

- **Goals of this Guide, and How to Use It**
- **Background and Context**
- **Understanding the Evidence and Its Implications**
- **Moving Toward Implementing Practice Improvements**
- **Sample Documents**
- **References/Endnotes**
- **Links**
- **Acknowledgments**

Management and Release of Low Risk Offenders

Goals of this Guide and How to Use It

NPRC's "Practice Targets" advise paroling authorities to: "Use their influence and leverage to target institutional and community resources to mid and high risk offenders to address their criminogenic needs" and "Consider for release, at the earliest stage possible – in light of statutes and other sentencing interests – offenders assessed as low risk."

This Action Guide, *Management of Low Risk Offenders*, is designed to help parole Boards improve and strengthen their practice by considering, in particular, how empirically valid information on offender risk can help shape their decision-making practices—both with regard to setting expectations around program participation and with regard to the timing of release, with a particular emphasis on offenders assessed as low risk to reoffend. Among these offenders—especially the subset of these for whom other non-risk considerations such as extreme severity of the crime or victim impact—are not present, this action guide will present the research basis for ensuring that those low risk offenders not be required to complete scarce risk reduction programs as a result of parole Board expectations AND that they are considered for release from incarceration at the earliest possible time. It is one in a series of Action Guides developed by the [National Parole Resource Center \(NPRC\)](#) and builds upon the NPRC's [Self-Assessment Toolkit for Paroling Authorities](#), an online guide that identifies [ten practice targets](#) paroling authorities should consider implementing to assist them in achieving their public safety and risk reduction goals.

The goals of this Guide are to:

- Identify the issues related to low risk offenders and their management leading up to release and the timing and conditions of their release from incarceration on parole.
- Provide evidence about risk, program participation, release decision-making, offender behavior and public safety.
- Provide guidance and resources to assist parole Boards in

Ten Practice Targets for Paroling Authorities

1. Use good, empirically-based actuarial tools to assess risk and criminogenic needs of offenders.
2. Develop and use clear, evidence-based, policy-driven decision-making tools, policies, and guidelines that reflect the full range of a paroling authority's concerns (e.g., punishment, victim issues, community safety, etc.).
3. Maintain meaningful partnerships with institutional corrections and community supervision (and others) to encourage a seamless transition process and the availability of sound, evidence-based programs.
4. Use their influence and leverage to target institutional and community resources to mid and high risk offenders to address their criminogenic needs.
5. Consider for release at the earliest stage possible -- in light of statutes and other

developing policies and practices concerning the management and release of low risk offenders.

Each Action Guide addresses a different practice target and provides parole Board members the opportunity to consider each of the targets—explained in the Toolkit—in more depth. See side bar on this page for the list of the Ten Practices Targets for Paroling Authorities. This Action Guide is particularly strongly related, and should be considered in combination with, the Action Guide on Practice Target #4—"Use their influence and leverage to target institutional and community resource to mid and high risk offenders to address their criminogenic needs. (Link)

It is strongly recommended that parole Boards use the *Toolkit* as a first step before using this Action Guide – or any of the Guides in the series. The *Toolkit* reviews all of the practice targets, their basis in the research, and engages the user – through a series of questions – in a process of considering broadly how they see their current practices in each area. The Action Guides then support a Board in moving toward significant practice improvements in each area.

This Action Guide on *Management and Release of Low Risk Offenders* is intended to assist parole Board chairs, members, and staff to:

- Use the information and insights gained as a result of using the NPRC [Self- Assessment Toolkit](#) for Paroling Authorities;
- Consider how use of validated risk assessment tools can be part of a strategy for limiting the use of scarce institutional and community resources on low-risk offenders, and releasing low risk offenders at the earliest possible time while enhancing public safety and the effective and efficient use of resources;
- Develop a common understanding of the Board's current policies and practices on management and release of low risk offenders;
- Review and analyze the evidence and "best practices" on management and release of low risk offenders, and identify the gaps and challenges they want to address; and
- Consider what changes the Board would like to make and how to best plan and implement those changes.

This guide is presented in sections to facilitate its use:

- *Tab 1: Goals of this Guide and How to Use It.*
- *Tab 2: Background and Context* provides an introduction and sets the context regarding the use of actuarial risk assessment instruments in parole release decision-making.
- *Tab 3: Understanding the Evidence and Its Implications* provides a brief overview of the empirical research on assessment to predict likelihood of recidivism and the implications for the use of such information with low risk offenders.
- *Tab 4: Moving Toward Implementing Practice Improvements and Performance Measurement* details seven steps, highlighted in a graphic "roadmap," which Boards can take to develop and implement change strategies to improve current policies and practices regarding the use of assessment information. The steps include a set

sentencing interests -- offenders assessed as low risk.

6. Use the parole interview/hearing/ review process as an opportunity to -- among other goals -- enhance offender motivation to change.

7. Fashion condition setting policy to minimize requirements on low risk offenders, and target conditions to criminogenic needs of medium and high risk offenders.

8. Develop policy-driven, evidence-informed responses to parole violations that incorporate considerations of risk, criminogenic need and severity, assure even-handed treatment of violators, and utilize resources wisely.

9. Develop and strengthen case-level decision making skills/capacities in these areas.

10. Develop and strengthen agency level policy making, strategic management and performance measurement skills/capacities.

of questions that, if answered accurately, will provide a snapshot of key aspects of these practices. This section also provides examples of policies regarding low risk offenders that other Boards have elected to adopt. The section includes a sample action plan format and tools to guide parole Boards through a process of revisiting/updating the goals they hope to accomplish, and defining/implementing changes they conclude and agree must be made in policy and/or practice, and closes with a plan to measure performance and offers considerations for defining and measuring progress toward success, and using measurement feedback to continue strengthening practice going forward.

- *Tab 5: References* provide documentation of the literature and research upon which this Action Guide is based.
- *Tab 6: Links* lists helpful resources used by the NPRC in assembling this Action Guide and which are recommended for those wanting to supplement their knowledge on this topic. The listings in this tab provide direct links to web-based resources.

