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Use of Valid Actuarial Assessments of Risk and Needs

Goals of this Guide, and How to Use It

This Action Guide, *Use of Sound, Actuarial Assessments for Risk and Needs*, is designed to help parole boards improve and strengthen their practice by incorporating empirically valid information on offender risk and need factors into release, condition setting, and revocation decision-making. 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.

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.¹ 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 *Use of Valid Actuarial Assessments of Risk and Needs* 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 and needs assessment tools can be part of a strategy for enhancing public safety and the effective and efficient use of resources;
- Develop a common understanding of the board's current policies and practices on risk and need assessment information;
- Review and analyze the evidence and "best practices" on risk and needs assessment, 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.

When used effectively by a board committed to improving public safety, this Action Guide will enable that agency to: understand and utilize actuarial risk and need information about offenders, integrate this information into release decision-making and condition-setting, and target conditions to appropriately fit with offender risk and need factors.

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 origins and traditional purposes for assessing offender risk and need factors.
- *Tab 3: Understanding the Evidence and Its Implications for Using Risk and Needs Assessment Tools* provides a brief overview of the empirical research on assessment to predict likelihood of recidivism and identify targets for behavior change. It also addresses some of the challenges of implementing practices based on empirically-based risk and needs assessments.
- *Tab 4: Moving Toward Implementing Practice Improvements and Performance Measurement* details seven steps, highlighted in a graphic "roadmap," that 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 of questions that, if answered accurately, will provide a snapshot of key aspects of these practices. This section also provides examples of policies regarding use of assessment information 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/Endnotes* 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.

¹ Use of Valid Actuarial Assessments of Risk and Needs; Development and Use of Evidence-Based Decisionmaking Tools, Policies and Guidelines; Strategies for Maintaining Meaningful Partnerships to Support Sound Decisionmaking, Seamless Transition of Offenders from Prison to the Community, and Assuring the Availability and Targeting of Effective Programs; Release Considerations with Low Risk Offenders; The Parole Interview as an Opportunity to Enhance Motivation to Change; A Strategic Approach to Setting Parole Conditions; A Strategic Approach to Responding to Parole Violations; and An Action Guide for Strengthening Operations: Individual Decisionmaking and Policy Development.

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Background and Context

Role of Paroling Authorities in Managing Risk

Paroling authorities have a powerful interest in obtaining and effectively applying objective and reliable information regarding the risk that offenders coming before them may represent to the community at large. Core parole decisionmaking responsibilities such as whether to grant release, what conditions of supervision to set, and whether to revoke parole in response to violations of conditions of supervision should be informed by objective information on risk to reoffend in order to contribute to public safety and the efficient allocation of criminal justice system resources. Objective tools to gauge risk to reoffend and identify need levels that must be addressed to reduce that risk also contribute to consistency in parole authority decisionmaking by ensuring the use of a standard set of information in all cases.

The corrections profession as a whole has increasingly moved toward a focus on reduction of risk, and paroling authorities have been utilizing tools to objectively gauge risk since at least the 1970s. The research and expert consensus places the use of validated risk and needs assessment tools at the center of effective correctional practice (see Solomon et al. 2008, Crime and Justice Institute 2009). This Action Guide can be used as a resource by parole boards that wish to expand their understanding of how risk and needs assessment tools work, how the information they provide can guide practice to enhance public safety and reduce the risk of recidivism, and in wise use of public resources.

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Defining Terms

Risk is the probability that a given offender will reoffend, generally without regard to offense type. Reoffending can be captured through measures such as rearrest, reconviction, or returns to custody (for technical violations or new crimes). The term *prediction* is often used when discussing risk. It is important to note that the current technology for risk assessment cannot predict risk of reoffending for an individual offender. Risk assessments are probability statements for groups of offenders with similar characteristics. For example, a risk assessment might indicate that an offender with certain characteristics falls into a group of offenders whose recidivism rate is 40%. That means that 40% of that group of offender is likely to recidivate over a designated period of time, but it does not identify which individual offenders within the group will reoffend.

It is also important to note that risk to reoffend in the community, the type of risk of greatest significance to parole decision-makers, is different from the risks of institutional misconduct or escape that prison custody classification systems are designed to measure. While some of the risk factors for prison misconduct and re-offense in the community are the same, others are very different.

In this context, *risk* means the *risk to reoffend in the community*.

Another key concept in this area is *stakes*, which focuses on the type of offense an offender may commit. Individuals who have committed violent or sex offenses in the past may cause the most concerns within a community regarding both their past and potential future behaviors, and this type of case would therefore be considered high stakes. This distinction is significant because property and drug offenders have the highest recidivism rates, and therefore constitute much of the high risk population for re-offense. Violent and sex offenders have much lower recidivism rates, but the high stakes nature of their crimes make them as much of a concern as a high risk offender.

