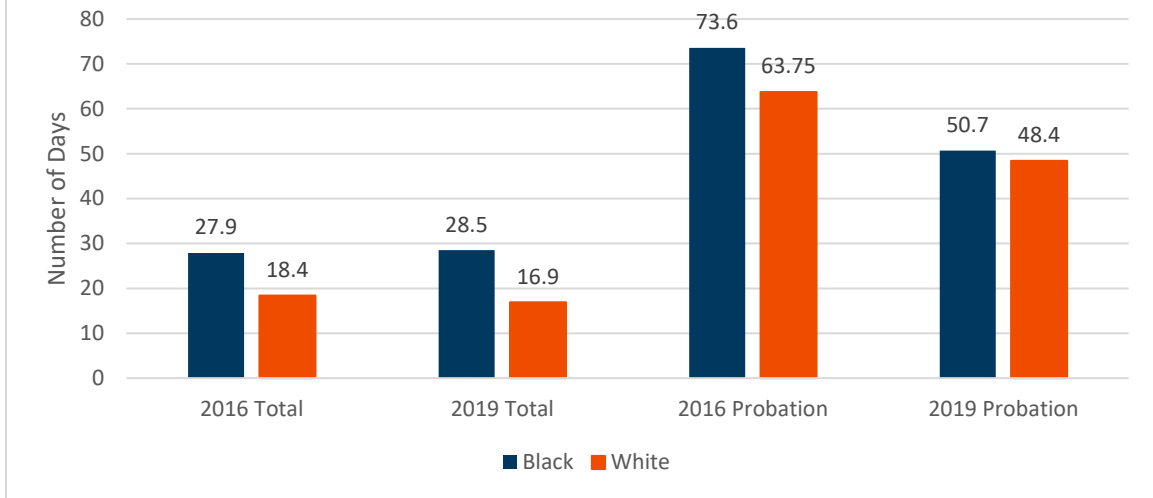
For all admissions, for the first half of the study period, Black individuals were found to be more than four times more likely to be admitted to jail than White individuals (see Figure 7). In 2017, the RRI dropped below 3.5, indicating that between 2017 and 2020, Black individuals were 3–3.5 times more likely to be admitted to jail than White individuals.

The RRI was higher for people on probation than for the total population admitted to jail from 2010 to 2014. From 2010 to 2013, Black individuals were about six times more likely than White individuals to be admitted to jail on a probation violation (see Figure 7). Further, after 2013, the RRI fell until 2016. The rate then stabilized, and Black individuals became more than three times more likely than White individuals to be admitted to jail on a probation violation. This trend in the relative rate appears to comport with the general population trend, but for the probation group, the racial disparities were much higher early in the study period and fell more sharply after 2013. Beginning in 2016—the year the county began implementing the SJC initiative and the EPP—the probation group had RRIs that were similar to those for all admissions.



In addition, **the overall mean length of stay for all admissions was substantially longer for Black people than for White people.** Precisely, the mean lengths of stay for Black individuals admitted to the county jail in 2016 and 2019 were about 28 days and 29 days, respectively (see Figure 8). Meanwhile, White individuals admitted to the jail had lower average lengths of stay—18 days in 2016 and 17 days in 2019.

Figure 8: Mean Length of Stay in Days for the Total Jail Population and Individuals Admitted With a Probation Violation, 2016 and 2019 Release Years



For admissions with at least one charge of a probation violation, the mean length of stay decreased regardless of race from 2016 to 2019. Nevertheless, the mean length of stay for Black individuals entering the jail with a probation violation remained higher than that for White individuals for both years, although the race gap narrowed. Between 2016 and 2019, the mean length of stay for Black individuals admitted for a probation violation decreased by 31%, from 74 to 51 days. In comparison, the mean length of stay for White individuals during the same period decreased by 23%, from approximately 64 days to 49 days. The mean lengths of stay for both Black and White individuals admitted for probation violations were higher than those for the general jail population.

Barriers to Probation Success and Perceptions of Probation

POs documented myriad challenges individuals faced in the community. Most commonly noted was access to economic means. Officer Grant stated, *“It’s really overly simple but it’s, it’s having access to a livable income.”* Many officers indicated that clients did not have any income at all or that earnings were sporadic and unreliable.

One key factor noted was barriers to employment, particularly because of the stigma around a felony conviction and the requirement that individuals “check the box” on employment applications. Further, many individuals on probation live far from their employers and do not have **access to reliable transportation**. As Officer Wilkes described, *“we still have clients that live in areas where it’s going to take them maybe an hour, an hour and a half to get to the nearest bus route so, even that’s still an issue here in St Louis.”*

Another significant barrier to success is that many individuals on probation owe legal debt to the courts, and the cumulative costs of monetary sanctions can be quite high, particularly for restitution. By state law, failure to pay legal financial obligations can lead to an extension of probation and/or

revocation to prison. **Affordable housing is also a barrier, which became particularly evident during the post-COVID-19 period and associated increases in inflation and lack of affordable housing.**

Finally, POs reported that many clients struggled with substance use disorders and mental health challenges. For instance, when asked about barriers to success, PO Edwards denoted, *“mental health issues, you know, access to mental health care, mental health medication, medical insurance to even deal with various medical issues. Clients have a lot of medical issues that haven't been addressed.”*

For their part, people on probation revealed that their supervision experience was heavily dependent on their PO and whether they felt the PO would show understanding and empathy when responding to potential violations. For example, Mark stated, *“I've had multiple POs that are actually there trying to, I guess help the community by doing their job, but at the same time there are other POs that are just, I mean, if you're not doing 100% everything by the book, straight, then they want to roll you back to prison, which does not make sense to me.”*

Participants who were on probation spoke positively about officers who were patient with respect to compliance. Marie, for instance, appreciated how her PO gave her more time to pay for anger management classes rather than proceeding with the violation process:

With my anger management classes, I had fallen behind in my payments because I lost my job at White Castle. Some stuff happened, but she was really patient with me. She didn't just run to the judge and be like, “Oh, she's not paying her stuff.” She said, “Hey, I'm going to give you until this day, because we have court soon. You need to get your classes done so we can get you done with court.”

Conversely, some interview participants reported that issues in communicating with criminal legal system actors contributed to negative experiences with probation. They cited issues with communication related to PO turnover, a lack of clear expectations around probation conditions, and an absence of voice in violation proceedings. Cherrell, in particular, discussed the **high turnover of POs** and how she felt she did not get to bond with them:

I just, basically, in them years I had three different probation officers. So it's like I never got to really bond with none of them. Because, well, one of them, the one I just had, I had him the longest. Because I had the first lady I had, I had her for two months and then all the rest of the time I had him and then now I got her. So, she been my probation officer, I think, about a month.

Other people on probation highlighted that **they did not understand the expectations around reporting when they were initially sentenced to probation.** Sara explained that she did not know she was supposed to call her PO:

I did not understand probation at all. I was very confused. I didn't know, the simplest things like that I'm supposed to call my probation officer, and that it's not really up to her to call me. She really didn't make an effort to call me, and I feel like that wasn't necessarily fair, it was my first case.

Participants explained that they felt like they did not have a voice in the violation proceedings and that the outcomes seemed predetermined. Desmond, for instance, described the court processes related to revocations in the following manner:

That's what they do to me. Buy, sell and trade. That's how they go. There ain't no other way I can put it. Buy, sell and trade. Buy, sell and trade. I can't put it no other way than what they do. That's how I see it.

Desmond felt dehumanized by the court proceedings because of the way “*the judge and the officer, basically and the prosecutor, all three of them, yeah, they coming to an agreement*” without the input of the person on probation.

The Probation Violation Process

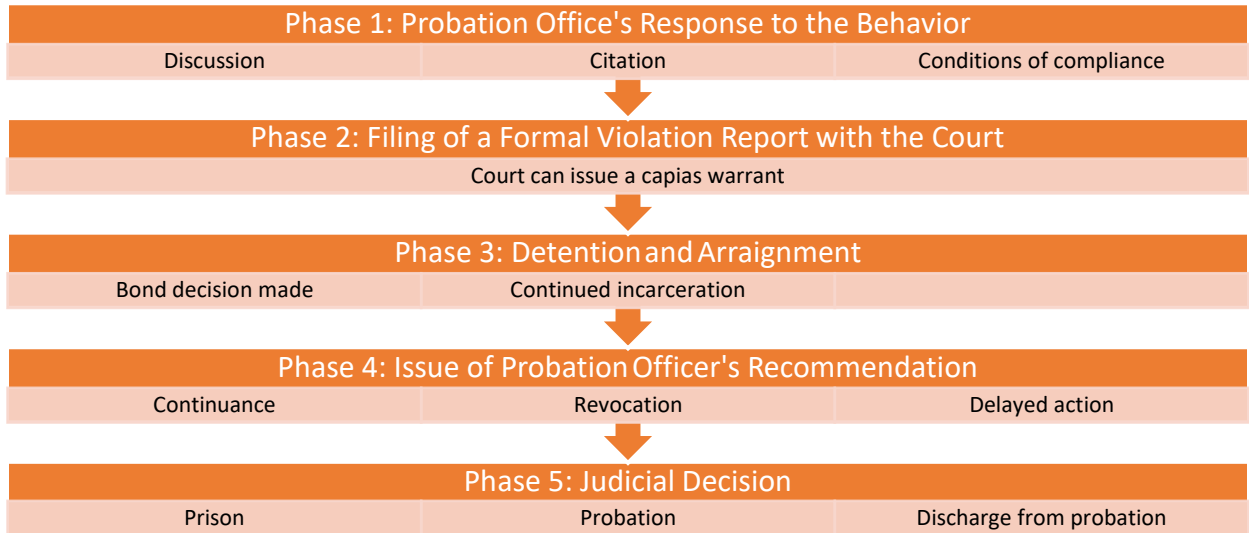
Probation is the most prevalent correctional sanction in the US, with 3,053,700 individuals on probation in 2020, which equates to 1 in 84 US adults.^{xxviii} Probation was historically developed as an alternative to incarceration. Community supervision has many potential advantages relative to other sanctions, including its rehabilitative potential, as it provides structure to a sentence and allows for incentives for compliance and sanctions for noncompliance. Further, probation allows for individuals to contribute to additional social services while maintaining social relationships and employment within the community. Probation also is a cost-saving measure when compared to traditional correctional control.^{xxix}

However, an increase in the population on probation also enhances the risk of incarceration, as failure to comply with the terms of probation can result in revocation and, ultimately, the imposition of a prison sentence. In Missouri, judges can mandate individuals to comply with several conditions of probation. All individuals sentenced to probation in the state are required to follow certain base conditions as outlined in the White Book put forth by MoDOC.^{xxx} For example, they must maintain employment and housing, abstain from the use of controlled substances, and report to their POs regularly. Individuals on probation must also abide by any additional rules or conditions set forth by the PO or court, including drug testing and attendance at treatment or classes, among others. Missouri citizens sentenced to state probation are charged a monthly intervention fee of \$30, which the state uses to pay for treatment services.^{xxxi} Terms of probation can be extended by one year for failure to comply with payment schedules or any other condition of probation.^{xxxii}

The following section outlines the general violation process for individuals on probation in St. Louis County, Missouri. While many circumstances guide decision-making in a specific case, below described is the most common pathway from client noncompliance to a probation revocation

decision. Data for Figure 9 and the associated narrative were collected through interviews with probation staff and from official court and probation documents.

