



**The author(s) shown below used Federal funding provided by the U.S. Department of Justice to prepare the following resource:**

**Document Title: Promising Practices from Community Corrections Organizations' COVID-19 Response: Ensuring Safety During Community Supervision**

**Author(s): RAND**

**Document Number: 300848**

**Date Received: May 2021**

**Award Number: 2018-75-CX-K006**

**This resource has not been published by the U.S. Department of Justice. This resource is being made publically available through the Office of Justice Programs' National Criminal Justice Reference Service.**

**Opinions or points of view expressed are those of the author(s) and do not necessarily reflect the official position or policies of the U.S. Department of Justice.**

BRIEF

# PROMISING PRACTICES FROM COMMUNITY CORRECTIONS ORGANIZATIONS’ COVID-19 RESPONSE

## ENSURING SAFETY DURING COMMUNITY SUPERVISION

WHEN THE CORONAVIRUS DISEASE 2019 (COVID-19) pandemic struck the United States in March 2020, the criminal justice system had to make significant changes to reduce the risk of transmission for staff, justice-involved individuals, and communities. Although infection-reduction efforts helped manage pressures in some sectors—for example, releasing pretrial defendants without bail—many of those efforts added workload to community supervision and service provider organizations that were already under stress and facing funding constraints before the pandemic.

In addition to managing increases in caseload, supervision agencies and service providers have needed to make pandemic-related adaptations to respond to what these organizations do and how they do it. For example, there are considerable variations between the needs and challenges of someone on juvenile probation for a nonviolent property crime and those of a high-risk supervisee with repeated violent offenses. Supervision needs for individuals convicted of drug or property crimes are different from those convicted of sex offenses. Treatment needs for mental health and substance use disorders and other support services also can differ significantly from person to person. Managing all of these issues requires a

network of government agencies and nongovernmental organizations (NGOs) that must coordinate to effectively serve supervisees. The COVID-19 pandemic shook up these networks as each organization struggled to respond.

To better understand how the COVID-19 pandemic affected the criminal justice system in terms of the challenges it created and how agencies adapted to those challenges, the Priority Criminal Justice Needs Initiative conducted a series of panel workshops with representatives of different sectors within the system.<sup>1</sup> One of the key goals of the discussions was to identify which adaptations presented promising practices that agencies should consider continuing beyond the COVID-19 pandemic.

One such panel workshop brought together representatives of federal, state, and local community supervision agencies, service providers, and subject-matter experts to discuss how the pandemic has affected these organizations and their respective responses to the pandemic. In addition, a separate community workshop provided input on the broader effects of changes made by community corrections agencies and the justice system more generally.

PRIORITY  
Criminal Justice  
NEEDS INITIATIVE

A project of the RAND Corporation,  
the Police Executive Research Forum,  
RTI International, and the University of Denver

This resource was prepared by the author(s) using Federal funds provided by the U.S. Department of Justice. Opinions or points of view expressed are those of the author(s) and do not necessarily reflect the official position or policies of the U.S. Department of Justice.

## HIGHLIGHTS THE CHALLENGES

### THIS BRIEF

the COVID-19 pandemic created, shows how community corrections agencies adapted to those challenges, describes which adaptations may hold promise even after the pandemic ebbs, and provides suggestions for evaluations to demonstrate the efficacy of such adaptations.

# WHY WAS THE COVID-19 PANDEMIC SO CHALLENGING FOR COMMUNITY CORRECTIONS ORGANIZATIONS?

## The Criminal Justice System Focused on Lowering Numbers of Inmates in Jails and Prisons

Throughout the COVID-19 pandemic, different parts of the criminal justice system have made efforts to lower the risk of disease transmission by reducing incarcerated populations through both release and community-based alternatives to incarceration. For the most part, individuals who have been released or diverted from incarceration have become the responsibility of community corrections organizations. Furthermore, organizations were generally unable to rely on incarceration as a response to many supervision violations and, therefore, those individuals remained on active caseloads. The huge increase in caseloads—when such organizations were already struggling to respond to the pandemic—has strained capabilities. For NGO service providers in particular, the demand for services during this period has been intense in some areas. And with backlogs in other “upstream” parts of the justice system, such as law enforcement, community supervision panelists expect another wave of cases in the future.