The fact that high stakes crimes such as violent and sexual assaults are less frequent than drug and property crime complicates the risk assessment process. General risk assessment instruments perform well when determining the probability of occurrence for the most common criminal offenses. General risk assessments are not as predictive for less frequently committed, but still high stakes crimes. As a result, specialized risk assessments have been developed for violent and sex offending. These are often used in conjunction with general risk assessments.

It is possible to assess the risk of reoffense quite accurately using *static factors*, meaning factors that cannot be changed, such as criminal history and age at first conviction. However, as they cannot be changed, static factors are of

little use in guiding program and intervention efforts to reduce risk. To help guide the risk reduction process, state-of-the-art assessment tools assess for *dynamic factors* as well. Dynamic factors are attributes related to the likelihood of future offending, and that are amenable to change. These factors, such as attitudes and beliefs supportive of criminal behavior, substance abuse, criminal peers and associates and low levels of educational achievement, are often referred to as *criminogenic needs*.

Static factors are those factors that are unchangeable, yet have been proven to be highly predictive of risk (e.g., number of arrests, age at first arrest).

Dynamic factors are characteristics, circumstances, and attitudes that can change throughout one's life (e.g., drug or alcohol use, poor attitude). Understanding the factors that affect an offender's risk of reoffending can help parole decisionmakers understand the issues they should target for intervention while the offender is incarcerated or under post-release supervision.

Source: Carter, Madeline M. (2011). [Evidence-Based Policy, Practice, and Decisionmaking: Implications for Paroling Authorities](#)

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History of Risk and Needs Assessment Tools

Risk assessment has a long history in corrections. From the beginning of the practice of discretionary parole release in the 19th century, practitioners have sought methods to improve their release decisions and reduce the number of offenders who commit new crimes after release.

Researchers have identified four generations of risk and needs assessment tools (Bonta et al. 2006). First generation tools were not empirical in nature; rather, they relied on unstructured professional judgments of decisionmakers (parole board members, judges, probation and parole officers) of the probability of re-offense. Assessments began to be empirically-based with the advent of second generation instruments, which consisted primarily of static factors. These instruments date back to the 1920s with the work of Ernest Burgess, who developed tools to determine the risk of re-offense of offenders being released from the Illinois prison system (Burgess 1928).

These tools were the first to be actuarial in nature, meaning that they derived their predictive power from demonstrating the relationship between attributes in the offender population and future reoffending. In this regard, they assigned risk levels similarly to how insurance companies determine auto insurance premiums based on data regarding how attributes such as age and driving record are related to the odds of involvement in traffic accidents.

Second generation risk assessment instruments for parole became popular with the development of the Base Expectancy Score instrument (BES) at the California Department of Corrections in the 1960s and the Salient Factor Score instrument (SFS) at the Federal Parole Commission in the 1970s.

Measurement of criminogenic need factors were incorporated into third generation assessments, making it possible to target and measure changes in dynamic factors related to offending. This development was precipitated by the emergence of research in the 1980s and 1990s, which demonstrated that it was indeed possible to reduce reoffending by the application of treatment and other interventions with offenders. The Level of Service Inventory-Revised (LSI-R) is an example of a commonly-used third generation assessment.

Finally, fourth generation instruments included elements related to case management, creating assessment systems that not only provided information but made it possible to measure and track progress from intake to case closure during a period of involvement in the criminal justice system. The Level of Service/Case Management Inventory (LS/CMI), the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) are fourth generation instruments.

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Selecting and Validating an Assessment Instrument

Risk and need assessments have been used in corrections and parole for more than three decades to estimate the likelihood that individuals will reoffend in the community. The first versions were typically developed by correctional agencies, through their own research departments or in collaboration with academic researchers.

More recently, instruments have become available commercially. These have been developed by researchers and academics, and assess both static and dynamic risk factors. The most common of these are the Level of Service Inventory - Revised (LSI-R) developed by Don Andrews and James Bonta (www.mhs.com) and the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) developed by Tim Brennan and colleagues (www.northpointeinc.com).

More recently, the University of Cincinnati has developed the Ohio Risk Assessment System (ORAS), which is a comprehensive system covering all major decision points in the correctional process. (www.uc.edu/corrections/services/risk-assessment.html) The ORAS is available for use without a per use charge or licensing fee (staff training is required, however, and is available for a fee.)

In addition to the general risk and need assessment tools, there are also many specialized instruments designed to assess offenders for risk of violence, risk of sexual offending, treatment needs, addiction severity, behavioral health and mental illness, motivation, criminal thinking and a variety of other areas. These are both public domain and proprietary.