Figure 9. Probation Violation Process



Phase 1: Probation Office's Response to the Behavior. When a PO becomes aware of a probation violation or misbehavior, often their first response is to have a discussion with the client about the nature of the behavior. This is particularly true when the violation is relatively minor, like a missed appointment. The PO can also formally document the behavior in question using a citation form and share the completed form with the individual under supervision. This citation is sent to the judge, but it does not include a request for formal action. The judge has the right to take action on any citation, but in practice, the citation serves largely as formal documentation of an event. In contrast, the formal violation report (Phase 2) requests specific action by the court.

POs exercise some discretion regarding when to submit a formal notice to the court using a citation (e.g., lateness to a report meeting, failure to maintain employment, association with individuals with a felony conviction, unapproved travel), but failed urine tests and law violation for less serious offenses (i.e., municipal violations or misdemeanor charges without a victim) must be documented with a citation. All formal citations are also coupled with an informal discussion with the individual to ensure that they understand the nature of the sanction, the response, their rights in the process, and the potential consequences.

In nearly all cases, the PO meets with the individual to discuss a potential response to the behavior, including additional conditions of compliance. MoDOC maintains a formal response matrix, entitled the Missouri Offender Management Matrix, which is used to guide PO responses to noncompliant behavior. Sanctions often take the form of additional conditions of compliance (e.g., additional reporting). If the PO is satisfied with the individual's response to the behavior and the noncompliance does not require a mandatory violation report, then no further action is taken.

Phase 2: Filing of a Formal Violation Report with the Court. There are several conditions under which the PO must report behaviors to the court. First, the court must be notified of any new law violations (unless the offense is a municipal violation or misdemeanor charge without a victim, whereby only a citation is required). Second, the court must be notified of the following

noncompliance behaviors (technical violations): weapons violations,^{xxxiii} absconding, and failure to complete special conditions during the identified program period or within 120 days of discharge from probation. A PO must also file a violation report when asking the court to take any sort of action, including requesting to add a special condition of probation (i.e., GPS monitoring), extend the term of supervision, or revoke probation.

Absconding is described in the case law as “an offender under supervision who has left such offender's place of residency without the permission of the offender's supervising officer to avoid supervision.”^{xxxiv} However, absconding typically captures a range of behaviors which includes broadly any failure to connect with the PO during a determined period. A violation of absconding is only completed after the PO has demonstrated diligence to communicate with the individual. In cases of absconding, the PO asks the court to delay action and issues a department warrant. The officer then continues to try and engage the client for 90 days. If the client is engaged during this time period, the PO cancels the warrant without the client ever going to jail. However, if the PO is unsuccessful in engaging the client, they can submit a supplemental violation report asking the court to issue a capias warrant and suspend supervision. PO warrants are valid only in the state of Missouri, whereas capias warrants have nationwide authority.

The violation report is filed with the judge and is accompanied by a request for a specific action by the court. The report, however, does not require detention. If the individual is detained, they are offered the choice of a preliminary hearing to contest the violations. All reports submitted to the court by POs must be approved by a supervisor. In this phase, individuals are eligible for representation, including from a public defender, if the result of the hearing could lead to prison.

In cases (e.g., absconding) where the individual cannot be engaged by the PO, the latter may issue a warrant or ask the court to issue a capias warrant for the individual's arrest. Moreover, if a law violation is serious enough that it is considered an immediate, significant public safety risk, the PO issues a department warrant immediately^{xxxv} and simultaneously asks the court to issue a capias warrant. Once the court issues a warrant, the PO cancels their warrant. The judge can also independently issue a capias warrant based on any new law violations or in response to a report from a PO. Individuals on probation are given the authority to contest the violations alleged by the PO during an internal hearing.^{xxxvi}

Phases 3 and 4: Detention of the Individual and Issue of Probation Officer's

Recommendation. After the individual is apprehended on a warrant or for alleged new criminal behavior and appears in court, they may be released on bond pending a subsequent hearing. Alternatively, the individual could be detained until their next court date. There is substantial discretion and judicial variation during the third phase.

A PO can make several types of recommendations to the court in response to behavior of a person on probation, including the following:

- **Continuance.** The PO requests that an individual be remanded to probation. As part of the continuance recommendation, the PO often requests an appropriate response to address the behavior, and there is rarely a court hearing. This is the most common recommendation made by POs in response to violations. In these cases, the individual is booked into jail; the

length of incarceration varies based on decisions made at arraignment, including release conditions (release on recognizance, bail, electronic monitoring, etc.).

- **Delayed Action.** In some cases, the report can include a request for delayed action by the court. Granting of this request allows the PO either to engage with the client and respond to the behavior or to gather or await further information on a particular matter (e.g., a pending nonviolent criminal charge).
- **Revocation.** If there is a new law violation or repeated citations or violations, the PO typically recommends revocation. That said, in some instances, the PO and supervisor make a plan for the individual to remain in the community and then begin to address the behavior while awaiting a court hearing (if the judge deems one necessary). The judge may make a decision about this with or without a formal court hearing, and during this phase, there is substantial discretion. The judge can return an individual to prison for up to the total amount of their original sentence, remand them to institutional treatment, terminate their probation, or release them to a term of probation in the community.^{xxxvii}

Phase 5: Judge Makes a Decision on the Case. There is substantial variation in the way judges handle probation violation cases. In all cases, the individual is processed through the jail and a subsequent hearing date is set. The PO also shares with the judge their recommended decision. Individuals must be seen by a judge and potential bail set (or denied) within 48 hours. Individuals who are either unable to pay bond or denied bail are detained in jail until their hearing.

When a client has both pending new charges and probation violations, processing of the violation may be delayed if the judge decides to adjudicate the cases together. If the new charge involves a serious law violation, judges sometimes choose to keep the individual in jail pending a hearing. Clients have the right to request representation, most often from a public defender, which can add to the delays in the court process. However, judges also frequently grant release on bond pending a court date, depending on the seriousness of the violations. If the PO recommends continuance or delayed action, the individual is often released quickly.

The Effect of COVID-19 on Probation Violation Case Processing

The MoDOC made large organizational changes during COVID-19. The statewide supervision model shifted from primarily in-person work with most meetings occurring at local offices to a remote model where officers meet clients in the field or over teleconference. Although the MoDOC had planned to shift to a field-based model of supervision eventually, COVID-19 hastened the change. In the early months of the pandemic, the department quickly provided staff state-issued cell phones and laptops. As PO Grant^{xxxviii} noted, **"Zoom is something that really was not on the radar screen before COVID"** and now it is used routinely with clients. Staff are also required to give their cell phone numbers to clients to enhance connection and communication. Further, the department has streamlined and digitized the reporting and documentation process so that much of the required paperwork can be completed quicker and remotely. Finally, the use of drug tests has been reduced. In prior years, drug testing was routine, but now it has been shifted to an as-needed basis. Moreover, oral drug testing that can be conducted in the field can be used.

Depending on the individual's risk/need assessment results, officers are required to conduct a portion of supervision visits remotely and in the community. As one PO noted, **"We're trying to meet clients where they are."** POs further reported that they regularly met their clients at libraries and restaurants. Some officers felt that people were able to ask for more help in the remote space because they had more privacy, compared to the cubicles used in the traditional office space. As PO Norris noted, **"So,**

when you're in that environment on video conference, and they see it's just you and them, they were able to disclose more and give you more information." POs also indicated that introducing remote supervision models helped reduce the number of missed appointments, because individuals did not have to find transportation to the office and could meet outside of traditional office hours.

There are, however, exceptions to the remote policy. All probation violation interviews are held in the office to ensure public safety, and individuals classified as high-risk must also report in person to the office. Overall, the POs interviewed indicated that contacting people in the community does take more time, but the reduction in paperwork and changes in contact requirements have allowed staff to spend more time on community visits than earlier.

The courts also shifted to remote hearings during the pandemic. Despite some challenges in the early months of 2020, the officers, overall, found remote probation violation hearings to be more expedient than traditional in person court hearings. They indicated that they could attend one case hearing instead of attending an entire docket. For example, Officer Wilkes stated, "***Pre-COVID, it wasn't uncommon for me to sit in the courtroom for four to six hours for something that was going to take 10 or 15 minutes. Now when I've logged on, I think the longest I've been logged on you know, to like you know, with hearings going on, is maybe an hour so.***"

Given the ever-evolving nature of the COVID-19 pandemic, it is not clear when the final supervision plan for Missouri will be finalized and implemented. Governor Parson had begun working on statewide policies governing work from home before the pandemic,^{xxxix} and the policies for remote work, which will address how POs work away from the office, continue to evolve.^{xl} At the time of writing this report, most officers continued to meet clients in the community and via teleconference, while also continuing to maintain traditional work hours in the office.

THE EXPEDITED PROBATION PROGRAM

The analyses in the previous chapter indicate that individuals who are admitted for probation violations have long jail stays and comprise a notable percentage of the jail population. Recognizing this, the St. Louis County Department of Justice Services created the Expedited Probation Program (EPP) using funding provided by the MacArthur Foundation for the Safety and Justice Challenge.^{xli} The EPP was designed and piloted at the end of 2016 and fully implemented in January 2017. The goal of the following section of the report is to describe the EPP and provide an process and outcome evaluation of the intervention.

PROGRAM MODEL

The EPP provides an opportunity to learn about potential best practices in probation supervision. Broadly, the program is designed to expedite the revocation process to divert individuals from jail to community-based treatment. Unlike with most correctional interventions, the primary aim of the project is to change how individuals are processed in jail instead of solely expecting individuals in the program to reform based on service provision. Specifically, the goal of the EPP is to have individuals evaluated by a judge and released within 10–12 days of incarceration.

