

Length of Community Supervision

According to the Pennsylvania Commission on Sentencing, in 2021, average probation periods in Pennsylvania counties ranged from 7.7 months to 30.3 months; the average was 16.7 months. With such variation across counties, it is important to understand what length of community supervision is ideal for improving positive outcomes for people on supervision, community well-being and safety, and probation agencies themselves.

Myths and Facts about Sentence Length

1

MYTH: Longer probation sentences lead to lower rates of recidivism.

FACT: Longer probation sentences do not reduce recidivism, and they increase the likelihood of technical violations, which contribute to higher prison admissions and costs.¹

2

MYTH: Corrections professionals need more time to help people change their behavior.

FACT: After the first year, many probation practices deliver diminishing benefits.² Keeping probation terms just long enough to ensure accountability proportional to the underlying act, connect people to needed treatment and services, and enable them to complete cognitive behavioral and other risk-reducing interventions can improve success rates.³ Frontloading interventions adds to the effectiveness; studies show that people are at the highest risk of recidivism early in their probation terms, with the majority violating within the first year.⁴

3

MYTH: People need time to “prove” that they have changed.

FACT: Many people are placed on probation for periods that are longer than needed for community well-being and safety. For example, one study found that more than 90% of people on probation could have spent less time on supervision without impacting recidivism. With one jurisdiction, had it implemented the shortest supervision period needed for public safety, supervision length would have been reduced by 10 months and the overall caseload would have been reduced by 44%.⁵ ▶

Policies designed to deter crime by focusing mainly on increasing the severity of punishment have been shown to be ineffective.



The certainty of being caught is a vastly more powerful deterrent than overly harsh punishment.

¹ Velazquez, T. (2020). *States can shorten probation and protect public safety: Wide variations in policies and terms lengths across states point to opportunities for reform.* The Pew Charitable Trusts. <https://www.pewtrusts.org/en/research-and-analysis/reports/2020/12/states-can-shorten-probation-and-protect-public-safety#:~:text=These%20findings%20demonstrate%20that%20shortening,the%20highest%20risk%20of%20re%20offending>

² Dinsmore, E., Lassiter, L., Margulies, L., Gander, C., James, J., Kotonias, C., Solomon, A., & Elderbroom, B. (2020). *Policy reforms can strengthen community supervision.* The Pew Charitable Trusts. https://www.pewtrusts.org/-/media/assets/2020/04/policyreform_communitysupervision_report_final.pdf

³ Velazquez, 2020

⁴ Velazquez, 2020

⁵ Velazquez, 2020

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MYTH: Lengthy sentences have no impact on probation agencies.

FACT: Longer probation terms result in higher caseload sizes, stretching resources thin and weakening agencies' ability to provide adequate services, support rehabilitation, and ensure accountability.⁶ Conversely, shorter probation terms can result in decreased probation populations, which gives agencies the opportunity to efficiently and effectively use the limited resources available—redirecting them to people at a higher risk of recidivism and implementing evidence-based practices.

Improving Sentencing Practices

- **Use actuarial risk/needs assessments** to help guide decisions regarding supervision length. Consider diversion for people assessed as low risk and, if they are not diverted, provide them with short periods of supervision, with interventions focused on their stabilization needs (e.g., mental and physical health, housing, food security). Provide longer periods of supervision for those assessed as moderate or high risk; the higher the risk, the longer the supervision period.
- **Align supervision length with the dosage**, or amount, of intervention needed to address the person's criminogenic needs and with **the length of time necessary to complete mandatory conditions**.
- **Adopt statewide standards** regarding offenses that are eligible for probation, policies that enable people to earn early termination, and limits on supervision revocation.
- **Use early termination** when public safety is not at risk, for example, when people who are low risk have completed conditions or when regular reviews of people's behavior-change progress indicate that early termination may be appropriate.
- **Analyze recidivism data** to determine potential sentence reduction opportunities. The analysis may uncover factors (e.g., offense type, risk level, criminogenic need, etc.) that might help determine which people would be better served with a shorter sentence. Courts can then use this data to help identify policy and practice changes that could safely shorten supervision terms.
- **Collect and analyze data** to determine whether racial disparities exist. For example, Black and Latinx people receive longer sentences than similarly situated white people.⁸ When disparities are identified, **adopt policies** to eliminate them.
- Have supervision agencies **explore and revise policies** that may unnecessarily extend supervision length.

The Pennsylvania Commission on Crime and Delinquency reported that, at the end of 2021, county adult probation departments were supervising 169,840 people.

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Of those assessed, 44% were assessed as low risk.⁷

⁶ Velazquez, 2020

⁷ Orth, R. (2023). 2021 county adult probation and parole caseload statistics report. Pennsylvania Commission on Crime and Delinquency. <https://www.pccd.pa.gov/AboutUs/Documents/2021%20CAPP%20Annual%20Statistical%20Report.pdf>

⁸ Owens, E., Kerrison, E. M., Santos Da Silveira, B. (2017). Examining racial disparities in criminal case outcomes among indigent defendants in San Francisco: Summary report. Quattrone Center for the Fair Administration of Justice. <https://www.law.upenn.edu/live/files/6792-examining-racial-disparities-may-2017-summary>