Assessing Risk in Women

In 2008, the National Institute of Corrections in cooperation with the University of Cincinnati announced the availability of a series of new risk/need assessments for adult, women offenders. The assessments include: 1) a full instrument, The Women's Risk/Needs Assessment (WRNA), which assesses both gender-neutral and gender-responsive factors and affords separate forms for probation, prison, and pre-release; and 2) the Women's Risk/Needs Assessment - Trailer (WRNA-T) which is designed to supplement existing risk/needs assessments such as the Level of Service Inventory - Revised or the Northpointe COMPAS. The WRNA-T is also available in separate forms for probation, prison, and pre-release populations.

Source: <http://www.uc.edu/womenoffenders.html>

For more information about assessing and managing risk with justice-involved women, see the [Resource Package for Paroling Authorities on Criminal Justice Involved Women](#).

There are a number of factors to consider when selecting a risk and need assessment instrument. Perhaps the most important is to plan for gauging risk and need from a system perspective, and if possible to share a tool with institutional corrections and community supervision. This can involve adopting a tool in use by one part of the correctional system, or planning together to identify and implement a new tool. Doing so facilitates development of a common language and understanding for addressing risk management and risk reduction throughout the system.

Other important factors to consider in instrument selection include:

- Resources necessary in order to implement, include use fees, training, and staff time needed to apply
- Ability to address all risk and need factors (static and dynamic) relevant for decision-making
- Predictive validity, or accuracy in prediction or recidivism

After selection of the tool or tools that will be used to measure risk level and need factors, an important subsequent step is the validation of that tool for the population that will be considered for parole release. Validation refers to the testing of a tool's predictive accuracy on the population for which it is intended to be applied. Tool validation ensures that a given tool is effective not just for offender populations in general, but works specifically for the population that will be considered for parole in the jurisdiction adopting it. It is likewise important to occasionally re-validate the tool after the initial validation, as offender population characteristics change over time, and it cannot be assumed that tools will continue to perform at the same level of accuracy indefinitely without testing and adjustment.

Parole boards should be clear about the role of information from assessment instruments in their processes and target the selection and use of assessment instruments to agency policy and practice.

Clinical versus Actuarial Assessments

Predicting the future is a daunting task. In parole and corrections, there is great interest in prediction, in knowing how an offender will behave in the future. Those who are likely to recidivate may be kept in prison longer, or if released, will be subject to closer supervision and monitoring.

Judgments about future behavior are approached in many ways. A long standing debate about methods continues today in many fields, including parole and corrections. Many criminal justice professionals believe that their education, training and experience prepares them well to gauge the likelihood that an offender will recidivate. This approach is known as the "clinical" or "professional judgment" approach.

In contrast, many social scientists have promoted models of assessment which are based on longitudinal and empirical studies of offenders and their behavior. This approach is known as the "actuarial," "statistical" or "mechanical" approach. Research across a variety of fields (including corrections and parole) has demonstrated that actuarial models consistently outperform, often by substantial margins, clinical judgments in correctly predicting future behavior.

Clinical judgment is subjective, intuitive and impressionistic. It is often guided by gut feelings and is not empirically validated. Professional judgment is highly individualized to the particular clinician and is subject to bias. For example, a clinician may believe, based on experience, that low self-esteem is a reliable indicator of risk, which the research shows is not true. Nonetheless, the judgments of that clinician would continue to be distorted by the belief that self-esteem is related to recidivism.

Actuarial methods are based on empirical information and can be statistically validated. They

examine the prior experiences with similar decisions, often with thousands of cases. The data on the experiences (decision and results) are aggregated and then analyzed to extract useful information to guide future decisions. The information is applied systematically to future decision to improve their accuracy.

It is informative to note that insurance companies use actuarial methods to establish premiums for various types of policies. They examine their claims experience with tens of thousands of policy holders, extract the information that is shown to be related to the company's exposure to loss, and establish the premiums accordingly. Actuarial methods are very efficient, providing decision guidance based on thousands of case decisions with comparatively little effort on the part of the assessor. Combined with their greater effectiveness, actuarial assessment models are the clear choice as the primary decision tool.

Professional judgment should not be dismissed altogether. It plays a role in conjunction with the actuarial information. By their nature, risk and need instruments are composed of a fixed number of variables, those which explain the greatest amount of variance in the outcome. No instrument can assess everything about every offender that might be relevant. As a result, Andrews and Bonta (2010) established the *professional discretion principle* in their model. This principle states that there will be instances when professional experiences and judgment may override the structured decision-making based on factors not addressed in the instruments or other unique circumstances related to the offender

Sources

Andrews, D.A., & Bonta, J. (2010). *The psychology of criminal conduct. 5th ed.* New Providence, NJ: Matthew Bender & Co.