Individuals are deemed eligible for the program if they have been booked into the St. Louis County jail and the probation officer (PO) has recommended reinstatement of their probation. However, individuals with a new felony arrest, outstanding serious warrants, or a severe mental health diagnosis are ineligible to participate.^{xlii}

The EPP model integrates evidence-based interventions, including (1) detailed coordination with members of the supervision team, such as POs, jail case managers, and community treatment staff, to ensure a continuum of care; (2) case coordination with a PO embedded in the jail; (3) presentation of treatment plans to judges for approval (reducing delays in the hearing process); and (4) warm handoffs and linkages to services. The program model was launched in September 2016 and fully implemented in January 2017.^{xliii}

The original iteration of this model was implemented for just over two years and included individuals who were booked into jail for a technical violation without a new criminal conviction. In 2018, the Missouri Department of Corrections (MoDOC) agreed to fund two POs stationed in the jail to help facilitate the efficient case processing of individuals admitted on a new probation violation. In January 2019, the model was revised to include all individuals booked into jail for a probation violation, including those with a new crime, and specific programmatic data were not maintained. Therefore, we focus the program description and analysis on the pre-2019 period. In addition, our use of data through 2018 allows one year of pre-COVID-19 follow-up for all individuals in the program.

Participants in the initial (pre-2019) iteration of the program received a wide range of services. The majority (84%) were engaged in some form of court-ordered programming, most commonly substance use disorder treatment (46%), followed by housing support (18%) and general reentry support (14%), which included job training or preparedness. While in jail, just over 20% of participants received Vivitrol, a drug used to treat opioid addiction. In addition, upon release from jail, approximately 20% of participants received some form of inpatient treatment, while more than half (55%) were treated as outpatients. Only a small percentage of participants (5%) were ordered

into mental health treatment. Upon release, most (84%) returned to live at home or with family, while the remainder moved to transitional housing or a recovery house.

Program Participants

In total, 451 individuals participated in the EPP's original version from 2016 through 2018. The first person to participate was assessed on September 12, 2016, and in total 65 individuals participated in the program that year. After the program's full implementation in January 2017, 213 participants were added in 2017 and 173 in 2018. Most (68%) of them were male, and the majority (58%) identified as Black, while the remainder were White.^{xliv} Participants' ages ranged from 19 to 62 years and averaged 33 years. Further, on average, participants lived in communities, in which almost 20% of the population were below the poverty line, and 17% lived in areas of concentrated poverty (i.e., zip codes in which more than 30% of the population lived below the poverty line).

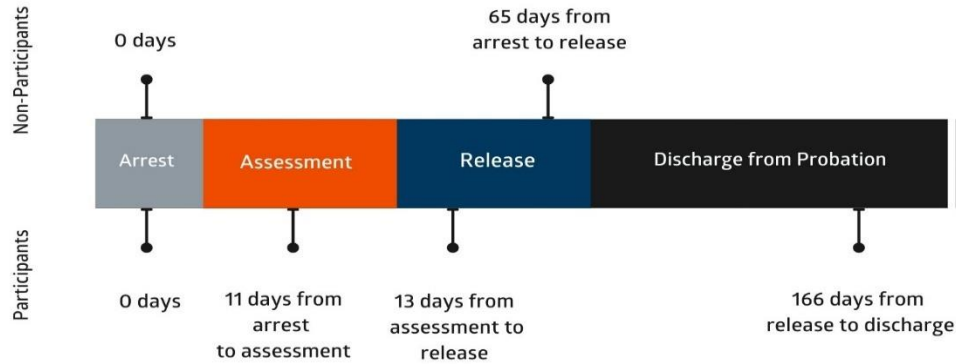
The following section describes the results of the process and outcome analysis. Broadly, we designed this aspect of the study to consider whether individuals who participated in the EPP had better outcomes than those of a comparison group of individuals who did not participate in the program (see the Data and Methods chapter for a description of the methodology used).

Process Analysis

Most participants moved through the program relatively quickly, although the ambitious processing timeline goals were not fully met. The average time EPP participants spent in each phase of the program is displayed in Figure 10. On average, participants were detained in jail for 11 days before they were assessed by jail staff for program eligibility. The majority (62%) were assessed within a week of being admitted to the jail, and almost 90% of participants were assessed within two weeks. A small group of individuals (n = 14), however, were detained for over two months before being assessed. At the start of the EPP, there was a push to admit eligible individuals who had already been detained for lengthy periods, which may explain, in part, these long stays. Notably, the time from admission to assessment declined throughout the program period, falling from a mean of 15 days and a median of 10 in 2016 to a mean of eight and a median of six days in 2018.

After assessment, an average of 13 days passed before participants returned to the community, and half of the participants were released within 10 days of assessment. A small percentage (7%) were released the same day they were assessed, while 8% remained in jail for an additional two months or more. Although POs for the program suggested release for program participants, judges could deny bond or delay release at their discretion. **Overall, the average amount of time EPP participants were detained was significantly^{xlv} shorter than the average of 65 days spent by people with probation violations who did not participate in the program but were processed during the same period (see Figure 8).**^{xlvi}

Figure 10. Average Time for Expedited Probation Program (EPP) Participants to Complete Program Phases Compared to Nonparticipants Admitted During the Same Period



Just over one-third (37%) of EPP participants successfully completed the program, which required that they complete all court-ordered programming and the original term of probation. Among the 286 who were not successful, the most frequent reason for failure was a new technical violation (78%), followed by absconding (10%) and a new felony charge (9%). On average, participants were in the program for 166 days from the time of release from jail to the date of discharge from probation. Approximately half of the participants were discharged within 132 days of being admitted into jail for a probation violation.

Stakeholder Perceptions of the Expedited Probation Program (EPP)

POs typically relayed that the expedited program made their work more efficient. For example, PO Saint John shared,

Well, it [the EPP] makes the process a lot easier and it's faster. You know, so you don't have the individual officers coming down and, you know, trying to take time out of their schedule to go, and you know, do the clients where we're here already, every day.

Additionally, jail staff relayed that the flexibility of the program allowed them to meet individuals' needs easier and quicker. For instance, jail staff member Carter noted,

I think the biggest strength for me, it was the flexibility, it wasn't linear, very fluid when I was involved. Or at least that's how I felt, so I was able to, you know, develop discharge plans, be very creative, develop additional resources to aid in the success of the individual. And I enjoyed that, so I think that's the strength of, not only coming in with resources but being able to develop new ones, to help someone else, so making that very fluid and flexible.

Staff member Brown further opined, "I actually think that it is working well, I think we're moving them through the process of being in the jail, a lot faster than what we used to be."

OUTCOME ANALYSIS

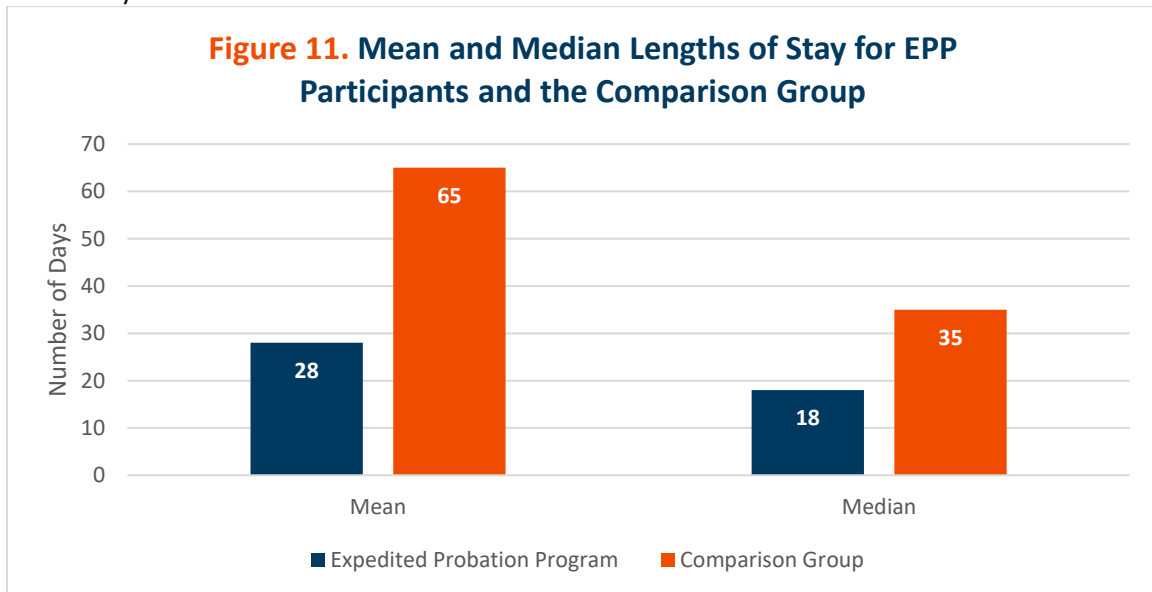
Outcomes for EPP Participants Versus the Comparison Group

The primary goals of the EPP were to reduce the amount of time people admitted for a probation violation were detained and to prevent these individuals from returning to jail through providing supportive services. To assess the impact of the EPP on the length of jail stay and the likelihood of returning to jail, we compared individuals who took part in the EPP with a carefully selected comparison group of individuals (see the Data and Methods chapter for a comparison of the two groups).

Comparison Group Selection. *The comparison group consisted of individuals who met the program participation criteria but were admitted to jail the year before the program began. This group was chosen because during the EPP's operation, there were systematic differences between people who participated in the program and those who did not. These variations made it difficult to determine whether differences in length of stay or readmission were due to program participation or the less serious nature of the charges faced by participants.*

Length of Stay

Descriptive statistics of the comparison of the 451 individuals who participated in the EPP with the comparison group members indicate that the EPP's goal was met: The time that individuals who violated probation terms spent in jail was shortened. In fact, **participants in the EPP were detained for significantly fewer days than were the comparison group of nonparticipants.** On average, program participants spent 28 days in jail before they were released into the community, while those in the comparison group were detained for more than twice as long: 65 days (see Figure 11). These numbers may have been skewed by a few individuals with long stays, but use of the median, which is not influenced by outliers, provides additional evidence that EPP participants had shorter stays than did the comparison group. Specifically, half of the EPP participants were released within 18 days of being admitted for a probation violation, while the median length of stay for the comparison group was 35 days.



Multiple Regression Analyses. To further minimize the impact of systematic differences between participants and members of the comparison group, we also used multiple regression to account for group differences in demographic characteristics, charges, and admission history. Multiple regression models are used to estimate the effect of one factor (e.g., participation in the EPP) on the length of stay and the likelihood of returning to jail while “controlling” for the other factors. Importantly, multiple regression analyses are effective for controlling not all potential differences across the two groups, but only the differences in our data that we were able to measure.

To examine differences between EPP participants and members of the comparison group in terms of the number of days detained, we used negative binomial regression, which is appropriate for outcomes that are counts. Further, to assess differences in the likelihood of having short jail stays or returning to jail in the year following release, we used logistic regression because the outcome was binary. Finally, to determine whether the impact of the program varied by race, we also estimated regression models with interaction terms that allowed for differences in the effect of the EPP on the outcomes for Black and White individuals.

The models included the following variables: number of prior admissions to the jail; whether the individual was also admitted for a hold, new charge, or warrant or had been booked and released; number of charges; top charge severity; top charge type; gender; race; age; and percentage of households below the poverty line in the zip code of the individual's residence.