This project was supported by Grant No. 2010-DJ-BX-K140 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

[Background and Context >](#)

Copyright © National Parole Resource Center 2014

- **Goals of this Guide, and How to Use It**
- **Background and Context**
- **Understanding the Evidence and Its Implications for Risk-Informed Release Decision-Making**
- **Moving Toward Implementing Practice Improvements and Performance Measurement**
- **Sample Documents**
- **References/Endnotes**
- **Links**
- **Acknowledgments**

Management and Release of Low Risk Offenders

Background and Context

Preventing crime and ensuring community safety are, along with the just administration of punishment, among the principal goals for the agencies of the criminal justice system. Identifying and understanding an offenders' risk to recidivate is key to achieving these goals.

In the absence of objective, validated risk assessment tools, subjective assessment of risk will likely occur. Traditionally, such assessments in criminal justice have been accomplished by review and analysis of the offender's background and circumstances, prior criminal involvement, if any, and the seriousness of the crime itself—without the use of empirically based risk and needs assessment tools. Much of this approach to the assessment of risk focused on criteria which are not empirically related to risk, but rather reflect cumulative experiences and intuitive judgments of decision-makers and political considerations. The result is often an inaccurate assessment of recidivism risk, either too high or too low. Either result is problematic in terms of the effective and efficient operation of the criminal justice system.

Formal risk assessment using actuarial instruments has become a common feature of parole decision-making. The majority of paroling authorities responding to a recent national survey reported using such instruments (Kinnevy and Caplan, 2008). Risk assessment has also been widely adopted in community and institutional corrections since the 1980s, and is a principal element of the evidence-based practices models for corrections (Bogue, et al 2004).

As offenders are considered for parole and a determination is made as to when to release an offender from custody to the community, Boards have an opportunity to consider information regarding the likelihood of future reoffending. This will help inform what they require of an offender prior to a parole release—what programming they should complete in order to reduce their risk of reoffending, for instance. And it will also inform their decisionmaking about the conditions of supervision that will be appropriate to reduce or manage the risk of individual released on parole. The level of risk posed by an offender eligible for parole is, for these reasons, a valuable piece of information in the release decision process.

This Action Guide is particularly focused on how paroling authorities might use the information from an empirically valid risk assessment instrument regarding low risk offenders. In addition, the NPRC has developed a separate Action Guide that provides paroling authority members with a thorough introduction to the science and practice of risk assessment, including working to identify and put into place such tools in their own jurisdictions. It is recommended that users consult that Action Guide and view it as an important companion and foundational resource before moving forward with this Action Guide on a specific strategy for considering the release of low risk offenders.

< [Goals of this Guide and How to Use It](#)

[Understanding the Evidence and Its Implications for Risk-Informed](#)

- Goals of this Guide, and How to Use It
- Background and Context
- **Understanding the Evidence and Its Implications for Risk-Informed Release Decision-Making**
- Moving Toward Implementing Practice Improvements
- Develop a Plan to Measure Performance
- Sample Documents
- References/Endnotes
- Links
- Acknowledgments

Management and Release of Low Risk Offenders

Understanding the Evidence and Its Implications for Risk-Informed Release Decision-Making

With the emergence of evidence-based practices in corrections and parole, the Risk/Need/ Responsivity (R/N/R) construct has become a common part of the vernacular (Andrews and Bonta, 2010). Risk is the most discussed and widely used aspect of the construct, and risk assessment is by far the component most commonly applied in practice. Despite the widespread use of the construct and the process, there remains a deficit in terms of policymaker and practitioner understanding of risk and how it is best utilized in correctional and parole decisionmaking.

Risk assessment using actuarial-based instruments is an evidence-based practice for gauging the relative likelihood of a given offender recidivating. Prudent decision-makers are right to ask questions. What are the implications of using risk assessment? How is the likelihood of recidivism determined? How accurate is it? How reliable is it? How do we best use it in release decision-making?

Risk assessment is not individual prediction. It is the development of probabilities for groups of offenders based on characteristics which are related to the behavior of interest, in this case recidivism. These probability statements are developed for groups of individuals with certain profiles of characteristics. As a result, the risk assessment cannot identify which individual offenders in a group will recidivate, but rather only approximately how many within that group, expressed in rates or percentages, are likely to recidivate. While this falls short of what decision-makers would like – reliable individual predictions – these probabilities are extremely helpful for decisionmakers who handle dozens, hundred, or thousands of cases over the course of a year. The information is invaluable in determining how to manage offenders—both in determining who should be required to complete programming prior to parole release—and who should NOT have such requirements; and also in determining the timing of release for individuals eligible for parole.

What does "low risk" mean? In this context, it means that an offender is part of a group of offenders that has a low probability of reoffending, for example 10%. With this information, decision-makers know that nine of ten offenders in this group will not recidivate.

As this discussion indicates, low risk does not mean there is no risk at all. Using actuarial instruments will result in decision errors – assuming no recidivism and then the offender commits a new crime. The frequency of these errors can be reduced by collecting, analyzing and applying other information in the decision process. This offender-specific information can help to more fully understand the offender, his/her background, behaviors and ultimately the risk of reoffending. By their nature, actuarial risk assessments are limited in the number of items of information, or variables, they contain. The variables in the risk assessment instrument are those which explain the greatest amount of recidivism for the largest number of offenders. These instruments do not and cannot include every relevant piece of information

about every, or even one, offender. Information that provides greater detail concerning an individual offender can be found in that offender's criminal history, institutional conduct, or social history reports, and of course this type of information can be of tremendous value to decision makers.

Considering both the objective risk assessment information and the offender-specific information that is available is critical to formulating an appropriate decision. Factors not incorporated in the risk assessment instrument itself, but providing further insight into risk, should be carefully considered by the decision-makers. If, in their professional judgment, the impact of this additional information is such that it outweighs the risk assessment, then the decision maker may well arrive at a different judgment regarding risk. In fact, the research demonstrates that actuarial instruments, when supplemented by professional judgment, produce even higher levels of decision accuracy than the instrument alone (Dawes, Faust, and Meehl 1989). Andrews and Bonta incorporated this concept termed *professional discretion* as one of their principles of effective correctional treatment (Andrews and Bonta 2010, pp. 47, 52).