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Risk/Needs Assessment as a Fundamental of Evidence-Based Practice

Understanding and conforming to evidence-based approaches to risk reduction is a critical task for parole boards that want to reduce the risk of re-offense and future victimization. The term "evidence-based" refers to the application of policies and practices based on the results of sound, empirical research (Carter, 2011). Evidence-based frameworks for reducing offender risk to the community consistently include assessment of risk and need factors using validated tools as a fundamental component. It is the first of NIC's eight Principles of Effective Correctional Interventions (Crime and Justice Institute, 2009, see Figure 1):

1. Assess Actuarial Risk/Needs
2. Enhance Intrinsic Motivation
3. Target Interventions
 1. *Risk Principle*: Prioritize supervision and treatment resources for higher risk offenders.
 2. *Need Principle*: Target interventions to criminogenic (correlated to crime) needs.
 3. *Responsivity Principle*: Be responsive to temperament, learning style, motivation, culture, and gender when assigning programs
 4. *Dosage*: Structure 40-70% of high-risk offenders' time for three to nine months.
 5. *Treatment Principle*: Integrate treatment into the full sentence/ sanction requirements.

4. Skill Train With Directed Practice (e.g., use cognitive behavioral treatment methods)
5. Increase Positive Reinforcement
6. Engage Ongoing Support in Natural Communities

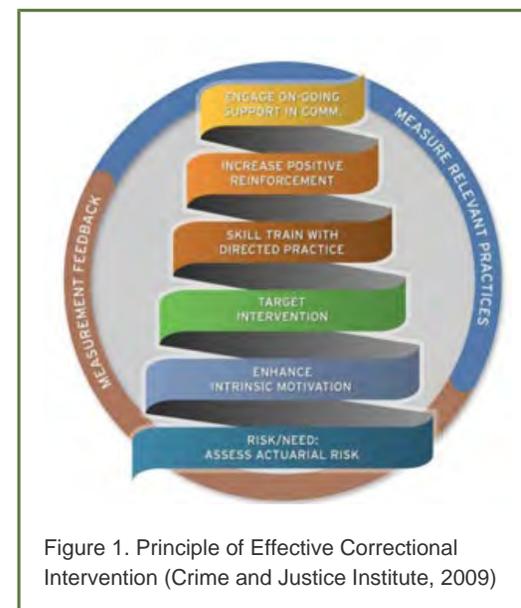


Figure 1. Principle of Effective Correctional Intervention (Crime and Justice Institute, 2009)

7. Measure Relevant Processes/Practices

8. Provide Measurement Feedback

Empirical assessment of risk and needs is also a component of the National Institute of Corrections' (NIC) Transition from Prison to Community (TPC) model (Burke, 2008), the Urban Institute's 13 Parole Supervision Strategies to Enhance Reentry Outcomes (Solomon et al., 2008), the NIC Transition from Jail to Community (TJC) model (Buck Willison et al. 2012), and the Justice Reinvestment and Evidence-Based Decisionmaking Initiatives supported by the Office of Justice Programs (OJP). All of these approaches are built upon the emerging research base regarding the necessity of matching interventions appropriately to offender risk and need level in order to achieve behavior change and risk reduction. This matching can only be done effectively if the determination of offender risk level and needs is determined using empirically-valid tools.

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Determining Risk of Recidivism and Identifying Targets for Change

Empirically derived tools have the ability to determine the likelihood of recidivism within offender populations. While no tool can forecast future behavior with perfect accuracy, empirical risk and needs assessment tools consistently outperform individual professional judgment. Individual judgment, sometimes called professional or clinical judgment predicts recidivism no better than chance (Harris, 2006). Structured risk assessment tools draw upon analyses of predictors of recidivism in large offender populations to determine attributes that have a consistent relationship to recidivism, just as insurance companies analyze data about drivers to determine what attributes are predictive in involvement in accidents, as the basis for decisions such as setting higher premium rates for teenage drivers. Research analyses of predictors of recidivism have been quite consistent in the primary factors they identify. Attributes that are highly correlated with risk to re-offend include:

- Age at first arrest (earlier onset of criminal behavior means more likely to recidivate)
- Current age (younger offenders recidivate more)
- Criminal history (more extensive criminal history makes future offending more likely) (Gendreau, Little, and Goggin, 1996)

These are all static factors, or those that cannot be changed.) For the most part, static factors are sufficient for the purpose of making good determinations about the likelihood that an offender will reoffend, and sorting offender populations into risk categories, particularly if there is detailed information available about criminal history (Austin, 2006, Barnoski and Aos, 2003). Assessment tools relying primarily on static factors have been in use throughout the criminal justice system for some time. Many jurisdictions have developed their own static risk assessment tools, as it is possible to construct, validate and apply them using locally-available justice system administrative data (Turner et al. 2009; Barnoski and Drake, 2007).