Overall, the regression accounted for differences between the EPP participants and the comparison group members in demographic characteristics, charge characteristics, and criminal history. The results of the analyses indicate that **individuals who participated in the EPP stayed in jail an average of 27 days, whereas nonparticipants were detained for an average of 60 days, showing a statistically significant difference of more than 30 days.**

Other factors were also significantly related to the number of days a person who violated probation terms was detained. For example, people who had a greater number of prior jail admissions spent more days in jail, as did people with more charges. The nature of the top charge also mattered; individuals whose top charge was a nonviolent felony were detained for more days than those with a misdemeanor charge, although very few people with probation violations were admitted to jail for misdemeanor offenses. In addition, men tended to have longer stays than women, while Black individuals had shorter stays than their White counterparts.

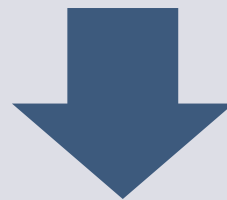
The results of regression analyses exploring race differences indicate that the EPP program was associated with a greater reduction in length of jail stays for Black individuals as compared to

What factors influence length of jail stays for people admitted for probation violations?



Factors that increase the length of jail stays:

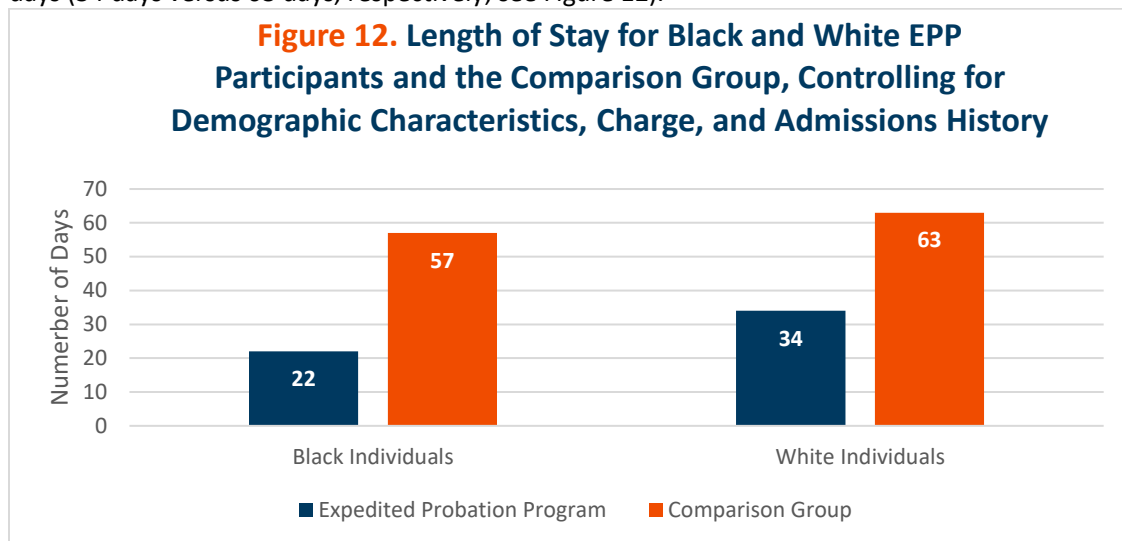
- The individual has a high number of prior jail admissions;
- The case involves more charges;
- Their top charge is a nonviolent felony (relative to a misdemeanor); and
- The individual is male.



Factors that decrease the length of jail stays:

- The individual is an EPP participant** and
- The individual is Black.

White individuals. On average, Black program participants were detained for 35 fewer days than were Black nonparticipants (22 days versus 57 days, respectively). In contrast, the difference in length of stay between White participants and White nonparticipants was significantly smaller at 29 days (34 days versus 63 days, respectively; see Figure 12).



Consequences of Long Jail Stays

Participants who were on probation reported that jail incarceration disrupted several facets of their life, including relationships with family and employment. For example, Angela stated, “Yeah, it definitely affected my family. They don't really want nothing to do with me. And work, I lost my job. It affected getting other jobs. It's really affected a lot in my life, honestly.” Frank further added, **“You're sitting there missing out on life, missing out on money, everything stops. Your life is destroyed.”**

People on probation additionally highlighted that the time they spent waiting in jail for their court case to be resolved added to their stress. Erin, for instance, discussed that she had trouble contacting her public defender, because while she was in jail,

there was no help offered in navigating the system. When I was sitting in County jail, I was assigned to a public defender and they're so overworked that and understaffed. There's no communication whatsoever, you can't call them. You can write them, but you're not going to get a response, yeah it sucked. It absolutely sucked. You just sit and wait until they figure out where they're gonna send you. It was horrible, there's no communication and there's no help in navigating at all.

Frank relayed, **“I felt like I needed to plead guilty because I was never going to get out of there.”**

Multiple participants indicated that they felt like caged animals in jail, particularly when the infection rates of COVID-19 were high and time spent outside of the cell was limited. Hakeem described, *“And you're in there at a certain time and you can't even come out. You can't even open the door and come out. And then they come around and do count like we animals, you know what I'm saying?”* Moreover, Hannah shared, *“In St. Louis County like they have you go and you're on lockdown quite a bit, you come out for rec at certain times. To be quite honest and quite frank, you feel kind of like a caged animal, like only let out when it's time to eat or for, you know, short increments of time and you have to be quiet.”*

To understand why EPP participation appeared to be more effective for reducing the length of stay for Black versus White individuals, we examined racial differences in demographic characteristics, charges, and program experiences among EPP participants. We found that compared to White people, Black individuals in the EPP were significantly more likely to be male and to live in communities with significantly higher rates of poverty. They were also significantly more likely than White participants to be admitted on a fugitive warrant in addition to a probation violation. In the St. Louis region, fugitive warrants are generally issued when a person fails to appear in court to address charges stemming from a minor violation, such as a traffic offense, and Black individuals have a higher rate of arrest for fugitive warrants than White individuals do.^{xlvii}

Notably, White EPP participants were also significantly more likely than their Black counterparts to receive treatment of all types, including inpatient treatment (35% vs. 14%), outpatient treatment (67% vs. 46%), and Vivitrol—a medication used to treat alcohol and opioid dependence (28% vs. 15%)—while in jail. The average length of time from assessment to release from jail was also significantly longer for White participants (M = 16 days) than for Black individuals (M = 11 days). Combined, these findings suggest that White participants were identified as having a greater need for mental health and substance use treatment than did Black participants, which may have contributed to their longer jail stays.

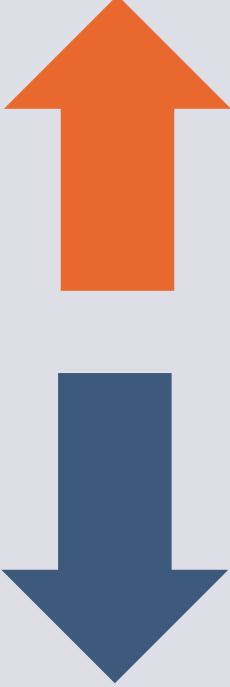
Likelihood of a Short Jail Stay

To assess whether the EPP's goal of expediting the probation violation process was attained, we examined whether participants were more likely to have *short* jail stays relative to the comparison group members, where “short” is defined as less than 14 days. Descriptive statistics for this metric confirm that the program goal was attained: **36% of EPP participants were released in fewer than 14 days, while only 28% of the comparison group were released this quickly, indicating a statistically significant difference.**

A similar picture emerged from the regression models accounting for differences between EPP participants and members of the comparison group (see Figure 13). All else equal, participants had a 33% chance of being released in fewer than 14 days, while the likelihood of an individual in the comparison group being released this quickly was only 26%. Unlike the results for number of days detained, however, there was no evidence that the effect of the EPP on the likelihood of a short jail stay varied by race.

Many of the same factors that were found significantly related to the number of days spent in jail were also associated with short jail stays, including the number of charges, seriousness of the top charge, race, and gender. Individuals were also less likely to have short jail stays if they were admitted with holds or warrants.

What factors influence the likelihood a person admitted for a probation violation will be released in less than two weeks?



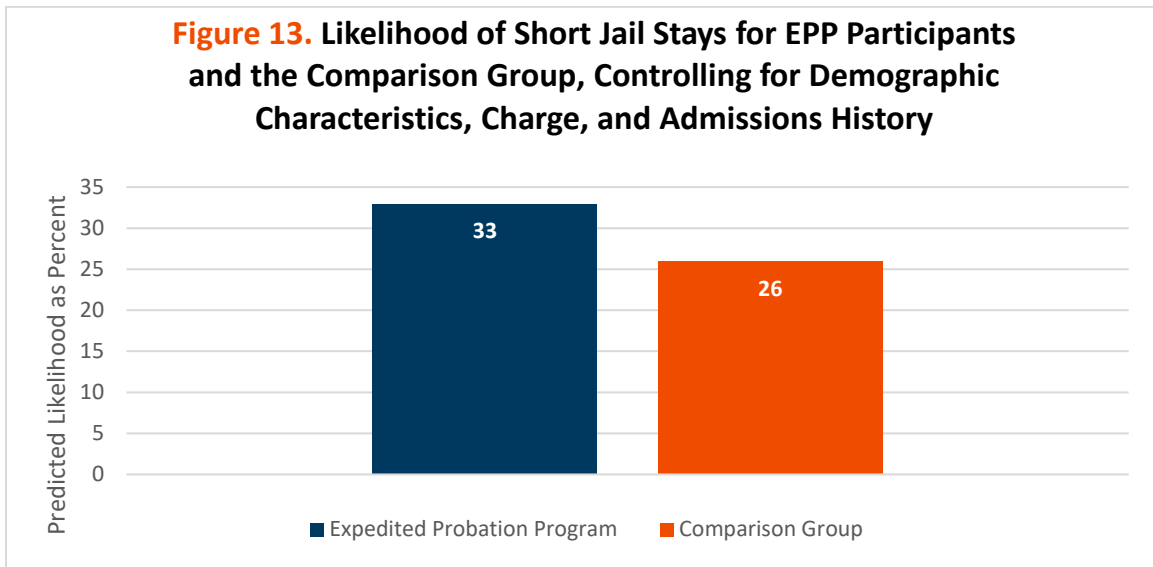
Factors that increase the likelihood of a short jail stay:

- The individual is an EPP participant and
- The individual is Black.

Factors that decrease the likelihood of a short jail stay:

- The case involves more charges;
- The top charge is a no-violent felony (relative to a misdemeanor);
- The individual is male;
- One of the charges is a hold; and
- One of the charges is a warrant.