## Supervision Is Generally Face to Face

Community corrections officers generally rely on in-person contact and relationship-building to forge a connection to supervisees. This face-to-face relationship, as well as broader engagements with a supervisee’s contacts and community, may be necessary to effectively support the supervisee’s reentry and prevent recidivism. However, the risk of COVID-19 transmission has meant that supervision agencies have had to quickly rethink this type of approach.

The pandemic has also affected other elements of standard supervision models—such as location-monitoring technology and drug testing—that typically require face-to-face interaction.

For example, installing such devices as ankle monitors and inspecting them to ensure that they are still being worn by the individual, have not been tampered with, and are functioning as expected requires direct contact between staff and supervisees. As a result, agencies have sought workarounds that would lower this type of interaction, although it should be noted that because of pressures to reduce populations in other parts of the corrections sector, the use of electronic monitoring has increased in some areas.

## Service Organizations Have Faced Capacity Challenges

As with supervision activities, treatment, counseling, and reentry service organizations have faced an increase in the number of clients they are expected to serve even as the pandemic has significantly depressed their capacity, and as many providers have shut down, either temporarily or permanently. Community corrections service organizations also have faced challenges because most services are typically provided face to face. For example, treatment for mental health, addiction, and other concerns is often delivered in group settings to increase the number of people that can be served and because group dynamics and support can strengthen counseling efficacy. The need to minimize contact to reduce the risk of virus transmission among staff and clients has been a significant challenge to standard practices.

In addition to providers, people receiving services have faced challenges from reduced service delivery capacity for behavioral health issues. For individuals who are dealing with mental health disorders, access to treatment can be a key component of successful reentry. The added stress involved in living through the pandemic has presented challenges to many, particularly given economic impacts and job losses that fell heavily on industries and job categories that employ justice-involved individuals.

Just as the added stress of the pandemic can prove difficult for individuals dealing with mental health issues, that stress also can make maintaining sobriety more difficult. Substance use disorder treatment is extremely sensitive to maintaining continuity of care, particularly when medications are part of the treatment, and the effects of the pandemic have raised concerns about whether individuals requiring such support are able to get it.



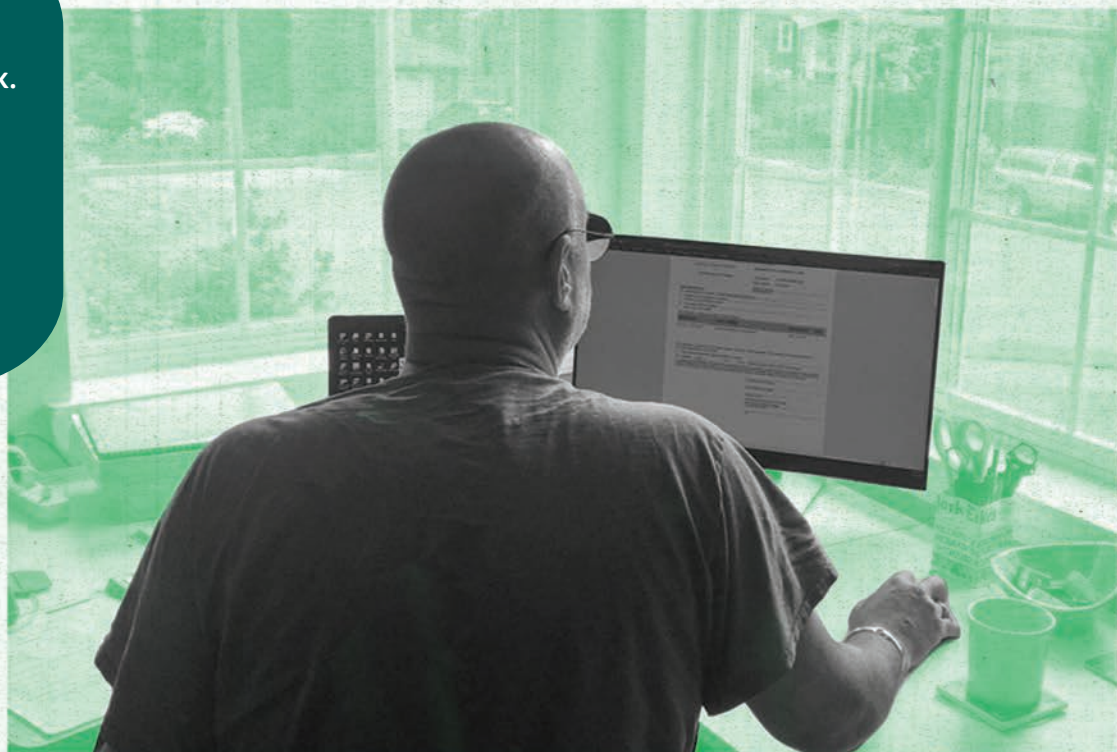
## The Digital Divide Has Affected Everyone