While determining risk levels through static factors alone can be useful for a variety of justice system decisions, efforts to reduce risk to the community require information on dynamic, or changeable, factors related to risk of recidivism. These factors, also known as criminogenic needs, provide targets for change that can guide establishment of the conditions of community supervision, treatment program assignment, case management, and assessment of offender change progress. The criminogenic needs with the strongest demonstrated relationship to recidivism are (Andrews and Bonta 2010):

- Antisocial attitudes, beliefs and values
- Antisocial behavior patterns
- Antisocial peers and associates
- Antisocial personality and temperamental factors
- Family/marital stressors
- Substance abuse
- Lack of education, employment stability or achievement
- Lack of pro-social activities in leisure time

The first four needs on the list are referred to as the "big four" and have the strongest relationship to future criminal behavior. They are therefore the most important issues to focus on in order to reduce risk. The next four, while important, do not have as strong an influence on the likelihood of reoffending, and should be a secondary priority to addressing the top four.

Antisocial attitudes, beliefs and values	Attitudes, values, beliefs, and rationalizations supportive of crime; cognitive emotional states of anger, resentment, and defiance
Antisocial behavior patterns	Early and continuing involvement in a number and variety of antisocial acts and a variety of settings
Antisocial peers and associates	Close association with criminal others and relative isolation from anticriminal others; immediate social support for crime
Antisocial personality and temperamental factors	Adventurous, pleasure seeking, weak self-control, restlessly aggressive
Family/marital stressors	Two key elements are 1) nurturance and/or caring, and 2) monitoring and/or supervision
Substance abuse	Abuse of alcohol and/or other drugs
Lack of education, employment stability or achievement	Low levels of performance and satisfaction in school and/or work
Lack of pro-social activities in leisure time	Low levels of involvement and satisfaction in anticriminal leisure pursuits

Figure 2. Criminogenic Need Factors, Adapted from Andrews, Bonta and Wormith (2006)

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Risk and Need Principles and Effective Interventions

Properly targeting correctional programming and other interventions by risk and need level is crucial for effectiveness. The insights regarding use of risk and need information to deliver effective correctional programming are summarized in the risk and need principles (Crime and Justice Institute, 2009):

1. *Risk Principle*: Prioritize Supervision and treatment resources for higher risk offenders
2. *Need Principle*: Target interventions to criminogenic (correlated to crime) needs

Together with the responsivity principle (use of cognitive behavioral intervention methods and target interventions to the unique characteristics of the offender (e.g., cognitive ability and language) the risk and needs principles form what is known as the RNR framework for effective interventions.

Risk Need Responsivity (RNR) Framework



Risk	Match the level of service to the offender's risk to re-offend.
Need	Assess criminogenic needs and target them in treatment.
Responsivity	Maximize the offender's ability to learn from a rehabilitative intervention by providing cognitive behavioral treatment and tailoring the intervention to the learning style, motivation, abilities and strengths of the offender.
General	Use cognitive social learning methods to influence behavior.
Specific	Use cognitive behavioral interventions that take into account strengths, learning style, personality, motivation, and bio-social (e.g., gender, race) characteristics of the individual.

Source: Public Safety Canada, Risk-Need-Responsivity Model for Offender Assessment and Rehabilitation, <http://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/rsk-nd-rspnsvty/index-eng.aspx#a4>

Research examining the relationship between risk level and program delivery has consistently upheld the risk principle, showing that likelihood of re-offense can be reduced if intensive risk-reduction interventions are reserved for higher risk offenders (Andrews and Bonta 2010; Andrews and Dowden 2007; Bonta 2007; Gendreau, Goggin and Little 1996; Lipsey and Cullen 2007). The intensity of intervention should vary by risk level, with high risk offenders receiving 200-300 hours of programming over 6-12 months, and moderate risk offenders receiving a lower dose of interventions (e.g., 100 hours over 3-6 months) (Sperber, et al, 2013, Bourgon and Armstrong 2005; Gendreau and Goggin 1996). By contrast, delivering high levels of interventions to low risk offenders is costly and ineffective, and can even increase recidivism (Andrews and Bonta 2010; Lowenkamp, Latessa and Holsinger 2006).

The research is also clear that it is necessary to target criminogenic needs with programming in order to have the greatest effect on risk to recidivate (Bonta and Andrews 2007). Targeting multiple criminogenic factors for an individual offender results in greater reductions in recidivism than does focusing on a single factor.

Interventions that conform to the RNR framework produce recidivism reduction benefits of up to 17% in institutional/custodial settings, and up to 35% in community settings (Andrews and Bonta, 2010).

As the releasing authority, parole boards can play a key role in enhancing the corrections system's compliance with the risk and need principles. In considering whether to grant release to moderate and high risk inmates, parole boards can condition release upon completion of appropriate programming before release will be granted.