Figure 13. Likelihood of Short Jail Stays for EPP Participants and the Comparison Group, Controlling for Demographic Characteristics, Charge, and Admissions History



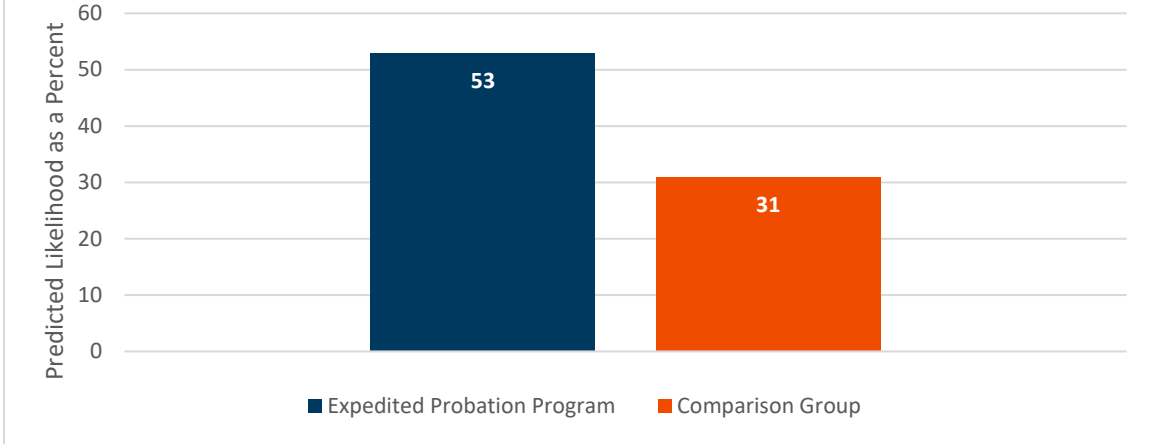
Likelihood of Return to Jail

While the main goal of the EPP was to quickly move individuals who violated probation terms through the court process, a secondary goal was to provide services to help participants successfully navigate life in the community and prevent them from returning to jail. To check whether the latter goal was met, we examined the likelihood of returning to jail within one year of release among EPP participants versus the comparison group.

The results of our comparison suggest that the program failed to reduce the likelihood of a participant being reincarcerated; instead, it significantly increased returns to jail. Specifically, just over half (52%) of EPP participants were readmitted to jail within one year of their release, while the corresponding figure for the control group was 32%. Interviews with POs suggest that this negative program outcome may be due in part to the extra release conditions that were placed on program participants. Although these conditions were intended to help EPP participants through providing them with extra services, they may have had the unintended consequence of increasing surveillance.

The multiple regression models provide additional evidence that program participation increased, rather than reduced, returns to jail, at least in the short term. After adjusting for potential differences between the EPP participants and the comparison group, participants were found 1.7 times as likely to return to jail within a year as nonparticipants (53% return-to-jail rate versus 31%), indicating a significant difference (see Figure 14).^{xlvi}

Figure 14. Likelihood of Jail Readmission for the EPP and Comparison Groups, Controlling for Demographic Characteristics, Charge, and Admission History



What factors influence the likelihood a person admitted for a probation violation will return to St. Louis County Jail within one year?



Factors that increase the likelihood of return to jail:

- The individual is a participant in the EPP;
- The individual has many prior jail admissions;
- One of the charges is a hold; and
- The top charge is a person crime (relative to crime against society).



Factors that decrease the likelihood of return to jail:

- The individual is Black.
- The individual is older.

Other factors associated with a significantly greater likelihood of being readmitted to jail within one year of release included the individual having a high number of prior admissions, having a hold, and having a top charge of a person crime as compared to a crime against society. Black individuals were found less likely to be readmitted to jail within a year of release compared with White individuals, as were older individuals, compared to younger persons. The following text boxes consider the barriers to success among participants and new evidence-based changes made to the program.

Barriers to Success in the EPP

Absconding was a key factor associated with failure in the EPP and with probation violations overall. Several POs indicated that some participants were fearful of engaging with POs if they had missed appointments or felt they might have violated the terms of probation. PO Phillips shared that lack of communication with officers is a challenge, noting that he must eventually issue a warrant for failed appointments:

*We'll declare them an absconder and have to issue a warrant if we cannot locate them and if they've missed an appointment, if they've lost their house and had to go move one county over and are scared that we're going to come, you know, try to arrest them or send them to prison, they don't want to contact us and let us know, that some of them will declare, declare them and issue a warrant, and they've dug themselves a deeper hole. **I do think there's a lot of undue apprehension about what we do.** I think they have a different understanding of what it is our job is and it, you'll get them to have the light bulb moment where they realize we'll get there, probably, you know, once a month or something or a client will say you know you really do want to help me.*

PO Cole further explained the negative perceptions that some clients have reported regarding POs:

*A lot of the people that we deal with have criminal friends and family who have likely told them stories about us, or, they spent a couple of nights in jail and county and **they've heard all the terrible stories about the POs that sent them [to be] locked up.** Or if they've gone to prison, same thing and a lot of them have this initial bias against us that is difficult to overcome.*

Another likely barrier to the EPP's success is the high level of programming mandated by the court for EPP participants. One jail staff member described the challenges he felt many of the individuals in the program faced:

*You have clients doing a million things, and then you want them to have a job, and then you know, like boundaries, right, or balance. So now you have your probation, and you will try to manage normal life. And then, now I got an anger management class, and I got some class and then you know, all these different things, community service, and curfew, then I got to work. I'm not anti-probation, I'm saying it's a lot for an individual potentially that has never learned how to manage the time correctly, or, you know, prioritize things, so you throw a person who has never developed these, these systems of decision and expect now like, to make the right decision. **So, there's a lot to balance.***

PO Edwards additionally highlighted the unique challenges women faced on probation:

When [clients] get out, [they say] 'I'm expected to be a mother, so I have to work, I have to be a mother of two children who haven't seen me in a while, so I have that, the problems with the family dynamic. If my children are in the system, not only do I have to abide by, you know, whatever my orders are, but I have to abide by what the family court is asking of me, too.

Other research of this type has highlighted the challenges individuals faced when managing supervision requirements.^{xlix} Individuals in the EPP were provided more intensive services, often inpatient drug treatment or other treatment provisions that required frequent check-ins. In addition, the services were most often provided by third-party partners, who were not coordinating the services provided with the client's probation officer. The requirements for the treatment programs associated with the EPP were typically more than what would usually be required for probation. Enhanced supervision mandated as part of the program offered more opportunities for detecting noncompliance on supervision, when compared to probation as usual.^l In addition, while individual treatment providers were given power to document noncompliance behavior, some of them had not worked with individuals on probation as clientele in the past.

Supplemental Analyses: The Impact of the EPP on the Total Number of Admissions for Probation Violations

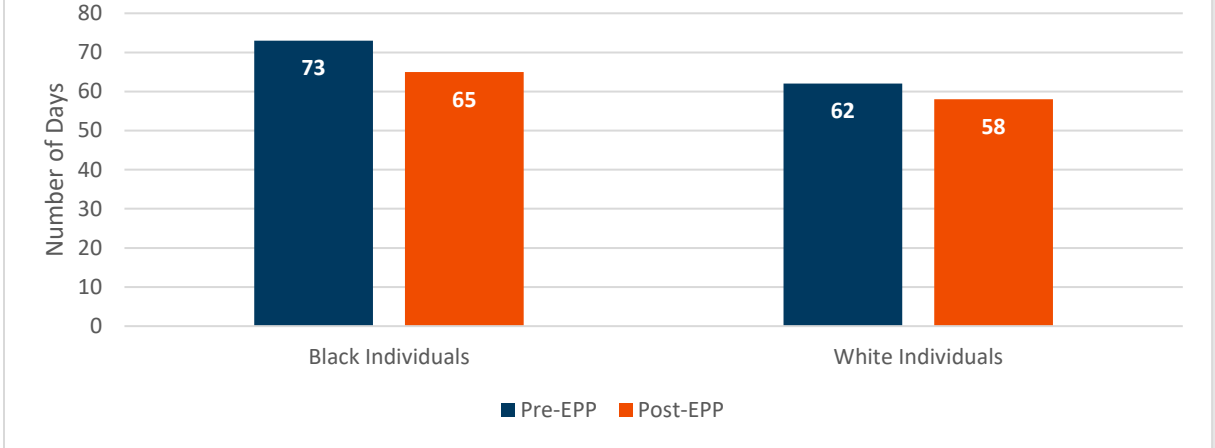
The above analyses pertained to the outcomes of the EPP participants. However, the EPP's impact might have extended beyond its participants to the entire population admitted for probation violations. This could happen, for instance, if system actors recognized the value in quickly moving people who violate probation terms out of jail and sought to apply the EPP practices to other individuals who violated probation. Therefore, we assessed whether the program influenced changes in the monthly average length of stay for people released from jail who had probation violations and determined the proportion of short stays.^{li}

Ideally, the EPP would also reduce the number of people admitted for probation violations through providing access to supportive services and mandating treatment. Thus, we also examined whether the number of people admitted on a probation violation and the percentage of all such admissions declined monthly. To establish context, we compared trends for admissions related to probation violations with trends for all admissions. We further examined racial differences to assess whether the program had different impacts on admission trends for White and Black individuals admitted for probation violations.

To allow enough time to identify pre- and post-implementation trends, we focused on the period of March 2013–February 2020, documenting observations over 42 months. Notably, the jail leadership team made many programmatic and policy changes during this period. Thus, it is not certain whether the program led to any of the observed changes or whether these impacts were related to other factors.^{lii}

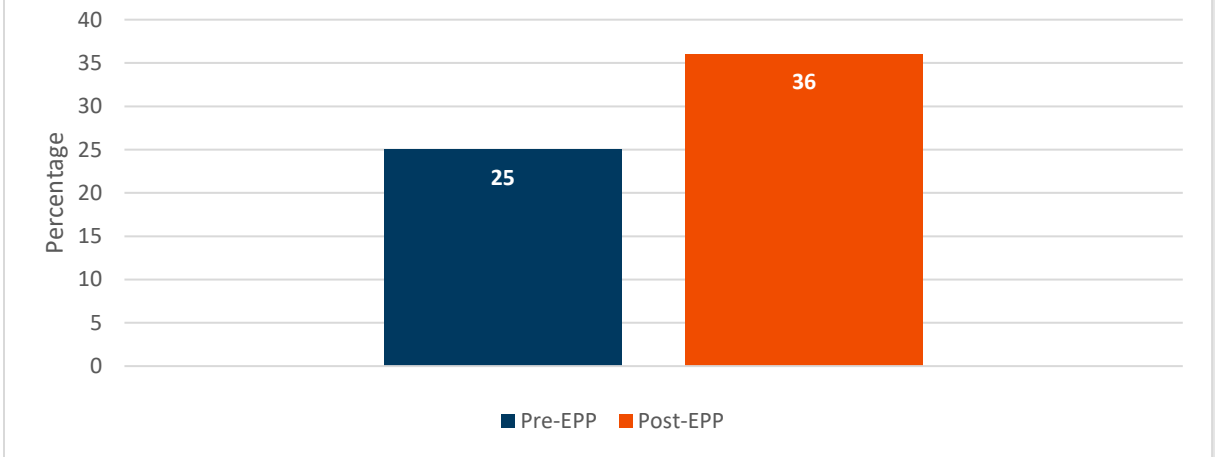
A simple comparison of the pre- and post-program monthly average lengths of stay for all released people with probation violations confirms that the post-program average was significantly lower. **The average length of stay for all individuals admitted with a probation violation fell by a week: from 69 days in the period before the EPP's launch to 62 days after its implementation.** This decline was observed for both White and Black individuals (from 62 to 58 days and from 73 to 65, respectively), although the reduction was smaller (8% vs. 11%) and not statistically significant for White individuals admitted for probation violations (see Figure 15). Notably, the average length of stay for all people released from jail significantly increased over these same periods, from 21 days to 24 days.