Similar to what was found in other parts of the criminal justice system, a common problem for both supervision and service delivery has been a significant digital divide that affects the implementation of virtual service delivery and other distanced models of operation. In some cases, supervisees have lacked access to the technology and connectivity necessary for virtual engagement, putting the burden on already cash-strapped agencies to provide these resources. Beyond hardware and connectivity challenges, organizations working with recently released individuals emphasized that people who were incarcerated for long periods may have serious technological deficits. Housing instability also could contribute to the digital divide: If someone did not know where they would be living from day to day, they would have similar uncertainty about their ability to connect to the internet for supervision or treatment.

Digital divides have affected organizations as well. Although some agencies had made previous investments in technology and connectivity, a smooth shift to virtual engagement depended on whether the agency had been actively leveraging its technology prior to the pandemic or if it had to initiate a steep learning curve to catch up. Agencies that had not made past investments had more difficulty adapting and in some cases had to roll out new technology as the pandemic intensified. In many cases, network bandwidth has been a constraint.

“  
If you're paper-based,  
it's difficult to telework.  
If you have, you know,  
135,000 files that  
haven't been scanned.”

Community  
corrections panelist



## HOW DID COMMUNITY CORRECTIONS ORGANIZATIONS ADAPT?

To address the risks that COVID-19 presented to face-to-face interaction and the challenges of managing increasing case-loads with reduced resources, community corrections organizations undertook various changes to typical protocols. The following are some key adaptations identified by workshop participants that were implemented by supervision agencies and service providers across the United States in response to the pandemic:

- The pandemic has resulted in a major reduction in the dosage (i.e., intensity) of supervision for many people in the community corrections system, including less-frequent counseling, less direct contact, and even ending supervision terms early for low-risk individuals.
- At the same time, virtual supervision—including telephone contacts and check-ins and increased use of email, texting, and video calls—has allowed greater contact with supervisees and increased efficiency while reducing the burden of meeting justice obligations. In some cases, it has been

necessary to provide technology to both staff and supervisees to allow activity to continue. Agencies also have made use of distanced supervision, such as meeting outdoors, and alternatives to observed drug testing, such as transdermal patches that can detect drug use.

- Meeting the needs of individuals receiving treatment for substance use or mental health concerns has required significant changes in treatment-delivery models. Adaptations have included alternative outdoor delivery models, such as the delivery of medication-assisted treatment and counselors meeting with individuals outside their homes. Such technologies as recovery-focused apps on smartphones also have been used.
- Community corrections organizations have used virtual and work-from-home models to reduce infection risk and provide more flexibility to staff. Where in-person work is required, agencies have used various cohorting models to reduce the risk of exposure across the workforce.

### Community Corrections Organizations and Service Providers Have Faced Staffing Challenges

Many community corrections organizations and service providers experienced challenges with staffing, with impacts ranging from large quarantines because of COVID-19 exposure to loss of life. In addition, because community corrections agencies are relatively well staffed compared with some other parts of the criminal justice system, in some areas, they were called on to contribute in other ways to the pandemic response, such as managing protective equipment supplies and working in temporary shelters that were set up to allow greater social distancing. Community corrections officers were also sometimes called on as backfill staff in correctional institutions when illness or quarantine sidelined prison or jail staff.