Targeting Resources to Medium and High Risk Offenders

Parole Boards can also ensure that these correctional resources are used wisely by NOT expecting that low risk inmates participate in intensive programming in order to be granted parole, as the best outcomes with the low risk population are achieved by low levels of intervention (see, e.g., National Parole Resource Center, 2013).

Source: National Parole Resource Center, *Paroling Authority Self-Assessment Toolkit*,

<http://nationalparoleresourcecenter.org/toolkit2/practice-target-7.php>

On the community side, parole boards can set conditions requiring that moderate and high risk parolees engage in community-based interventions intended to continue to mitigate their criminogenic risk factors, and again avoid doing so for low risk offenders.

< [Determining Risk of Recidivism and Identifying Targets for Change](#)

[Moving Toward Implementing Practice Improvements](#) >

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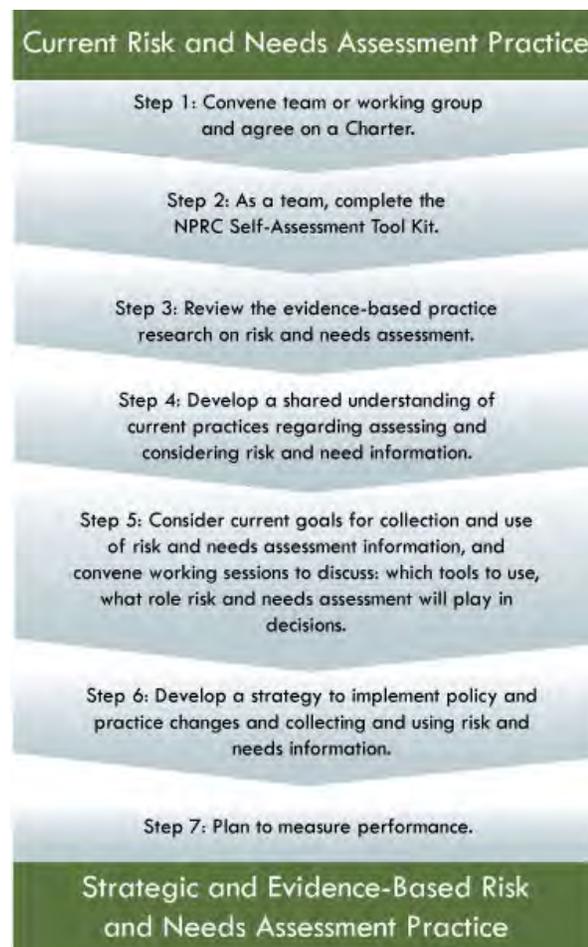
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Use of Valid Actuarial Assessments of Risk and Needs

Moving Toward Implementing Practice Improvements and Performance Measurement

If a board decides to adopt or better integrate empirical risk and needs assessment information into their decisionmaking, 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 use of risk and need information, 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 >](#)

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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 obtaining risk and needs assessment information, 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.

It is likely that institutional corrections and community supervision agencies use risk and needs assessment tools and may already provide the information to the board to consider in making release or revocation decisions. In this situation, it would be helpful to include representatives from these organizations on the team.

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

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

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Use of Valid Actuarial Assessments of Risk and Needs

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

Parole boards reviewing their risk and needs assessment practices 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 understand, clearly, all aspects of current practice. This is particularly important for risk and needs assessment, which ties into many different elements of best practice for paroling authorities. The *Toolkit* provides a framework for a board to develop such a shared understanding from a "big picture" point of view.

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

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

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Use of Valid Actuarial Assessments of Risk and Needs

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

Before they will be ready to commit to using assessments of risk and needs to inform their decisionmaking, board members will need to have a sound understanding of and confidence in the validity of risk and needs assessment information, as well as in the research regarding the importance of matching interventions to risk and need in order to reduce recidivism. 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 and needs in evidence-based practice, which programs and strategies are effective with offenders with different risk levels and to address different criminogenic needs. 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. 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.](#) >

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Use of Valid Actuarial Assessments of Risk and Needs

Step 4: Develop a shared understanding of current practices regarding assessing and considering risk and need information.

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 application and use of risk and needs tools. ([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 risk and needs assessment, and create an overview of its strengths and weaknesses. 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 with respect to availability of risk and needs assessment information:

- What is the consensus as to how risk and needs information should be considered in parole decision-making?
- Does the parole board have access to the results of empirically-based risk and needs assessment tools? Are the tools administered by the board, or are they administered by other corrections agencies?
- Do the tools that are available meet the needs for informing release decisionmaking, condition-setting, and revocation decisionmaking? If not, what additional information is needed that is not available?
- Is this risk/needs information provided in a timely manner, so that there is sufficient time to fully consider it in advance of parole release hearings or parole revocation proceedings?
- Is the risk/need information clearly conveyed and easy to interpret and apply?
- Have the tools in use been empirically validated for the local population? If so, how recently has this validation been done?
- Are specialized tools available for groups whose behavior may not be predicted as well by general risk/needs tools, 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 tools?
- 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 tools?
- What determines the specific tools 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 and need 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:

- 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 offenders in terms of addressing and mitigating risk and need factors in order to be considered favorably for parole release?
- Is the board using risk and need information to inform release decisionmaking?
- Is the board using information on criminogenic needs to tailor conditions to require parolees to continue to work in the community, after release, to mitigate their risk to recidivate?
- Are institutional corrections staff using risk and needs assessments to guide case planning and program participation?
- Are parole supervision staff using risk and needs assessments to guide assignment to level of supervision, case management and program provision?