Figure 15. Average Length of Stay for All Black and White Individuals with Probation Violations, Before and After EPP Implementation



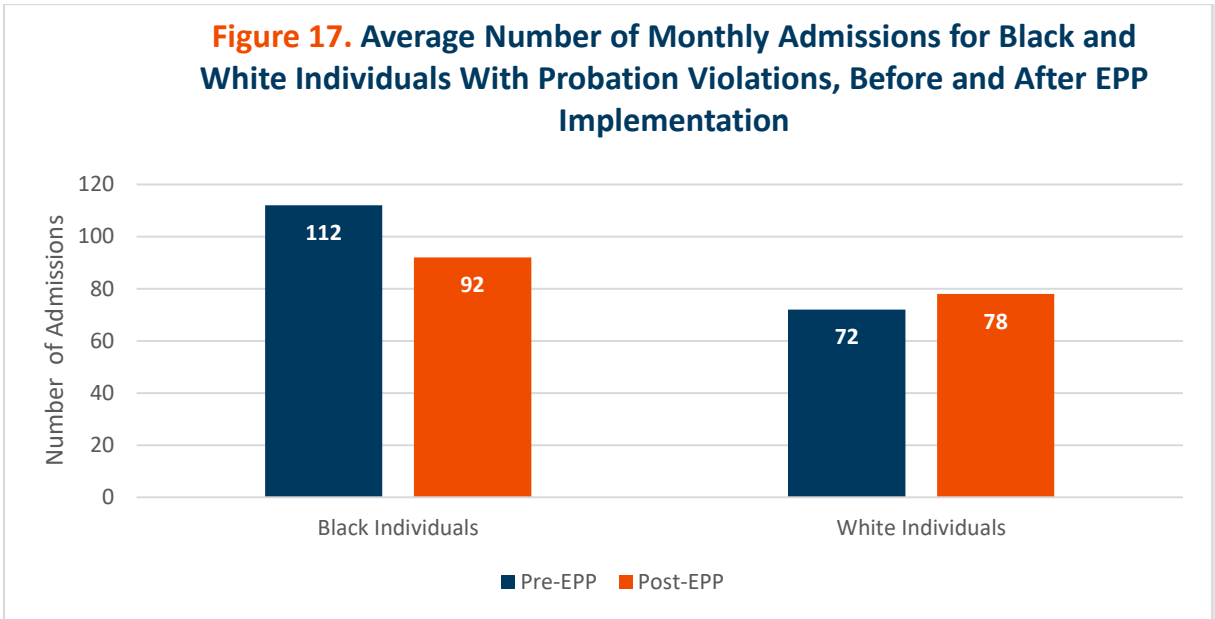
An examination of changes in the proportion of people released after short stays (defined as less than 14 days) further confirmed that **individuals admitted for probation violations were detained for shorter periods after the EPP's implementation**. Before the EPP's launch, 25% of individuals with probation violations had short stays, whereas after the program's implementation, this proportion increased to 36% (see Figure 16). In comparison, the percentage of all admissions who had short stays remained at 83%. The findings are similar for both Black and White individuals.

Figure 16. Percentage of Individuals with Probation Violations Who had Short Stays, Before and After EPP Implementation

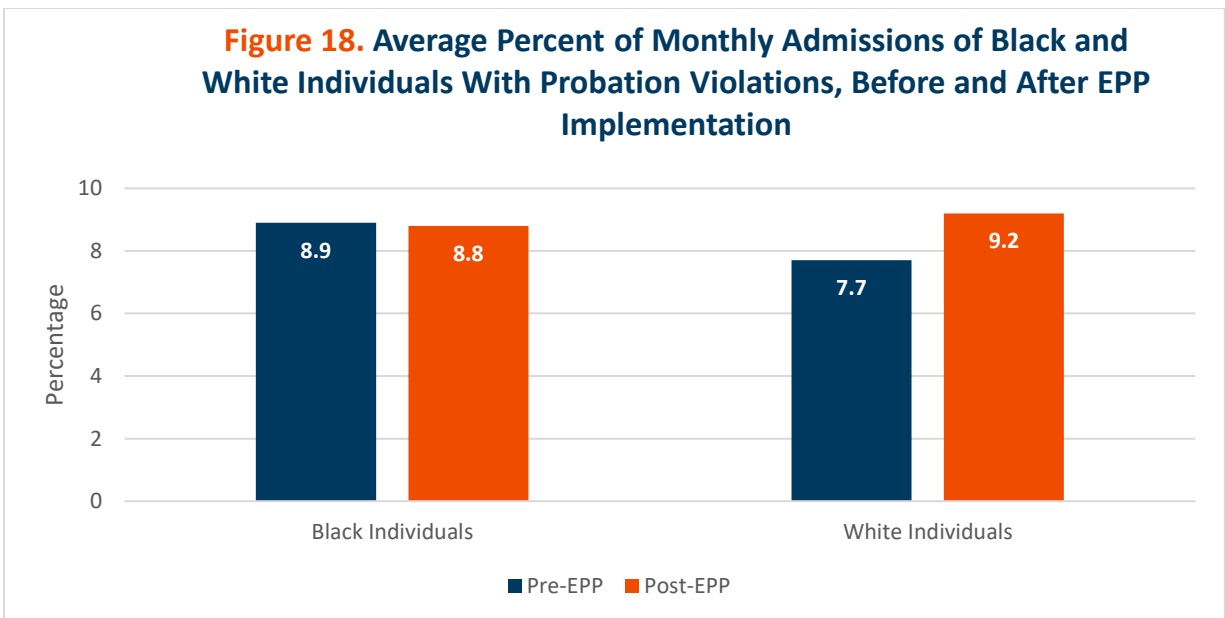


Further, the mean number of people admitted each month to the jail with a probation violation also dropped significantly (from 185 to 170), but this decline was smaller—just 8%—compared to the 17% decline across all jail admissions.^{liii} Moreover, notably, the 8% decrease was driven by the drop in the number of Black individuals booked with a probation violation (from 112 to 92), as the average number of White individuals admitted for this reason each month increased by 8%: from 72

to 78 (see Figure 17). This was not the case for all admissions, for which the average numbers of both White and Black individuals booked each month fell.



Since the average number of people booked each month declined after EPP's implementation, the drop in probation violation admissions needed to be assessed within the context of this larger trend. Thus, we examined whether the average percentage of admissions for a probation violation changed during the 42 months since the EPP's launch. We found a slight increase in this average from 8% to 9%, but again, there were differences by race: Among Black individuals, probation violations remained around 8.8% of all admissions each month, while for White individuals, the corresponding proportion increased significantly (from 7.7% to 9.2%; see Figure 18).



POLICY RECOMMENDATIONS

The preceding discussion outlines the potential strengths of the EPP program, and the documents the importance of reducing jail incarceration among individuals on probation. Although the county has made substantial improvements in how people are on probation are processed, a number of potential avenues for reform were highlighted in participant interviews. The following section outlines these suggestions for policy change.

Expedite the violation process. Probation staff noted that court docket calendars dictate the process and nature of probation services. Because the violation response is in the court's hands, people are often kept in "court limbo," but not for due process-related concerns. In some cases, staff suggested, the delayed response from the court meant their clients went unsupervised through probation because of policy. Further, individuals on probation were also not eligible for earned compliance credits, which shorten the overall term of probation, while awaiting a decision.

POs additionally worried that a vulnerable client could be engaged in more harm while awaiting a decision, particularly when detained in jail for long periods. To this concern, PO Howard provided an example:

I think I had court...every month for well over a year and a half, maybe two years to handle one probation violation. And that is outrageous to me, not only for you know for myself, I'm thinking at some point, it almost sounds pointless for me to continue to go to court every month when it's just going to get continue to the next month, but for the client. It just leaves them in this limbo status and I don't know that all of our clients realize that.

There was general support among POs for continuing the EPP. After the program's first cohort showed higher rates of recidivism, the probation staff took several steps to revise the program model. For instance, the staff transitioned to the Ohio Risk Assessment System (ORAS) for matching risk and need with programming. POs further began using a small number of vetted providers instead of private companies to provide evidence-based substance abuse treatment services. Initial results from the first phase of the program suggest that substance abuse programming, particularly inpatient services, was being ordered more than potentially needed and treatment was not matched with risk and need levels.

On their part, clients faced challenges with compliance, as many reported difficulties arranging transportation. Further, some treatment programs were quite lengthy, making employment more difficult. Private companies also were more likely to file reports of noncompliance. This finding is consistent with recent research concerned with the potentially coercive nature of correctional programming: With initiatives such as drug treatment, some providers focus largely on risk

Evidence-Based Changes to EPP

- Use of the Ohio Risk Assessment System (ORAS) to match risk and need with probation intervention.
- Continued efforts to reduce the length of stay by enhancing relationships with judicial actors.
- Increase the use of informal citations for violation behaviors in lieu of formal court action.

mitigation and control and not on long-term integration and general health.^{iv} In addition, group substance abuse treatment is highly variable, and outcomes are dependent on group cohesion and the qualities of the treatment provider.^{iv} Therefore, there is general evidence that with modifications, that the EPP program can improve case processing and associated lengths of jail stays.

Collaborate with the judiciary to enhance case processing. Many POs shared that delays in court response to the violation report greatly impeded effective probation violation case processing. Staff desired a more unified understanding of and approach to probation violations and greater recognition of their expertise. PO Norris, particularly, provided important insights into current communication processes:

I just think that a lot of times the judges should hear the PO. Because we're the ones that establish the rapport with the client and knows the client the best. And if a PO is advocating or providing information about a client, then I think the judge should, they should listen and, you know, somewhat side with us. But sometimes it seems like they're not. You're letting them know what's going on, and what's gonna happen but it's like, "Okay, forget what you said. They're gonna do what they want to do." ... Because when they're making decisions, it's like, they're not thinking of the POs, because they're not the ones out here doing the work.

