

Effective Responses to Noncompliant Behavior

Accountability is an essential focus of the justice system, and how a person is held accountable matters. The methods used influence the person's rapport with their corrections professional, their willingness to change their behavior, and their success in doing so. Responses delivered with the right intensity, frequency, and proportion are most effective at increasing future compliance. Additionally, responses connected to a person's criminogenic needs can turn their "trouble spots" into opportunities for learning new skills that will benefit them in the short and long term.

Accountability and Behavior Change Responses

There are two goals when responding to noncompliance:

1. Hold the person accountable; that is, reinforce that rules matter and that there are consequences for violating them.
2. Bring about long-term behavior change.

Punishment alone does not change behavior; responses that hold the person accountable (accountability responses) and that address the underlying behavior concerns (behavior change responses) are both needed.

There is no research indicating that accountability responses change behavior in the long term. That does not mean that accountability responses should not be used but, when they are, behavior change responses should be used as well.

ACCOUNTABILITY RESPONSES	BEHAVIOR CHANGE RESPONSES
Verbal/writing warning	Thinking report
Increased reporting	Letter of apology
Loss of privileges	Skill-building tool
Jail*	Skill practice

*Incarceration has not been correlated with risk reduction and may actually increase a person's risk of recidivism.¹

When responding to noncompliance, it is important to apply research-based principles, such as those below:

PRINCIPLE	PRACTICE APPLICATION	RATIONALE
Swiftness	Respond to noncompliance as quickly as possible.	Reduced time delays between noncompliant behaviors and responses reinforce the link between behaviors and their consequences.
Certainty	Respond in some way to every act of noncompliance.	Increased certainty of responses reinforces the likelihood that all noncompliant behaviors will evoke responses.
Consistency	Use decision-making instruments that produce consistent results.	Similar decisions under similar circumstances by different people increase the perception of fairness.
Neutrality	Inform people how responses are determined.	Processes viewed as impartial, logical, and fair increase the likelihood of compliance.
Parsimony & Proportionality	Use the severity of the noncompliance as a factor in determining the appropriate level of response.	Responses that match levels of intrusiveness/restrictiveness to the severity of the behavior promote fairness while also making effective use of resources.

¹ Lipsey, M. W., & Cullen, F. T. (2007). The effectiveness of correctional rehabilitation: A review of systematic reviews. *Annual Review of Law and Social Science*, 3(1), 297–320. https://www.researchgate.net/publication/228187332_The_Effectiveness_of_Correctional_Rehabilitation_A_Review_of_Systematic_Reviews

Some Do's and Don'ts of Reinforcement

DO make the expected behaviors clear.	DON'T keep the person guessing about what the rules are as a means of control.
DO let the person know up front that there are consequences for noncompliance.	DON'T threaten consequences that are not enforceable or that will not be enforced.
DO demonstrate disapproval of the behavior.	DON'T demonstrate disapproval of the person.
DO demonstrate understanding that relapse is normal without offering it as an excuse.	DON'T overreact to relapses.
DO apply the risk, need, and responsivity principles.	DON'T impose responses that do not reflect a person's risk of recidivism, criminogenic needs, and responsivity factors.
DO customize responses to ensure they are meaningful to the individual.	DON'T use a one-size-fits-all approach.
DO be realistic about how much a person can change in a certain amount of time.	DON'T load up too many conditions that set up a person to fail.

Structuring Responses to Noncompliance

Many agencies are developing structured methods of responding to noncompliance to ensure consistent, fair, and proportional responses. The following matrix is one example of a structured method of responding to noncompliance, with more significant responses the higher the person's risk level and the severity of the noncompliance.

RESPONSES TO NONCOMPLIANCE MATRIX	Severity of Noncompliance	Risk Level		
		Low	Moderate	High
Low	Low response	Low response	Moderate response	
Moderate	Low response	Moderate response	High response	
High	Moderate response	High response	Very significant response	