[Click here](#) for sample policy statement regarding the use of risk and needs assessment information from Connecticut.

[<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.](#) >

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Use of Valid Actuarial Assessments of Risk and Needs

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.

After having engaged in the exercise of reviewing their own practices, parole boards should develop a shared vision of their goals and purposes in collection and use of risk and needs information. 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 and needs 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:

- Should the board implement risk and needs assessment in addition to the assessment that may already exist? If so, what tool should be utilized, who will administer it, and how will it be validated?
- What changes are necessary in order to provide risk and needs assessment information to the board in a timely and clear manner? Are interagency agreements and/or modifications in existing data systems needed to make this happen?
- What type of training on the use of risk and needs assessment tools assist the board members and staff in better utilizing risk and needs 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 and needs information is used properly. This will require a second series of sessions to discuss and resolve the following:

- How should the risk and needs assessment information be utilized in release decisionmaking? Will practices be aligned with the risk and needs principles? For example, is the board prepared to not expect or require participation in risk-reduction programming for low risk offenders? Will the board consider releasing higher risk individuals who have engaged in substantial activities and programming to reduce their risk?
- How will the board communicate its expectations regarding addressing criminogenic needs to its correctional agency partners, individual offenders who will seek parole, and the public?
- Will the conditions of supervision be based on risk level and criminogenic needs?

Risk and need assessment can also inform decisionmaking at the revocation stage. The level of risk and the status of

needs can inform the decision of whether to revoke parole and what responses might be appropriate. Violations of parole are driven by a variety of factors and return to prison may not be necessary or the most effective response to violation behavior.

As noted earlier, state-of-the-art risk and need assessment tools focus on dynamic risk factors that can be changed (increasing and decreasing) as the offender's circumstances and behavior change. It is important to ensure that the risk and need information used to support decisionmaking is current and accurate.

< [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.](#) >

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Step 6: Develop a strategy to implement policy and practice changes and collecting and using risk and need information.

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 need information.

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](#) >

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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 risk and needs assessment, 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 "feedback" that information 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 and needs scores for all individuals having a parole hearing?
- How many of the moderate and high risk offenders considered for parole have completed programming to address their top three criminogenic needs?
- What are the most common conditions required of low risk parolees? Of moderate risk? Of high risk?

Routine collection of information by risk and need levels sets the stage for monitoring changes and assessing how parolees are faring relative to their risk level. 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 collection 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](#) >

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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](#)

[Risk Assessment and Risk Management Presentation](#)

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

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Agenda for State X's Working Group Meeting on Utilizing Actuarial Risk/Need Assessment

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 and field staff involved in conducting assessment.

Goals of This Session

The board and other participants will develop consensus regarding the risk and need assessment information the Board, as a whole, feels is necessary in order to make the optimal release decisions and set appropriate conditions of supervision. Participants will then identify the policy and practice changes necessary in order to ensure that this information is available to the Board.

Proposed Agenda

- | | |
|---------|--|
| 8:30am | Call to Order, Introductions of all Key Staff |
| 8:45am | Reviewing the Science: What do We Know About Evidence-Based Practices in this Area? <ul style="list-style-type: none">• What are the primary static and dynamic risk and need factors?• How effectively do risk/needs tools predict outcomes?• What do we know about the impact of basing decisions on valid measures of risk and need? |
| 10:00am | Break |
| 10:15am | Evaluating Current Assessment Practice <ul style="list-style-type: none">• What risk and needs assessment is currently conducted by institutional corrections, the Board, and field supervision? What decisions do these tools inform? Is risk/needs assessment information shared between the institutional corrections, the Board, and field supervision?• Does the Board have the risk/needs information necessary to inform release decisions? If so, is the information being fully incorporated into release decision-making?• Is risk/needs information guiding the setting of parole conditions? |
| 12:00pm | Lunch |
| 1:00pm | Defining the Challenges Associated with Our Current Practice <p>What would have to happen for empirically valid risk and need information to meaningfully inform release decision-making and the setting of conditions?</p> <ul style="list-style-type: none">• Is there consensus on how risk and needs information should be applied to board decision-making?• Will it be necessary to select and implement new risk/needs assessment tools?• Will new or revised processes for the sharing of risk/need information between agencies be necessary? |

- Will Board members and staff need training and education on risk/need factors and the proper interpretation of tools?
- Will policies need to be articulated for the use of risk/need information?