In addition, several people on probation felt that the outcomes of their court cases were predetermined and their actions or presence in court was not valuable.

The staff made specific recommendations for improving this process:

- Develop automated and electronic processes to facilitate communication, particularly around probation violation orders, between the judiciary and POs;
- Create unique dockets for probation violations;
- Implement a consistent check-in process for the court to hold with clients; and
- Design practices that enhance the role of PO recommendations.

Assign specific officers to court dockets to improve the collaboration between the probation office and the court. The piloting of officers dedicated to the jail to respond to probation violations for those individuals who are detained pretrial was viewed positively by all participants. Participants moreover suggested expanding this role to include officers dedicated to specific court divisions and serving as liaisons between people on probation and the court regarding probation violations. Creation of this role would expedite probation violation processes, as well as serving to inform the court of a client's probation history and relevant recommendations.

Ensure officer discretion in issuing a violation/citation for non-compliance. Many staff members reiterated that their ability to respond to noncompliance with service referrals or monitoring before going to court was central to addressing the underlying issues related to noncompliance. That noted, there is always the concern that some people might benefit more from discretion than others. Decision-making patterns must regularly be evaluated to ensure that revocation decisions are being equitably made.

Expand technology and policies for virtual communication. Access to broader strategies for communication between courts and officers, and between officers and people on probation, was an important outcome of the COVID-19 response. For people on probation, the ability to communicate with officers via technology and meet with officers in the community helped improve the supervision relationship and process. For both officers and people on probation, the use of web conferencing software for holding some court hearings proved to be a more efficient and less burdensome process than physical attendance in court. Such leveraging of technology could also improve interactions between the court and people on probation outside of probation violations.

CONCLUSION

Individuals who violate the terms of probation are rarely considered in correctional reforms, and much remains to be learned about best practices in jail and probation management, particularly post COVID-19. The first goal of this study was to document the probation revocation process in St. Louis County, Missouri. Using jail data, we have considered probation violations as one driver of the jail population. Further, employing the racial equity framework, we paid attention to the average length of stay among individuals who violated probation terms and the racial variation in jail trends.

The findings of this report highlight the complexity of the probation violation process and the multiple places in which discretion is exercised. We found considerable racial differences in jail admissions and among the population returned to jail for a probation violation. Disparities were most prevalent among the people newly admitted to jail, and there were substantial differences in the lengths of stay between Black and White individuals before the implementation of the EPP.

Overall, the initial evidence presented in this report suggests that the EPP, and as important the relationships built through this project, achieved its goal of reducing the number of days its participants spent in jail, and these reductions were substantial. In addition, the implementation of the program led to a greater decline in the length of stay for Black participants. While this effect needs to be explored in more detail, there is potential evidence that such enhancement of case processing may help attenuate some of the racial disparities inherent in this part of the criminal legal system.

Nevertheless, readmission rates were found to be higher among EPP participants than among the controls. In this regard, program staff suggested that substantial barriers to compliance accompanied the court-mandated programming associated with the intervention; these may have led to higher rates of technical violations among the intervention group.

Emerging from our interviews with stakeholders and system-involved people are the substantial needs that remain among this population. Participants enumerated concerns about substance use disorders and poverty which many faced in the community. COVID-19 has also influenced the probation office to shift to a community-based model in interacting with clients. There is general support for this change, and many people on probation appreciated the ability to interact with the court virtually for probation violation hearings.

Overall, the results of the EPP's assessment suggest that collaborative processes can be instituted to reduce the time spent in jail for a probation violation. That noted, to reduce the rate of recidivism among this group, further research must be conducted with the aim of better understanding the needs of people released from jail and how best to provide services to facilitate their long-term integration.

DATA AND METHODS

ADMINISTRATIVE DATA ANALYSES

Administrative Data

Data for this report included admissions and release from the St. Louis County Justice Center between January 1, 2010, and December 31, 2020. We obtained data on jail admissions and releases from the justice center. These data were supplemented with information supplied by local stakeholders regarding the Expedited Probation Program (EPP), including that on defendant demographics, charges, and case outcomes.

For our study, we examined multiple factors, including length of stay (in days), likelihood of a short jail stay (less than two weeks), and readmission to jail within a year of release.

Statistical Analyses

In evaluating the EPP, we relied on a series of multivariate statistical models to isolate the influence of defendant and case characteristics on outcomes. In these models, the following variables were included: number of prior admissions to the jail; whether the individual was also admitted for a hold, new charge, or warrant or was booked and released; number of charges; severity of the top charge; type of the top charge; gender; race; age; and percentage of households below the poverty line in the zip code of the individual's residence. The full results of all multivariate analyses are available from us upon request.

Comparison of EPP Participants with the Comparison Group

We used regression and matching to account for the several differences observed between the EPP and comparison groups. We found that members of the latter were significantly more likely to be admitted for a hold and a new charge. The two groups also significantly differed in terms of top-charge type: Members of the comparison group were likely to be admitted majorly for person and drug charges, while for EPP participants offenses against society constituted the major reason for admission. Moreover, women formed a higher percentage in the EPP than in the comparison group. Table 3 contains the descriptive statistics used in the multivariate analyses of the two groups, omitting information on individuals with missing poverty data (five from the EPP group and 436 from the comparison group).

Table 1. Comparison of Expedited Probation Program Participants and the Control Group

	Percentage/Mean (Standard Deviation)	
	Comparison Group (1,621)	EPP (n = 436)
Hold	11.6%	4.4% ***
New charge	3.6%	0.5% ***
Warrant	55.7%	60.8%
Booked and released	5.6%	2.8%
Top-charge type		***
Person	4.4%	2.5%
Property	22.7%	19.7%
Drug	10.6%	5.3%

Society	62.4%	72.5%
Top-charge severity		
Nonviolent felony	99.2%	99.8%
Misdemeanor	0.8%	0.2%
Sex		***
Female	21.5%	32.3%
Male	78.5%	67.7%
Race		
Black	57.1%	58.5%
White	44.9%	41.5%
Number of prior admissions	5.10 (4.14)	5.37 (4.13)
Age	32.94 (9.50)	32.56 (9.85)
Percentage of households in zip codes below the poverty line	19.75 (11.50)	19.40 (10.15)

Notes: For count and continuous variables, two-tailed independent t-tests were conducted to determine whether there were significant differences between the groups. Chi-squared tests of independence were used for categorical variables. *** $p \leq .001$.

QUALITATIVE ANALYSIS

The qualitative component of this mixed-methods study involved in-depth interviews with probation staff (n = 17) and people in the community currently under probation supervision (n = 47). Below, we describe the data collection procedures for each participant type and the analysis strategy.

Data Collection Procedure

Study participants were recruited from among all staff who supervised individuals on probation in St. Louis County (n = 86). First, the lead researcher coordinated with the regional administrator to identify, across various offices in the county, potential participants among staff members knowledgeable about the probation violation process. Prospective participants included frontline POs with a direct caseload and frontline supervisors overseeing a unit of POs.

Outreach and recruitment activities included direct emails and phone calls to prospective participants. We individually emailed and called probation staff members identifying themselves. Further, in describing the study, we used a script approved by the institutional review board (IRB) and included the consent form. Participants who responded and agreed to participate were scheduled for a Zoom interview at a time mutually convenient for both them and between the researcher and the participant. Of the 25 participants we initially contacted, 17 agreed and completed an interview, while the remaining eight did not respond to the recruitment email. Details on the demographic characteristics of the sample are provided in Table 2.

Table 2. Stakeholder Demographics (N = 17)

	<i>f</i> (%)/Mean
Age	45.53

Race	
White	9(52.94%)
Black	6(35.29%)
Asian	1(5.88%)
Multiracial	1(5.88%)
Gender Identity	
Female	9(52.94%)
Male	8(47.06%)
Role	
Probation officer	9(52.94%)
Probation supervisor	4(23.53%)
Jail staff	4(23.53%)

Interviews were conducted via Zoom web-based conferencing software and recorded with permission from the participants. We reviewed the consent information and obtained a verbal “Yes” from each participant before beginning the interviews. Following a semi-structured interview protocol, we included questions about their overall work with probation and the violation and revocation processes, as well as asking participants to describe and reflect on the nature and needs of their caseloads. The interview format allowed for sufficient probing in relation to questions that resonated with participants. The interviews were about 60 minutes long on average, and the audio and transcription files were downloaded from Zoom's secure servers. We cleaned and prepared the transcripts for analysis by cross-checking them with the audio and using pseudonyms for names and places to protect participant confidentiality.

Next, people on probation were recruited from local probation offices in St. Louis County to participate in Zoom, phone, or in-person interviews. Office supervisors communicated with the research staff to coordinate days when interviewers could wait at the offices and interview participants in person, as well as provide their contact information to potential participants for phone and Zoom interviews. POs provided their clients with a short description of the study and referred them to interviewers after their meetings. Potential participants expressing interest in the study met with interviewers in interview rooms and were provided with more information about the study using an IRB-approved script and the consent information for the study. We additionally posted fliers at the probation offices, and potential participants contacted us to set up phone and Zoom interviews to be conducted outside the probation offices.

The interviews took a semi-structured format and individuals were asked to recall experiences with community supervision and the criminal legal system, including challenges they had faced, how they communicated with their PO, and their perceptions of risk assessment and of the police and criminal legal system. Moreover, participants were asked about their engagement in any probation violation or revocation and their perceptions of the probation violation and revocation process. Additionally, researchers asked participants about the characteristics of their social network and its roles in their lives.

After each interview, participants on probation were provided a \$30 incentive via Venmo or Cash App or mailed a gift card. Interviews typically lasted between 60 and 90 minutes and were audio-recorded and transcribed using Zoom's transcription service or a third-party transcription service.

The research team cross-checked each interview transcript for accuracy against the audio and removed any identifying information from the transcripts. Participants on probation provided us with pseudonyms or indicated that they would like us to pick pseudonyms for them to maintain confidentiality. Details on the demographic composition of the sample of people on probation are provided in Table 3.

Table 3. Demographics of Participants on Probation (N = 47)

	<i>f</i> (%)/Mean
Age	35.57
Race	
White	24(51.06%)
Black	20(42.55%)
Asian	1(2.13%)
Native American	1(2.13%)
Multiracial	1(2.13%)
Gender Identity	
Male	37(78.72%)
Female	10(21.28%)
Sexuality	
Heterosexual	38(80.85%)
LGBTQ+	9(19.15%)
Past Violation	62%

Data Analysis Strategy

All interview transcripts were imported into two NVivo files: one for probation staff and the other for people on probation. Researchers met and developed an initial coding scheme reflecting possible codes derived from the interview guide, as well as codes that emerged during data collection. We then collaborated on the coding process, with three members of the research team each coding one-third of the interviews on NVivo. Midway through the coding, we finalized the coding scheme and process and identified any new emergent codes to consider. We worked toward consensus on the differentiation and definition of new codes, as well as addressing any discrepancies in the initial coding. Upon completing coding, we individually built analytic memos related to each data set on key topics of the study, including the experience of sanctions, barriers to success, impacts of COVID-19, and recommendations for improving the probation revocation process.