Of course, as parole Board members make dozens, hundreds, or thousands of decisions, risk assessment instruments will provide valuable support—and research demonstrates that valid and reliable assessment instruments out-perform unstructured judgment in terms of their accuracy of prediction for groups of offenders. So it would be expected that, in the majority of cases, the objective risk assessment will prove valuable and will be used to guide parole Board members decisions.

< [Background and Context](#)

[Continued](#) >

- Goals of this Guide, and How to Use It
- Background and Context
- Understanding the Evidence and Its Implications for Risk-Informed Release Decision-Making
- **Moving Toward Implementing Practice Improvements**
 - Step 1
 - Step 2
 - Step 3
 - Step 4
 - Step 5
 - Step 6
 - Step 7
- Sample Documents
- References/Endnotes
- Links
- Acknowledgments

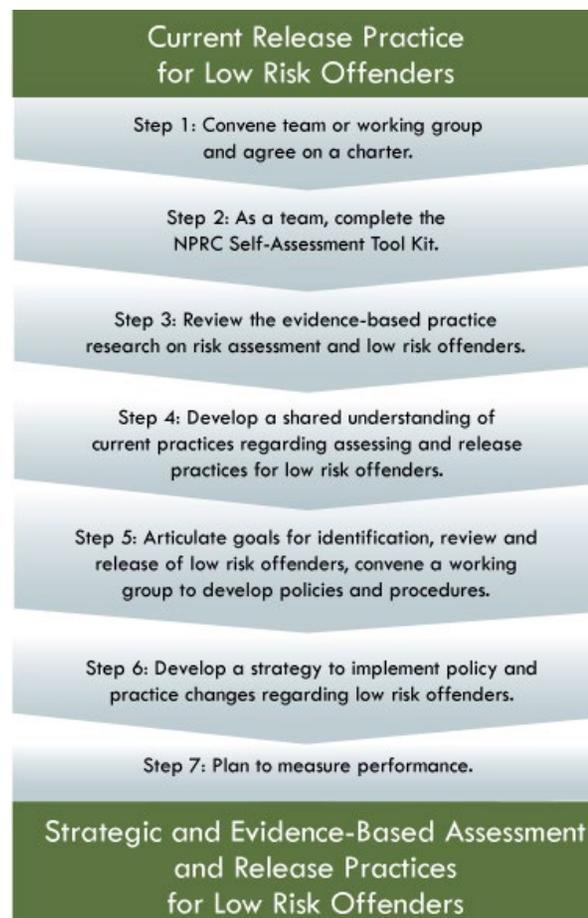
Management and Release of Low Risk Offenders

Moving Toward Implementing Practice Improvements and Performance Measurement

If a parole Board decides to incorporate empirical risk assessment information into their decision-making about low risk offenders, the following seven step process is recommended as a way of moving forward. Undertaking this process as a team (parole Board members, hearing officers and if appropriate, supervision staff) will facilitate the development of a shared understanding of the current approach to the release of low risk offenders, provide an opportunity to revisit shared goals and values, and build a commitment to implement agreed-upon changes.

The remainder of this section moves through these steps to assist parole Boards to explore the current research, review existing policy/practice, assess where opportunities for change exist, and plan for desired change. Regardless of whether the parole Board engages in this process as a full body, sub-committee, or working group, it will be important to move through this process as a team. Team-based approaches provide a strong foundation for developing a shared understanding of current practice, and considering what changes might strengthen that practice.

A "roadmap" that illustrates the steps recommended and provides a way to navigate to a description of each step:



The remainder of this section moves through these steps to assist Parole Boards – working as a team – in exploring the existing state of collaboration, assessing whether opportunities for change exist, and planning for desired changes.

[< Risk and Need Principles and Effective Interventions](#)

[Step 1: Convene working group and agree on a charter >](#)

- **Goals of this Guide, and How to Use It**
- **Background and Context**
- **Understanding the Evidence and Its Implications for Risk-Informed Release Decision-Making**
- **Moving Toward Implementing Practice Improvements**
 - Step 1
 - Step 2
 - Step 3
 - Step 4
 - Step 5
 - Step 6
 - Step 7
- **Sample Documents**
- **References/Endnotes**
- **Links**
- **Acknowledgments**

Management and Release of Low Risk Offenders

Step 1: Convene working group and agree on a charter.

A first step in the process is for the parole Board to agree on who will be involved in the work of clarifying current practice, revisiting the goals of policy on low risk offenders, reviewing the relevant research and identifying ways in which the Board can strengthen its practices. A clear statement of the team's purpose, specific activities and outcomes, and ground rules should be established in the charter. This will include basic agreements on how often the team will meet, how its progress will be documented, and what the timeline for completion is expected to be. Roles on the team should also be specified—including a chair, a record keeper, and any subcommittees. It is advisable that a facilitator, an individual other than the chair, be charged with moving the team through its agendas during working sessions. The facilitator can be an employee of the parole Board, but should have sufficient stature and/or rank to be able to effectively manage the process. A facilitator is often someone with specific skills who is brought in from outside the organization.

< [Moving Toward Implementing Practice Improvements and Performance Measurement](#)

[Step 2: As a team, complete the NPRC Self-Assessment Tool Kit.](#) >

- Goals of this Guide, and How to Use It
- Background and Context
- Understanding the Evidence and Its Implications for Risk-Informed Release Decision-Making
- **Moving Toward Implementing Practice Improvements**
 - Step 1
 - Step 2
 - Step 3
 - Step 4
 - Step 5
 - Step 6
 - Step 7
- Sample Documents
- References/Endnotes
- Links
- Acknowledgments

Management and Release of Low Risk Offenders

Step 2: As a team, complete the NPRC Self-Assessment Toolkit—in particular as it relates to Practice Target 3.