### All Organizations Have Faced Funding Shortfalls

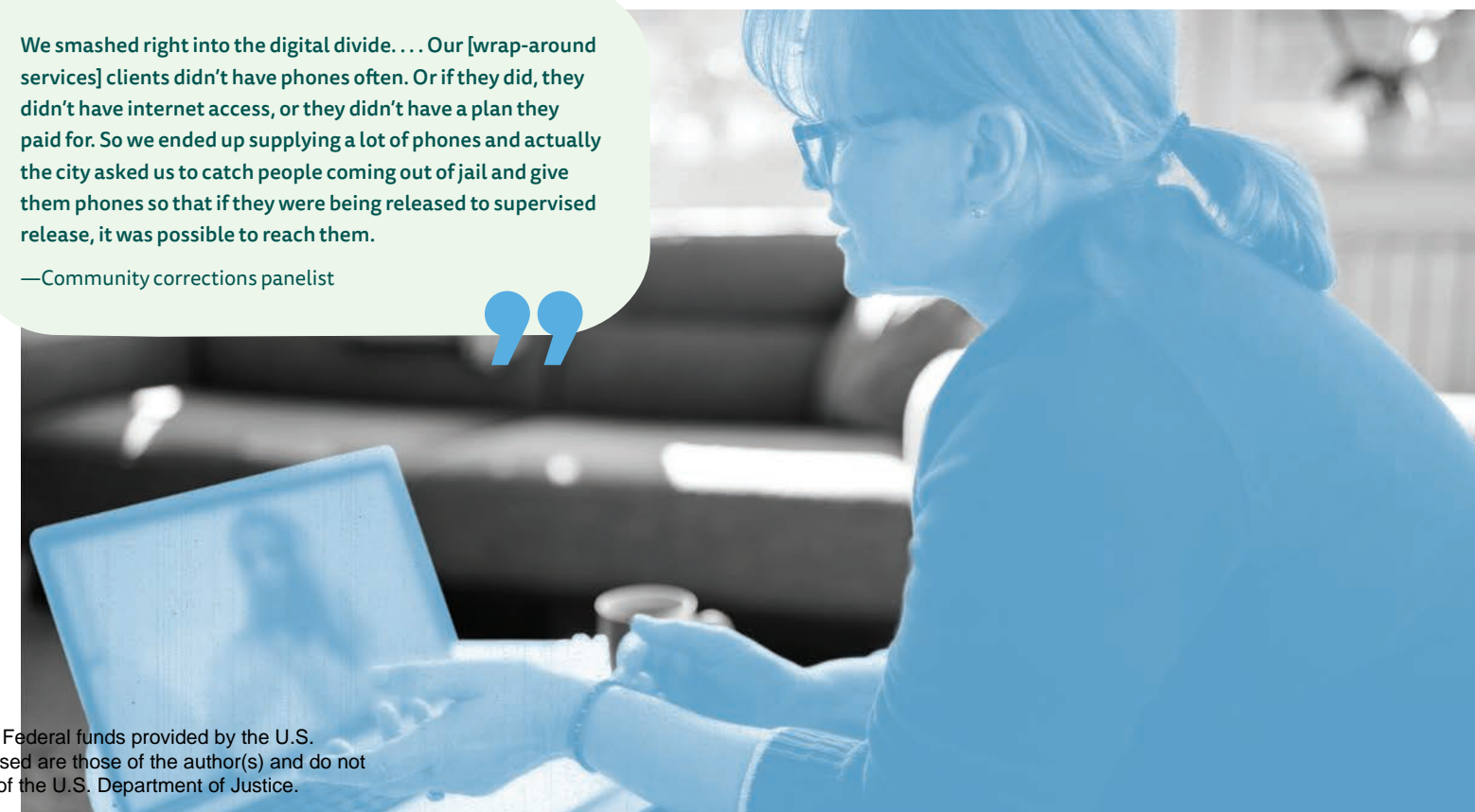
The pandemic created major funding challenges for both government and NGO components of the community corrections system. For government agencies and government-funded providers, budget cuts to respond to COVID-19-related reductions in tax revenue have hit hard. Another concern has been the “fee for justice” model used by many agencies and service providers, which depend on money paid by individuals under supervision or treatment. Suspending these fees in response to the pandemic-related economic crisis has meant that organizations are not receiving the funds they need to operate. These challenges will require more than considering how funding will affect individual entities in isolation. Instead, localities must address how the network of providers that serve their area is supported and how the different pressures on individual funding streams will affect the viability of the system as a whole.

