

## Impactful Court Conditions

Conditions are requirements that a person must follow while on supervision. Some are imposed for the safety and well-being of the victim and community, others for restitution, and still others, increasingly, to reduce people's risk of recidivism and increase their likelihood of success. When courts set relevant, attainable conditions, people are better able to access the supports and build the skills they need to remain law-abiding and to contribute to their families and the community in meaningful ways.

### General and Special Conditions

There are two main types of conditions: general and special. **General conditions** are usually imposed on all people who are on supervision. For example, people must regularly report to a corrections professional, obey all laws, not own or possess weapons, and remain in the jurisdiction. **Special conditions** relate to the person's law violation or circumstances. Special conditions might include no contact with a victim, payment of fines or restitution, mental health treatment, drug testing, or cognitive behavioral interventions.

### Tips for Conditions

The following are four key tips that lead to impactful court conditions:

**1 Limit the number of conditions.** Too many conditions can overwhelm the person under supervision and result in corrections professionals spending most of their time monitoring a person's compliance rather than working with them on behavior change. In addition, monitoring conditions intensively inevitably leads to more technical violations. This increases court time, jail population, and/or length of supervision—all a result of infractions that do not lead to higher rates of recidivism.

To minimize conditions, ask yourself these questions:

- Are there multiple conditions that serve the same purpose? If so, **remove overlapping conditions.**
- Are conditions achievable? Does the person have the skills (e.g., cognitive capacity) and stability (e.g., housing, access to transportation) to follow through on the conditions? Does the community in which the person lives have the treatment, programming, supportive services, and employment opportunities to meet the person's needs? **Consider the person's abilities and situation**, and the community's resources, when imposing conditions.
- Are conditions realistic? For example, it is unrealistic to expect that a person with a substance use disorder will be able to completely abstain from substance use given that relapse is an expected part of the disorder. **Consider a person's circumstances** when imposing conditions. ▶

#### DESIRED OUTCOMES OF CONDITIONS

**Conditions should be sufficient, but not greater than necessary, to help achieve desired outcomes, such as the following:**

- **Maximize the person's success during and beyond supervision**
- **Support law-abiding behavior and reduce the likelihood of illegal behavior**
- **Hold the person accountable and reduce risk to the public**
- **Effect prosocial behavior change by targeting the person's criminogenic needs**
- **Address stabilization needs such as lack of housing, food insecurity, and mental health**

- Are conditions enforceable? **Include only those conditions that the agency can detect and enforce** in a swift and consistent manner.
- Will conditions interfere with the person’s ability to work, attend school, spend time with people who support their goals, or engage in prosocial activities? **Ensure that conditions build on the person’s strengths** (e.g., motivation, resilience), protective factors (e.g., strong family bonds, employment), and prosocial behaviors (e.g., leisure activities, volunteer work) rather than negatively impacting them.

**Tip 2 Link conditions to a person’s assessed risk level and criminogenic needs.** People at low risk of recidivism should receive few conditions and low levels of intervention. Most people at low risk are self-correcting. In addition, higher levels of intervention might take them away from the prosocial aspects of their lives and put them in contact with people who are higher risk, thus *increasing* their likelihood of recidivism. For people at medium and high risk, conditions should focus on their criminogenic needs and help them build the skills required to address those needs. People at extremely high risk might be able to benefit from behavior-change interventions; however, agencies may not have the resources to offer the length and intensity of interventions that are needed. Therefore, for people at extremely high risk, conditions should focus on ensuring community well-being and safety.

**Tip 3 Use clear language.** Conditions should be easy to understand; encourage positive, prosocial behavior; convey why they are being imposed; and be worded in a way that allows people to be held accountable for them. For example, people can be held accountable for “attending vocational classes,” but it is more difficult to hold them accountable for “getting a job.”

**Tip 4 Incentivize compliance and adjust conditions throughout the supervision period.** To promote success, recognize and reward people’s compliance with conditions and their positive behavior change, and revise conditions to reflect changes in their assessed risk level and criminogenic needs. For example, you might adjust programming, reduce community service hours, and mandate less frequent alcohol and drug tests.

#### COMBINING CONDITIONS

**Supervision conditions focus on maintaining an awareness of a person’s activities and encouraging compliance. With behavior-change conditions, people are provided with the information, skills, resources, programming, and treatment to facilitate positive behavior change. Research has demonstrated that combining supervision and behavior-change conditions is far more effective than selecting one type of condition alone.**

**With relevant, attainable conditions, people can access supports and build skills to remain law-abiding and contribute to their families and communities in meaningful ways.**