Parole Boards reviewing their practices regarding release of low risk offenders may have already undertaken the activities advised in the National Parole Resource Center's [Paroling Authority Self-Assessment Toolkit](#). If not, they are encouraged to avail themselves of this opportunity to give all Board members a common frame of reference, introduce the NPRC's "Practice Targets," and examine how practices can be described in relation to those targets. An important part of developing an effective change strategy is to clearly understand all aspects of current practice. The *Toolkit* provides a framework for a Board to develop such a shared understanding from a "big picture" point of view.

Note that the ten Practice Targets are mutually reinforcing, and will generate the best results for your Board if implemented together.

< [Step 1: Convene working group and agree on a charter.](#)

[Step 3: Review the evidence-based practice research on risk and needs assessment.](#) >

- Goals of this Guide, and How to Use It
- Background and Context
- Understanding the Evidence and Its Implications for Risk-Informed Release Decision-Making
- **Moving Toward Implementing Practice Improvements**
 - Step 1
 - Step 2
 - Step 3
 - Step 4
 - Step 5
 - Step 6
 - Step 7
- Sample Documents
- References/Endnotes
- Links
- Acknowledgments

Management and Release of Low Risk Offenders

Step 3: Review the evidence-based practice research on risk assessment and low risk offenders.

Before they will be ready to commit to target low risk offender for release as early as possible, Board members will need to have a sound understanding of and confidence in the validity of risk assessment information. This is a challenging process. It would be useful to charge a subcommittee or small working group with examining the research literature on the role of risk in evidence-based practice. The information from this review should be shared with the larger group to inform discussions and make determinations about changes to practice that might be advisable. As part of this review, include any work on validation of risk tools used in your jurisdiction for your population. If reliable, research-based instruments—validated on the population within your jurisdiction—are not available, you should consider ways in which to work with your partner agencies to urge and support the development of such tools.

See the Links section of this document for sources of information and research.

< [Step 2: As a team, complete the NPRC Self-Assessment Tool Kit.](#)

[Step 4: Develop a shared understanding of current practices regarding assessing and considering risk and need information.](#) >

- Goals of this Guide, and How to Use It
- Background and Context
- Understanding the Evidence and Its Implications for Risk-Informed Release Decision-Making

- **Moving Toward Implementing Practice Improvements**

- Step 1

- Step 2

- Step 3

- Step 4

- Step 5

- Step 6

- Step 7

- Sample Documents
- References/Endnotes
- Links
- Acknowledgments

Management and Release of Low Risk Offenders

Step 4: Develop a shared understanding of current practices regarding assessing and release practices for low risk offenders.

Once a parole Board has used the Toolkit to develop a "big picture" understanding of their practice and fully familiarized themselves with the key findings from the research, they are then in a better position to delve more deeply into specific issues—such as policy and practice regarding low risk offenders. ([Click here](#) for a sample working session agenda that can be used for Steps 3-5 of this guide. The agenda is an example of a one day session but can easily be divided into multiple workgroup sessions.)

By following the steps outlined here, a Board can review its current practices regarding low risk offenders, and create an overview of its strengths and challenges. The goal of doing so is to generate a clear understanding of what constitutes current policy and practice, what forms the basis for that policy and practice (e.g., statute, administrative regulation, case law or past practice), and what is known about outcomes. This review and discussion will begin to generate a system-wide understanding of this practice.

Questions regarding the quality and availability of risk information

- Does the parole Board have access to the results of empirically-based risk assessment instruments? Are the tools administered by the Board, and/or are they administered by other corrections agencies?
- Do the instruments that are available meet the needs for informing release decision-making on low risk offenders? If not, what additional information is needed that is not available?
- Is this risk information provided in a timely manner, so that there is sufficient time to fully consider it in advance of parole release hearings?
- Is the risk information clearly conveyed and easy to interpret and apply?
- Have the instruments in use been empirically validated for the local population? If so, how recently has this validation been done?
- Are specialized instruments available for groups whose behavior may not be predicted as well by generic risk/needs instruments, such as sex offenders, violent offenders and female offenders?
- Have the Board members and staff received training on the meaning and use of the available instruments?
- Is it clear who can serve as a resource to respond to questions and concerns the Board may have regarding the validity and meaning of existing or proposed risk and need instruments?
- What determines the specific instruments in place and the manner in which they are used? Is any of this policy laid out in statute?
- Has available data on recidivism by risk level been compiled and reviewed? This should include information on both new crime and technical violation recidivism.

Questions concerning the use of risk and needs information include:

- What is the consensus as to how risk information should be considered in parole decision-making? What other factors are important to consider? And how do they interact with issues related to risk? Is the Board using risk information to inform release decisionmaking? If so, how?
- Does it appear that risk and needs information is used to determine and adjust programming requirements during the period of incarceration?
- Is the Board clear, both internally and in its communication with external partners such as the department of corrections, regarding what is expected and required of low risk offenders in order to be considered favorably for parole release?

[Click here](#) for sample policy statement regarding low risk offenders.

[<Step 3: Review the evidence-based practice research on risk and needs assessment.](#)

[Step 5: Consider goals for collection and use of risk and needs assessment information, and convene working sessions to discuss: which tools to use and what role risk and needs assessment will play in decisions.](#) >

- Goals of this Guide, and How to Use It
- Background and Context
- Understanding the Evidence and Its Implications for Risk-Informed Release Decision-Making
- **Moving Toward Implementing Practice Improvements**
 - Step 1
 - Step 2
 - Step 3
 - Step 4
 - Step 5**
 - Step 6
 - Step 7
- Sample Documents
- References/Endnotes
- Links
- Acknowledgments

Management and Release of Low Risk Offenders

Step 5: Articulate goals for identification, review and release of low risk offenders, convene a working group to develop policies and procedures.

After having engaged in the exercise of reviewing their own practices, parole Boards should develop a shared vision of their goals and purposes for release of low risk offenders. With these goals in mind and having assembled good, descriptive information about current practice and evidence-based research, parole Boards can determine whether changes are necessary to ensure that the risk information required is readily available. If change is required, this is the first area of work. Specifically, the Board can convene a series of sessions to discuss and determine:

- What type of training on the use of risk and needs assessment tools assist the Board members and staff in better utilizing assessment information that is (or will be) available to them?
- What processes should be put in place to ensure that this knowledge is transmitted to new Board members when they are appointed in the future?