“  
The other thing that I think [is important] is the economic hit from the shutdowns. So not only were people struggling with trying to protect their families and deal with the virus, [but also] losing their job . . . was a huge thing. For our departments, a good portion of our basic operating funds are those from clients. Obviously that's not the funding methodology we wanted, but we've taken big hits from that. And, you know, had to do hiring freezes and adjust on that.”

—Community corrections panelist

“  
We smashed right into the digital divide. . . . Our [wrap-around services] clients didn't have phones often. Or if they did, they didn't have internet access, or they didn't have a plan they paid for. So we ended up supplying a lot of phones and actually the city asked us to catch people coming out of jail and give them phones so that if they were being released to supervised release, it was possible to reach them.”

—Community corrections panelist



To be able to have the conversations and the connections virtually you have to have had a relationship first. I think it's much harder to build that first relationship phase virtually. So the first six weeks is that intense phase of getting to know the client, the kind of stuff that is going to probably stay in-person. But I think nobody's now wedded to the office being the in-person location. That in-person [interaction] can be in their neighborhood. . . . And then if that person actually prefers video or whatever, we're much more nimble and can do that.

—Community corrections panelist



## PROMISING PRACTICES TO CARRY BEYOND THE PANDEMIC

Looking ahead to a post-pandemic environment, community corrections organizations may continue to see high numbers of supervisees, driven by the clearance of backlogs and reforms in incarceration. And they will have to manage their operations in a resource-constrained setting. In light of these challenges, workshop participants pointed to the following promising adaptations implemented during the pandemic that may be useful to carry on in the future:

- **maintaining teleworking models that provide more flexibility to staff and help conserve resources**, as well as potentially strengthening recruiting and retention efforts
- **maintaining virtual supervision models and telehealth or telerreatment that reduce the burden for people to check in during supervision**. Such models could allow

individuals to begin receiving services even if in-person programs in their area are full. Hybrid models may be an effective way to address concerns about the importance of personal relationships in the supervision and treatment process while preserving the advantages of virtual engagement.

- **leveraging virtual options to adapt supervision to the needs of individuals**—a “one-size-fits-one” approach—and therefore better meet their needs. Being able to more flexibly adjust the dose of supervision given to each person reflects the understanding that too much supervision can be bad for outcomes for some individuals and allows resources and attention to be conserved for the supervisees who will benefit most.



# WHAT WILL BE NEEDED TO ENSURE THAT PRACTICES ARE FAIR AND EFFECTIVE?

Moving forward, it will be critical to understand how changes in supervision and service delivery that make it easier for many people to successfully engage—especially the use of virtual technologies—both improve the efficiency and effectiveness of the justice system and advance reform goals. The following are some examples of research and evaluation questions proposed by the participants that would advance this knowledge base:

- Are virtual models as effective as in-person supervision, counseling, and treatment? What factors determine any differences in effectiveness? How have key outcomes—both from the individual and societal perspective—been affected by the shift?
- How have digital divides across different parts of the community corrections system—for example, government agencies and NGO service providers and urban- and rural-serving entities—affected the ability to continue operations through the COVID-19 pandemic?
- How has the reduction of the use of such techniques as drug testing or electronic supervision affected outcomes? Do the changes made provide a template for reducing both costs and intrusion into supervisees' lives going forward?

- How have major changes to the use of revocations—and, therefore, a significant reduction in the flow of individuals back into institutional corrections—affected outcomes?
- How can both supervision agencies and the service providers they depend on be sustainably funded, given the lessons learned during the pandemic?
- What are the net savings, including variable (e.g., staffing, transportation time) and nonvariable (e.g., infrastructure) costs, for corrections agencies that implement virtual models? What are the net savings to the individuals under supervision?
- How can the effects of the changes made as a result of the pandemic be distinguished from the effects of other initiatives—e.g., bail reform—that were already underway in some areas?

<sup>1</sup>The Priority Criminal Justice Needs Initiative is a joint effort managed by the RAND Corporation in partnership with the Police Executive Research Forum, RTI International, and the University of Denver on behalf of the U.S. Department of Justice's National Institute of Justice.

**NIJ** | National Institute of Justice  
STRENGTHEN SCIENCE. ADVANCE JUSTICE.

This publication was made possible by Award Number 2018-75-CX-K006, awarded by the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication are those of the author(s) and do not necessarily reflect those of the Department of Justice, the RAND Corporation, or the organizations represented by any of the workshop participants.