

Montana Department of Corrections

Probation and Parole Division Presentation "Swift and Certain Sanctions"

"We cannot assume that what is punishing for one is equally punishing for another; nor can we assume that what is rewarding for one is equally rewarding for another."

- *Dr. Eric Wodahl, University of Wyoming*

Behavioral Strategies

Scientific theory that behaviors are learned and reinforced by psychological and environmental factors.

Operant Learning Theory

While learning behavior, individuals will continue certain behaviors that are pleasurable to them and discontinue behaviors that have negative effects on them; and stimuli within one's environment can manipulate this learning process, resulting in both intended and unintended consequences.

Swiftness

Responses by the justice system agents to problematic behaviors among probationers and parolees must be prompt.

An offender who tests positive for drug use and then waits weeks or even a month for a disciplinary hearing is likely to continue his drug use during this process. When the sanction is actually issued, the reason may not resonate with the offender due to the length of time that has passed.

Certainty

Probationers and parolees must clearly know the process for handling infractions from the outset, and this process must promote accountability and responsibility to achieve ideal outcomes.

Offenders need to know and understand the consequences for illegal and or unacceptable behavior. This is akin to a child that knows the rules of his parents and the consequences that will be imposed for breaking those rules even prior to engaging in the undesirable behavior.

Proportionality

Responses must be proportionate to the infraction committed. Sanctions should be graduated from verbal reprimands for minor violations to short jail terms for more serious and or repeated infractions. This also needs to take into account that sanctions must be uniformly and consistently applied for all offenders in order to be understood as fair and just.