If the necessary information is already available, or once changes to make this the case are well underway, the Board can turn its attention to policy changes that will ensure that risk information is used properly. This will require a second series of sessions to discuss and resolve the following:

- Will the presumption be that low-risk offenders obtain release at the earliest possible opportunity? What factors might outweigh this presumption (e.g., crime severity, victim impact, nature of the offense?)
- What is the appropriate use of information to supplement risk information to determine release? Should this primarily be used to make a decision to deny parole? Should it be used to set expectations for the offender that must be met prior to a favorable decision on parole in the future? If parole is granted, would this guide the setting of conditions?

< [Step 4: Develop a shared understanding of current practices regarding assessing and considering risk and need information.](#)

[Step 6: Develop a strategy to implement policy and practice changes and collecting and using risk and need information.](#) >

- Goals of this Guide, and How to Use It
- Background and Context
- Understanding the Evidence and Its Implications for Risk-Informed Release Decision-Making
- **Moving Toward Implementing Practice Improvements**
 - Step 1
 - Step 2
 - Step 3
 - Step 4
 - Step 5
 - Step 6
 - Step 7
- Sample Documents
- References/Endnotes
- Links
- Acknowledgments

Management and Release of Low Risk Offenders

Step 6: Develop a strategy to implement policy and practice changes regarding low risk offenders.

As part of the sessions undertaken in Step 5, or in a separate working session, develop a list of changes that the Board, as a whole, feels should be made in the language of policies to fully incorporate appropriate consideration of risk and other information concerning low risk offenders.

After the parole Board identifies desired changes to policy and practice—and has articulated the potential challenges of the implementation of these strategies—it is important to identify strategies that the Board will pursue in securing buy-in from key stakeholders and the mechanism(s) that will be used to move forward (e.g., committees, staff support, training, routine meetings, etc.) with this work.

Successful implementation of revised policy and practice requires the development of an "action plan". [Click here](#) for a sample of what an action plan might look like.

< [Step 5: Consider goals for collection and use of risk and needs assessment information, and convene working sessions to discuss: which tools to use and what role risk and needs assessment will play in decisions.](#)

[Step 7: Plan to Measure Performance](#) >

- Goals of this Guide, and How to Use It
- Background and Context
- Understanding the Evidence and Its Implications for Risk-Informed Release Decision-Making
- **Moving Toward Implementing Practice Improvements**
 - Step 1
 - Step 2
 - Step 3
 - Step 4
 - Step 5
 - Step 6
 - Step 7
- Sample Documents
- References/Endnotes
- Links
- Acknowledgments

Management and Release of Low Risk Offenders

Step 7: Plan to Measure Performance

A performance measurement plan involves developing the capacity to measure progress toward desired outcomes, continually tracking progress, and using information for improvement. Management of change, whether it is about release of low risk offenders, or any other aspect of the Board's work, requires feedback loops to determine whether the change has actually been implemented. A feedback loop is a mechanism to monitor outcomes and provide that information back to decision-makers through regular reports. Such data and information is essential to determining whether the change is having the desired outcomes.

Feedback loops function through regular review of offender files and staff actions. Key questions to monitor by feedback loops can include:

- Did the Board have timely access to risk scores for all individuals having a parole hearing?
- Are low-risk offenders being released at the earliest opportunity? If not, why not?
- Are low-risk offenders granted parole staying offense-free in the community?

Routine collection of information by risk levels sets the stage for monitoring changes and assessing how parolees are faring. One strategy to ensure that this monitoring occurs is to form a performance management team or subcommittee to review policies and practices and report back on performance and outcomes. The team would be responsible for identifying key measures and processes for collecting them, reviewing program elements and making recommendations for the implementation, monitoring, re-evaluating, and reporting of performance activities. Data helpful to determining whether the changes experienced are desired changes include regular and timely screenings for criminogenic risk, types of cases under consideration, rates of reconviction and return to prison, and rates of technical violations and return to prison. A "checklist" for measuring progress toward completing the action plan is critical. Performance measures must be clear and specific to monitoring use of risk and needs assessment in parole decisions. [Click here](#) for a draft performance management checklist.

[< Step 6: Develop a strategy to implement policy and practice changes and collecting and using risk and need information.](#)

[Sample Documents >](#)

- Goals of this Guide, and How to Use It
- Background and Context
- Understanding the Evidence and Its Implications for Risk-Informed Release Decision-Making
- Moving Toward Implementing Practice Improvements and Performance Measurement
- **Sample Documents**
- References/Endnotes
- Links
- Acknowledgments

Management and Release of Low Risk Offenders

Sample Documents

Below is a list of all of the sample documents that teams can use in their work to advance effective condition setting practice in their jurisdictions. Click on the respective links below to access each of these documents, which can be adapted to meet the needs of specific Boards.

[Sample Agenda](#)

[Sample Action Plan](#)

[Sample Charter](#)

[Sample Performance Measurement Checklist](#)

< [Moving Toward Implementing Practice Improvements and Performance Measurement](#)

[References/Endnotes](#) >

Agenda for State Working Group Meeting on Management and Release Decisionmaking Regarding Low-Risk Offenders

Participants

Participants for this session should include parole Board members, representatives from executive parole staff, a sample of supervision agency leadership and field staff, and institutional corrections agency leadership.

Goals of This Session

The Board and other participants will develop consensus regarding how the Board, as a whole, will approach release decisions relative to low risk offenders. Participants will identify the policy and practice changes necessary to ensure that the Board is supporting the effective allocation of correctional resources by appropriate consideration of cases involving release of low risk offenders.

