

What is a DOC violation?

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How Swift and Certain Sanctions Changed Community Supervision in Washington State

September 12, 2014

Background

Enforcing community supervision for released inmates is a persistent challenge for the criminal justice system. This challenge comes at a high cost as many probationers and parolees are revoked and returned to prison on technical violations, such as continued drug use and no-shows for appointments. In an attempt to reduce violation rates and the associated costs, many jurisdictions are testing a new approach. This new approach, referred to as the Swift and Certain (SAC) model, is modeled after a program that was originally tested on high-risk probationers in Hawaii.

As suggested by the name, the SAC model operates *swiftly*: probationers or parolees who violate the conditions of supervision are immediately arrested and are brought before a judge, hearings officer, or probation/parole administrator (depending on the specifics of the implementation) who determines their sanction. The model entails *certainly*: violations are likely to be detected and all detected violations are addressed. With this model, sanctions are modest, typically a few days in jail for low-level missteps. The goal of the approach is to reduce incarceration and reoffending.

In a 2011 project, the [Bureau of Justice Assistance](#) (BJA) partnered with the [National Institute of Justice](#) (NIJ) to replicate [Hawaii's Opportunity Probation with Enforcement](#) (HOPE) program. BJA and NIJ decided to implement a multisite demonstration of the Hawaii HOPE model with a rigorous experimental evaluation, also known as a Demonstration Field Experiment (DFE). To provide training and technical assistance (TTA) to four sites selected for the HOPE DFE, BJA partnered with a team from [Pepperdine University](#), led by Dr. Angela Hawken, an Associate Professor at [Pepperdine University's School of Public Policy](#).

Implementing Swift and Certain Sanctions in Washington State

In 2013 on another project, BJA's [National Training and Technical Assistance Center](#) (NTTAC) also worked with Pepperdine University to assist the Washington Department of Corrections (DOC) to implement SAC statewide. In the state of Washington, DOC is responsible for all felony probation as well as post-prison community supervision; subjects are overseen by community corrections officers (CCOs). SAC was rolled out statewide in Washington over several months, beginning in June 2012. Washington was the first state to implement SAC statewide, and Washington's program is the largest implementation, covering more than 10,000 supervised offenders in over 120 field offices. Under this, technical violations—and the imposition of jail sanctions—are handled administratively, with CCOs handling low-level violations and hearings officers handling high-level violations.

The DOC uses a [Behavior Accountability Guide](#), which dictates which sanctions correspond to which violation. The first low-level violation results in a stipulated agreement by which the violator is instructed what will happen in the event of a future violation. The second through fifth low-level violations receive one to three days in jail. Higher level violations and absconding require a hearing before a hearings officer, where up to 30 days of confinement may be imposed.

The speed and increased collaboration requirements under SAC make implementation fidelity especially important and challenging. The size of Washington's SAC makes it an ideal laboratory for studying these implementation issues.

To help with this, the DOC turned to Pepperdine University for help in identifying and addressing implementation concerns. Dr. Angela Hawken was one of the experts called in to help. BJA NTTAC and experts such as Dr. Hawken and her team worked closely with DOC staff at all levels throughout the agency to troubleshoot emerging challenges and to consider potential reforms to improve SAC implementation. This included conducting anonymous surveys of DOC line staff and reporting the recommendations from the field back to DOC management.

The training and technical assistance team also worked closely with the SAC implementation team. “DOC leadership made a smart move early in its implementation experience,” said Dr. Hawken. “They formed an implementation team, comprising individuals throughout the agency who were well-respected by their peers. This implementation team functioned as an in-house think tank for the department and was given a great deal of responsibility for policymaking and for overseeing the massive training task that the SAC reform required.” Hawken notes that there have been a number of hiccups along the way as the state resolved implementation problems but that in general, implementation has been smoother than anticipated for such a quick and broad rollout. She attributes the implementation success to DOC’s strong senior leadership and to the dedication of the implementation team and field staff.

“We look forward to continuing work with DOC. Other states will benefit from the many lessons^[1] that follow from the Washington experience,” said Hawken. “We will learn more about how best to implement the principles of Swift and Certain within a large statewide system. A statewide model implemented with fidelity to the underlying principles will allow evaluators to formally test whether this new model has paid dividends for the people of Washington.”

For more information on the rollout of SAC in 2012, please visit

<http://www.doc.wa.gov/community/ImplementationofSB6204.asp>. You can also learn more about Washington’s community corrections practices in the [2012 Report to the Legislature](#) or in the DOC white paper, [Changing Community Supervision: A Shift Towards Evidence-Based Corrections](#).

To submit the work of your organization or jurisdiction for consideration to be featured in a future BJA NTTAC TTA Spotlight, please email BJANTTAC@ojp.usdoj.gov.

[1] For more information on the lessons learned, please see the white paper titled [Changing Community Supervision: A Shift Towards Evidence-Based Corrections](#).

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