NOTES

- ⁱ Phelps, M. S. (2020). Mass probation from micro to macro: Tracing the expansion and consequences of community supervision. *Annual Review of Criminology*, 3(1), 261-279.
- ⁱⁱ Kaebler, D. (2021). Probation and parole in the United States, 2020. U.S. Department of Justice.
- ⁱⁱⁱ Minton, T. D., & Zeng, A. (2021). Jail inmates in 2020 – Statistical tables. Bureau of Justice Statistics.
- ^{iv} Council of State Governments. (2019). Confined and costly: How supervision violations are filling prisons and burdening budgets. Council of State Governments; Phelps, M. S. (2013). The paradox of probation: Community supervision in the age of mass incarceration. *Law & Policy*, 35(1-2), 51-80. <https://doi.org/https://doi.org/10.1111/lapo.12002>
- ^v Lattimore, P. K., MacKenzie, D. L., Zajac, G., Dawes, D., Arsenaault, E., & Tueller, S. (2016). Outcome findings from the HOPE demonstration field experiment. *Criminology & Public Policy*, 15(4), 1103-1141.
- ^{vi} Kaebler, D. (2021). Probation and parole in the United States, 2020. U.S. Department of Justice.
- ^{vii} Phelps, M. S. (2018). Ending mass probation sentencing, supervision, and revocation. *The Future of Children*, 28(1), 125-146.
- ^{viii} Steinmetz, K. F., & Henderson, H. (2015). On the precipice of intersectionality: The influence of race, Gender, and Offense Severity Interactions on Probation Outcomes. *Criminal Justice Review*, 40(3), 361-377. <https://doi.org/10.1177/0734016815577194>
- ^{ix} Steinmetz, K. F., & Anderson, J. O. (2016). A probation profanation: Race, ethnicity, and probation in a Midwestern Sample. *Race and Justice*, 6(4), 325-349.
- ^x Lowenkamp, C. T., VanNostrand, M., & Holsinger, A. (2013). *The hidden costs of pretrial detention*. Arnold Ventures.
- ^{xi} Harding, D. J., Siegel, J. A., & Morenoff, J. D. (2017). Custodial parole sanctions and earnings after release from prison. *Social Forces*, 96(2), 909-934. <https://doi.org/10.1093/sf/sox047>
- ^{xii} Comfort, M. (2016). "A Twenty-Hour-a-Day Job": The Impact of frequent low-level criminal justice involvement on family life. *The ANNALS of the American Academy of Political and Social Science*, 665(1), 63-79.
- ^{xiii} For more information, see <https://www.safetyandjusticechallenge.org/challenge-site/saint-louis-county/>
- ^{xiv} Huebner, B.M., Giuffre, A., & Slocum, L.A. (2021). Understanding trends in the jail population in St. Louis County, Missouri: 2010 – 2019. https://datacollaborativeforjustice.org/wp-content/uploads/2021/08/PEW_JAIL_REPORT_Final_St.LouisCounty1.pdf
- ^{xv} Data for this section of the report were obtained from the Missouri Department of Corrections. Additional information on institutional corrections in the state and probation and parole populations can be found here: <https://doc.mo.gov/media-center/publications>
- ^{xvi} Kaebler, D. (2021). Probation and Parole in the United States, 2020. U.S. Department of Justice.
- ^{xvii} Individuals with misdemeanor or ordinance violations cannot be supervised by the state probation and parole officers.
- ^{xviii} St. Louis County is a separate county from St. Louis City.
- ^{xix} Slocum, L. A., Huebner, B. M., Rosenfeld, R., & Greene, C. (2018). *Tracking enforcement rates in the City of St. Louis, 2002-2017*. Research Network on Misdemeanor Justice.
- ^{xx} Slocum, L. A., Greene, C., Huebner, B. M., & Rosenfeld, R. (2019). Changes in enforcement of low-level and felony offenses post-Ferguson: An analysis of arrests in St. Louis, Missouri. *Criminology, Criminal Justice, Law and Society*, 20, 25-45.
- ^{xxi} See RSMO 479.359.
- ^{xxii} Huebner, B. M., Lentz, T. S., & Gibson, M. (2020). Systematic Case Review Strategies: An Application for Jail Population Reduction. *Justice Quarterly*, 37(7), 1261-1276.
- ^{xxiii} <https://www.stlouiscountyp prosecut ingattorney.com/wesleybell>
- ^{xxiv} Slocum, L. A., Torres, L., & Huebner, B. M. (2020). *Warrant Arrests in the City of St. Louis, 2002 – 2019*.
- ^{xxv} Slocum, L. A., Torres, L., & Huebner, B. M. (2020). *Warrant Arrests in the City of St. Louis, 2002 – 2019*; Huebner, B. M., and Giuffre, A. (2022). Reinforcing the web of municipal courts: Evidence and implications post-Ferguson. *RSF: The Russell Sage Foundation Journal of the Social Sciences*, 8, 108-127.
- ^{xxvi} The length-of-stay measure uses both date and time, thus involving an hourly time period rather than a date-only approach. If an observation does not have time booked and released, then the length of stay was calculated using date only, with the time set at midnight. In situations where a negative length of stay was produced, these were coded as <1 day, as these indicated administrative errors.
- ^{xxvii} Slocum, L.A., Schaefer, B.P., Torres, L., Huebner, B.M., Hughes, T. (2020) *Warrant enforcement in Louisville Metro and the City of St. Louis from 2006 – 2019: A cross-site analysis*. Research Network on Misdemeanor Justice.
- ^{xxviii} Kaebler, D. (2021). Probation and parole in the United States, 2020. Bureau of Justice Statistics.
- ^{xxix} Petersilia, J. (2003). *When prisoners come home*. Oxford University Press. Petersilia, J. (2008). A decade of experimenting with intermediate sanctions: What have we learned? *Justice Research and Policy*. <https://doi.org/10.3818/JRP.1.1.1999.9>.
- ^{xxx} See <https://doc.mo.gov/sites/doc/files/2018-01/White-Book.pdf>.
- ^{xxxi} See RSMO 217.690.

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- xxxii See RSMO 559.016. Total time on any probation term, including any extension, shall not exceed the maximum term as designated in the statute. By statute, an individual cannot have more than two 5-year terms of probation with a one-year extension. Locally, most probations start at a three-year term. A three-year term can be extended by two years to a total of five years. If the probation has been extended to five years, the individual could then be extended one more time for one year. A term of probation can also be revoked, and the individual can then be placed on a new term.
- xxxiii Weapon violations almost always accompany a new law violation.
- xxxiv See RSMO 559.036.
- xxxv Probation officers have the authority to issue a warrant under RSMO 217.722.
- xxxvi Recent litigation has called into question the preliminary hearing process. See <https://www.macarthurjustice.org/case/gasca-v-precythe-et-al/> for more information. At this time, this case law only applies to people on parole.
- xxxvii More information can be found in RSMO 559.036.
- xxxviii Pseudonyms, in lieu of given names, are included for all participants to protect their identities.
- xxxix See <https://www.newstribune.com/news/2021/sep/05/Parson-state-agencies-negotiate-remote-work-polic/>
- xl See https://www.stltoday.com/news/local/govt-and-politics/revamped-work-from-home-rules-take-effect-for-some-state-workers-in-missouri/article_b07e99e8-b104-5454-b82b-c715dd537cf9.html
- xli For more information, see:
<https://www.naco.org/blog/safety-and-justice-challenge-featured-jurisdiction-st-louis-county-mo>
<https://www.safetyandjusticechallenge.org/challenge-site/saint-louis-county/>
- xlii This was determined at the discretion of the probation officer and jail staff. Formal criteria for describing the level or nature of the mental health diagnosis were not provided. The jail currently has a series of community service providers and a mental health court that provide services for people with a mental health diagnosis.
- xliii Some of the first participants enrolled in the early months of the program had been held in jail for some time before they were screened, which influenced the length-of-stay analysis.
- xliv The jail, at the time of data collection, did not collect routine and reliable information on ethnicity.
- xliv Throughout the report, we use the term “significant” to refer to differences or effects that are statistically significant at $p \leq .05$.
- xlvi Because we do not have data on mental health or substance use, we cannot determine if these individuals did not participate in the program because they were ineligible or for some other reason.
- xlvii Slocum, L. A., Torres, L., & Huebner, B. M. (2020). *Warrant Arrests in the City of St. Louis, 2002 – 2019*.
- xlviii Matching models provide almost identical estimates: a 20% difference between the groups (52% versus 32%).
- xliv Phelps, M. (2020). Mass probation from micro to macro: Tracing the expansion and consequences of community supervision. *Annual Review of Criminology*, 3(1), 261-279.
- ¹ Petersilia, J. (2008). A decade of experimenting with intermediate sanctions: What have we learned? *Justice Research and Policy*. <https://doi.org/10.3818/JRP.1.1.1999.9>; Petersilia, J., & Turner, S. (1993). Intensive probation and parole. *Crime and Justice*, 17, 281–335. <http://www.jstor.org/stable/1147553>
- ⁱⁱ We examine changes in average monthly data, because this allows us to test for statistically significant differences after implementation. The analysis presented earlier comparing 2016 to 2019 provides another way to explore differences in the effect of the program on jail populations.
- ⁱⁱⁱ We considered exploring the effect of the program using time series analyses and monthly data, but these models are difficult to interpret for several reasons. First, there was a sharp decline in the length of stay before the implementation of the program. When controlled for this declining trend, the time series models indicated an initial immediate increase in the length of stay for the probation population, followed by a drop that increases over time. Because we would not necessarily expect the program to have an immediate effect on how justice services staff treat all cases, it is difficult to assess if these findings support the notion that the EPP had an effect on lengths of stay for all individuals admitted to jail with probation violations.
- ⁱⁱⁱⁱ The average number of individuals admitted every month into the jail dropped significantly, from a mean of 2,269 in the 42 months before the program was enacted to 1,892 in the 42 months after implementation.
- ^{iv} Phelps, M.S., Ruhland, E.L., (2022). Governing marginality: Coercion and care in probation. *Social Problems*, 69 (3), 799–816.
- ^{lv} Jennings, J. L., & Deming, A. (2017). Review of the Empirical and Clinical Support for Group Therapy Specific to Sexual Abusers. *Sexual Abuse*, 29(8), 731–764. <https://doi.org/10.1177/1079063215618376>