Proposed Agenda

- 8:30am Call to Order, Introductions of all Key Participants
- 8:45am Reviewing the Science: What Does the Evidence Tell Us about Releasing Low Risk Offenders?
- What are the characteristics of low risk offenders, and how successful are they in the community (in terms of recidivism, etc.)?
 - How effectively do risk tools predict outcomes?
 - What are the benefits of releasing low risk offenders relative to the cost of continuing to incarcerate them?
- 10:00am Break
- 10:15am Evaluating Current Practice for Low Risk Offenders
- What risk assessment (if any) is currently conducted by institutional corrections and the Board? Does the Board have the risk information necessary to inform release decisions?
 - How is risk information being incorporated into release decision-making?
 - Does the Board's current practice lead to release of low risk offenders (where other sentencing interests are not countervailing) at, or shortly after, parole eligibility is attained? If not, what are some of the reasons for this?
 - Do we have data that can inform our discussions about low risk offenders (e.g. number/percentage of low risk offender currently being released at first parole hearing, characteristics of low risk offenders, recidivism rates of low risk offenders)?
 - How is risk information incorporated into the setting of expectations regarding institutional programming?

- Does the Board avoid communicating program participation requirements as pre-requisites for parole among offenders assessed as low risk?
- Do we have data that can inform discussions about low risk offenders' participation in risk reduction programming?

12:00pm Lunch

1:00pm Defining the Challenges Associated with Our Current Practice

- Does our current practice seem to be consistent with the principles and guidance contained in this action guide?
 - With respect to release?
 - With respect to setting expectations for individuals' program participation as a pre-requisite for parole?
- Is there consensus among Board Members that, absent other key countervailing factors, the earliest possible release of low risk offenders is a reasonable strategy? If so, do other system stakeholders (e.g., corrections) agree?
- Is there consensus among Board Members that minimizing requirements for low risk offenders' participation in risk-reduction programming is a pre-requisite for favorable parole action?
- Will it be necessary to select and implement new risk/needs assessment tools?
- What are some of the other countervailing factors that might weigh against release of a low risk offender at the earliest opportunity? What processes are needed to achieve consistency on this point?
- What changes in policies might be needed to achieve consistency with the principles and guidance in this action guide?

2:00pm Addressing Challenges and Implications of Release Decisionmaking Regarding Low Risk Offenders

- How would an attempt to increase the number of low risk offenders released at the earliest opportunity affect agency practice?
- What outreach would the team need to do in order to educate others about the evidence-based practice in this area?
- What are the implications for communications to stakeholders and the public about public safety considerations?
- Would statutory changes be needed to increase the release of low risk offenders at the earliest opportunity?
- What buy in (from within the Board and its staff, and with external collaborative partners) would be needed to support our efforts in this area?

3:00pm Break

3:15pm Articulating Specific Changes to our Current Practice

- What is our plan for incorporating risk and needs information into release decisionmaking—particularly regarding offenders assessed at low risk to reoffend?
- If our Board currently uses release decisionmaking guidelines, will changes need to be made in these guidelines to come into closer alignment with the principles and practices outlined in this Action Guide? How and in what medium can we articulate the other factors to be considered which might outweigh the assessed risk level in a particular case? Other non-risk issues? Other factors which might provide additional insights as to risk?

4:45pm Consider Topics for Next Meeting

- Finalize risk/need tool to be used (if needed)
- Establish subcommittee to work on implementation of new tools (if needed)
- Develop work plan to ensure Board members and staff understand and support risk and need-based decision-making relative to low risk offenders
- Establish performance measurement subcommittee

5:00pm Adjourn

Action Plan for Implementing Changes in Routine Considerations for Release Decisionmaking Regarding Low-Risk Offenders

First, clearly identify specific change targets that were agreed upon at the conclusion of the Board's discussions on all earlier issues related to policy and practice regarding the release of low-risk offenders. Then for each issue, consider:

- What needs to be done to start implementing these changes?
- Is the issue at hand a long term issue or a short term issue? A short term issue is something that can be handled without additional resources or legislation, and that can be accomplished within six months. A long term issue requires more investment of resources, statutory changes or work over a longer period of time.

Short Term Issues

Short Term Issue (Example)	Indicate three things that need to occur in the next 30 days	Individual(s) Responsible	Due Date
Determine need for risk/needs information.	<ol style="list-style-type: none"> 1. Identify candidate instruments, possibly to include developing one locally 2. Confer with peer jurisdictions using these instruments (or that have developed their own instruments) 3. Present report to the full Board including pros and cons of each tool and a recommendation for tool adoption 	Jennifer Jones	June 1, 2015
Articulate the Board's policy/strategy on the release of low risk offenders	<ol style="list-style-type: none"> 1. Circulate a draft statement for Board member comment 2. Develop a list of circumstances/ information that are appropriate reasons not to grant release for low risk offenders 	Board chair	July 25, 2014

Long Term Issues

Long Term Issue (Example)	Indicate three critical changes that need to occur in the next six months in order to make substantial progress on the issue (for example, if resources, legislative changes, policy changes are required to make substantial progress, indicate necessary steps that must occur)	Individual(s) Responsible	Critical First Steps to be Taken	Due Date
Develop a stakeholder communication strategy for the release of low risk offenders	<ol style="list-style-type: none"> 1. Draft statement on release strategy for low risk offenders 2. Identify stakeholders we need to communicate with 3. Deliver in-person briefings to key stakeholders 4. Develop and release public statement about the Board's policy on releasing low risk offenders 	John Smith	<ol style="list-style-type: none"> 1. Identify priority audiences 2. Designate lead 	July 15, 2013

Example of a Charter for a Committee Considering Changes in Release Practices for Low Risk Offenders

Team Purpose

The mission of our committee is to review the current approach to assessment, review and release of low risk offenders; consider those practices in light of the research and evidence-based practices; determine whether and how to revise policies and practices; pilot and test the revised policies; and revise and make recommendation to policy makers within 18 months. The desired outcomes for this effort include:

Team Membership

- Establishing a committee with members possessing knowledge and expertise about parole release, risk assessment and evidence-based correctional practice; and
- Establishing a subcommittee of this group that would be tasked specifically with addressing performance measurement issues.

Activities/Tasks

- Conducting a thorough review of the literature on evidence-based practice and best practices in this area;
- Convening a series of meetings to review and discuss this information and to consider its potential implications for release of low risk offenders in our jurisdiction;
- Develop a process systematically incorporating consideration of risk into the routine practices of the Board, with a special focus on low risk offenders and conduct pilot testing with decision-makers; and
- Review and revise process as needed and incorporate into recommendations for policy makers.

Expected Outcomes

- Within six months of the committee's formation, make recommendations about changes to current parole release policies and practices regarding low risk offenders for the consideration of the entire Board;
- Within nine months of the committee's formation, draft policy and procedures to support the proposed changes regarding release of low risk offenders;
- Within nine months of the committee's formation, the performance measurement subcommittee will develop a proposed performance measurement plan to track changes and key outcomes (e.g., rates of release low risk offenders, rates of revocations/violations among low risk parolees);
- Within one year of the committee's formation, implement a 90-day "pilot" trial of revised release practices for low risk offenders in order to gauge the effectiveness of the new approach and potential refinements that may be needed; and
- Within eighteen months of the committee's formation, finalize and implement recommended policy, practice and performance measurement changes with respect to release of low risk offenders.

Sample Performance Measures Checklist

A performance measurement workgroup should be formed to track progress toward agreed-upon changes in decisionmaking practices regarding low risk offenders. There are a number of ways in which a carefully constructed performance measurement system will prove useful.

Performance information provides for:

- An objective way to account for activities and accomplishments;
- A method to quantify the cost/benefit of investments and allocate additional resources (or reallocate resources);
- An opportunity to identify and intervene with implementation problems (or potential problems) that can impede goal achievement if not addressed in a timely fashion; and
- Objective and specific data that can be used to report performance to staff as a means to further engage and motivate, and external stakeholders (e.g., funders, other vested parties) as a means to demonstrate the benefit of investments.

Information about the following indicators should be collected in order to provide quantitative support and to track the impact of any changes that are made with respect to the collection and use of risk and need information.

Boards should first document:

- Baseline success rates for low risk parolees released under prior Board policy.
- Baseline release grant rates for low risk parolees.

After the changes in release practice are completed, collect information about offenders (categorized by assessed risk level and type of crime) that includes but is not limited to:

- Number/percent of offenders who have a completed risk/needs assessment on file at the time of their parole hearing.
- Percent of grants of release at first Board hearing by risk level.
- Number of revocations/violations in the current month/year/quarter, by risk level.
- Percentage of cases successfully completing parole in the current month/year/quarter (comparison of successful completions with the previous year/quarter), by risk level.
- Number of new offenses by offenders on parole, by risk level.
- Number/percent of offenders who are violation free after one year on supervision, by risk level.

Information about changes in supervision staff practice (e.g., initial supervision level relative to risk level) should also be collected in some way in order to assess the impact that supervision practices may have on the success or failure of low risk parolees in the community.

Performance Management is a system of:

- ✓ Regularly measuring the results (outcomes) of initiatives,
- ✓ Using this information to increase efficiency and effectiveness in approaches or service delivery, and
- ✓ Reporting important indicators of program operations and results.

- Goals of this Guide, and How to Use It
- Background and Context
- Understanding the Evidence and Its Implications for Risk-Informed Release Decision-Making
- Moving Toward Implementing Practice Improvements and Performance Measurement
- Sample Documents
- **References/Endnotes**
- Links
- Acknowledgments

Management and Release of Low Risk Offenders

References/Endnotes

- Andrews, D.A. 2007. "Principles of Effective Correctional Programs." In L.L. Motiuk and R.C. Serin, eds., *Compendium 2000 on Effective Correctional Programming*. Ottawa, Canada: Correctional Service of Canada.
- Andrews, D. A., Bonta, J., & Wormith, S. J. (2006). "The recent past and near future of risk and/or need assessment." *Crime and Delinquency*, 52, 7-27.
- Andrews, D.A., & Bonta, J. (2010). *The psychology of criminal conduct*. 5th ed. New Providence, NJ: Matthew Bender & Co.
- Andrews, D.A., and J. Bonta (2007). *Risk-Need-Responsivity Model for Offender Assessment and Rehabilitation (2007–06)*. Ottawa, Canada: Public Safety Canada.
- Andrews, D.A., and C. Dowden (2007). "The Risk-Need-Responsivity Model of Assessment in Human Service and Prevention and Corrections: Crime-Prevention Jurisprudence." *Canadian Journal of Criminology and Criminal Justice* 49(4):439–64.
- Andrews, D.A., C. Dowden, and P. Gendreau (1999). *Clinically Relevant and Psychologically Informed Approaches to Reduced Reoffending: A Meta-Analytic Study of Human Service, Risk, Need, Responsivity, and Other Concerns in Justice Contexts*. Unpublished manuscript. Ottawa, Canada: Carleton University.
- Bogue, B., N. Campbell, M. Carey, E. Clawson, D. Faust, K. Florio, L. Joplin, G. Keiser, B. Wasson, and W. Woodward (2004). *Implementing evidence-based practice in community corrections: The principles of effective intervention*. Washington, DC: National Institute of Corrections.
- Bonta, J. (2007). "Offender Assessment: General Issues and Considerations." In L.L. Motiuk and R.C. Serin (eds.), *Compendium 2000 on Effective Correctional Programming*. Ottawa, Canada: Correctional Service Canada.
- Burgess, E.W. (1928). "Factors determining success or failure on parole." In A.W. Bruce, E.W. Burgess, J. Landesco, & A.J. Harno (Eds.), *The workings of the indeterminate sentence law and the parole system in Illinois*. Springfield: Illinois Board of Parole, pp. 221-234
- Cullen, F. T., & Gendreau, P. (2000). "Assessing correctional rehabilitation: Policy, practice, and prospects." In J. Horney (Ed.), *Criminal justice 2000: Vol. 3—Policies, processes, and decisions of the criminal justice system* (pp. 109–175). Washington, DC: National Institute of Justice.

- Dawes, R. M., D. Faust and P.E. Meehl. (1989) "Clinical Versus Actuarial Judgment" *Science* 243. pp. 1668-1674
- Dowden, C. (1998). *A Meta-Analytic Examination of the Risk, Need and Responsivity Principles and Their Importance Within the Rehabilitation Debate*. Master's thesis, Carleton University.
- Durlauf, S.N. and D. S. Nagin. (2011) "Imprisonment and Crime: Can Both Be Reduced?" *Criminology and Public Policy*. 10(1) pp. 13-54.
- Gendreau, P., C. Goggin, and T. Little (1996). *Predicting Adult Offender Recidivism: What Works! 1996–07*. Ottawa, Canada: Solicitor General of Canada.
- Gendreau, P., C. Goggin, F.T. Cullen, and D.Andrews (2001). "The Effects of Community Sanctions and Incarceration on Recidivism." In L.L. Motiuk and R.C. Serin (eds.), *Compendium 2000 on Effective Correctional Programming: Volume 1*. Ottawa, Canada: Correctional Service of Canada.
- Kinnevy, S. C. and J. M. Kaplan. (2008) *Findings from the APAI International Survey of Releasing Authorities*. Philadelphia: Center for Research on Youth and Social Policy, University of Pennsylvania. Available at: <http://www.apaintl.org/documents/surveys/2008.pdf>
- Lipsey, M.W., and F.T. Cullen (2007). "The Effectiveness of Correctional Rehabilitation: A Review of Systematic Reviews." *Annual Review of Law and Social Science* 3:297–320.
- Lowenkamp, C. T. & Latessa, E. J. (2005). "Increasing the effectiveness of correctional programming through the risk principle: Identifying offenders for residential placement." *Criminology and Public Policy*, 4(2), 501–528.
- Lowenkamp, C. T., Latessa, E. J., & Holsinger, A. M. (2004). "Empirical evidence on the importance of training and experience in using the Level of Service Inventory-Revised." *Topics in Community Corrections*, 49-53.
- Lowenkamp, C. T., & E. J. Latessa. (2004). "Understanding the risk principle: How and why correctional interventions can harm low risk offenders." In *Topics in Community Corrections, 2004*. Washington, DC: National Institute of Corrections, pp. 3-8.

< [Sample Documents](#)

[Links](#) >

- Goals of this Guide, and How to Use It
- Background and Context
- Understanding the Evidence and Its Implications for Risk-Informed Release Decision-Making
- Moving Toward Implementing Practice Improvements
- Sample Documents
- References/Endnotes
- **Links**
- Acknowledgments

Management and Release of Low Risk Offenders

Links

The following organizations, websites and publications are helpful for obtaining specific guidance regarding setting policy on the release of low-risk offenders.

The [Center for Effective Public Policy \(CEPP\)](#) manages the [National Parole Resource Center](#), which has developed, among other resources, a series of five papers on parole entitled Parole Essentials: Practical Guides for Parole Leaders that address the specific challenges of paroling authorities. Each paper can be accessed below:

- [*Core Competencies: A Resource for Parole Board Chairs, Members, and Executive Staff*](#)
- [*Evidence-Based Policy, Practice, and Decisionmaking: Implications for Paroling Authorities*](#)
- [*Paroling Authorities' Strategic Planning and Management for Results*](#)
- [*Special Challenges Facing Parole*](#)
- [*The Future of Parole as a Key Partner in Assuring Public Safety*](#)

The [National Institute of Corrections \(NIC\)](#) is an agency within the U.S. Department of Justice, Federal Bureau of Prisons. NIC also provides leadership to influence correctional policies, practices, and operations nationwide in areas of emerging interest and concern to correctional executives and practitioners as well as public policymakers. This is accomplished through the provision training, technical assistance, and policy/program development assistance to federal, state, and local corrections agencies. A key resource, the Robert J. Kutak Memorial Library, houses a specialized collection of corrections-related materials. The focus of the collection is on unpublished, operationally-oriented resources developed by correctional agencies for use by practitioners in the field. A key NIC resource on effective practice relative to risk (developed by the Crime and Justice Institute), is [*Implementing Evidence-Based Policy and Practice in Community Corrections*](#).

The [Association of Paroling Authorities International \(APAI\)](#) originated in the early 1970s at the urging of international parole colleagues with a strong interest in best practices and current issues surrounding conditional release, reentry into the community and public safety. Despite different parole legislation, policies and regulations, members – individuals and organizations from 38 countries – share the fundamental value in the belief of a person's ability to change and the conviction that gradual, supervised reintegration into our communities is an effective protection of public safety.

The [Association of State Correctional Administrators \(ASCA\)](#) has developed standardized definitions of key measures and uniform performance reporting implemented by approximately 26 states.

The [Pew Center on the States' Public Safety Performance Project](#), launched in 2006 as a project of the Pew Center on

the States with a goals towards helping states advance fiscally sound, data-driven policies and practices in sentencing and corrections that protect public safety, hold offenders accountable, and control corrections costs. The publication referenced in this guide, "Putting Public Safety First: 13 Strategies for Successful Supervision and Reentry," resulted from two meetings with national experts on the topic of parole supervision hosted by Urban Institute in 2007. An excerpt from the full document is available [here](#).

< [References/Endnotes](#)

[Acknowledgments](#) >

Copyright © National Parole Resource Center 2014

- Goals of this Guide, and How to Use It
- Background and Context
- Understanding the Evidence and Its Implications for Partnerships
- Moving Toward Implementing Practice Improvements
- Sample Documents
- References/Endnotes
- Links
- **Acknowledgments**

Management and Release of Low Risk Offenders

Acknowledgments

This Action Guide was developed by Jesse Jannetta of the Urban Institute and independent consultant William Burrell on behalf of the National Parole Resource Center (NPRC). Peggy Burke, Becki Ney, Richard Stroker, and Leilah Gilligan of the Center for Effective Public Policy also made significant contributions to this product. The NPRC thanks the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for its ongoing support of the NPRC.

< [Links](#)