2:00pm

Considering a Full Implementation of Risk/Needs Assessment

- How would basing release decisions and setting conditions on risk/need information affect agency practice?
- What are the implications for staff time? Public safety considerations?
- What would need to happen in order to statutorily effect change in this area?
- What buy in (from staff, legislature, etc.) would need to be acquired in support of this effort? What outreach would the team need to do in order to educate others about the evidence-based practice in this area?

3:00pm

Break

3:15pm

Articulating Specific Changes to our Current Conditions

- How will risk/need information be communicated to Board members?
- What will be our understanding regarding how this information must be used?
- Which populations of offenders will require specialized assessment?

4:45pm

Consider Topics for Next Meeting

- Finalize risk/need tool to be used
- Establishing subcommittee to work on implementation of new tools
- Work planning on ensuring Board members and staff understand and support risk and need-based decision-making
- Establishing performance measurement subcommittee
- Other topics as identified during the day

5:00pm

Adjourn

Action Plan for Implementing Changes in Utilizing Actuarial Risk/Need Assessment

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 conduct and use of actuarial risk and needs assessment. 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
Select risk/needs assessment tool for use in board decision-making	<ol style="list-style-type: none">1. Identify candidate instruments, possibly to include developing one locally2. 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	Bill Parker	June 1, 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
Validate risk/need tool for the state parolee population	<ol style="list-style-type: none"> 1. Set timeline for tool validation 2. Determine prediction outcomes to be validated (e.g. re-arrest, re-conviction, violent re-offending) 3. Assess availability of necessary data 	John Doe	Determine who will conduct validation study	July 15, 2013

Example of a Charter for a Committee Planning for the Utilization of Actuarial Risk/Need Assessment

Team Purpose

The mission of our state's committee is to consider the current approach to collecting and utilizing information about risk to re-offend and criminogenic risk factors, review the current evidence and literature about "what works" in this area, to decide whether and how to make changes to parole board practice to appropriately consider risk and need, and to pilot and implement these changes in practice within an eighteen month period. Our committee clearly outlined the desired outcomes for this effort, including:

Team Membership

- Establishing a committee with members possessing knowledge and expertise about valid tools to assess risk and need, evidence-based correctional practice, and data about risk and needs factors within the state's correctional population, to include representatives of institutional corrections and community supervision; 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 emerging evidence-based practice the assessment of risk and need, including both appropriate tools for the general population and specialized assessment for relevant sub-populations (e.g. sex offenders); and
- Convening a series of meetings to review and discuss this information and to consider its potential implications for parole decision-making and condition-setting in our jurisdiction.

Expected Outcomes

- Within six months of the committee's inception, make recommendations regarding the implementation of new or modification of existing risk and needs assessment tools, for the consideration of the entire board;
- Within nine months of the committee's inception, draft policy and procedures to support the provision of risk/needs assessment information to the board and how this information should be used;
- Within nine months of the committee's inception, the performance measurement subcommittee will develop a proposed performance measurement plan to track changes and key outcomes (e.g., percentage of cases with risk/needs assessment available to the board three days prior to the parole hearing; parole rate by risk level); and
- Within twenty-four months of the committee's inception, finalize validation of the risk/needs assessment tool for the state's parolee population.

Sample Performance Measures Checklist

A performance measurement workgroup should be formed to address potential changes in order to support changes in condition setting practice. 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 over time;
- A method to quantify the cost/benefit of investments and allocate additional resources (or reallocate resources) as may be appropriate;
- 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.¹

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:

- Which individuals will be assessed with which tools at which points in time.
- What actions and decisions are appropriate for the various risk and needs levels established by the assessment tool(s).

After the changes in assessment 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.
- Number of revocations/violations in the current month/year/quarter, by risk level and need factor.
- Percentage of cases successfully completing parole in the current month/year/quarter (comparison of successful completions with the previous year/quarter), by risk level and need factor.
- Number of parolees granted release by risk level.
- Number of parole candidates who have received interventions to address their top three criminogenic needs.
- Number of new offenses over time by offenders on parole, by risk and needs level.
- Number/percent of offenders who are violation free after one year on supervision, by risk and need level.

Information about changes in supervision staff practice (e.g., supervision plan goals tied to addressing criminogenic need factors) should also be collected in some way in order to assess the impact that such a fundamental shift may have on promoting positive changes in offender behavior.

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,
- ✓ Reporting important indicators of program operations and results.

¹ Source: "Measuring the Impact of Reentry Efforts," Urban Institute and the Center for Effective Public Policy, 2009. <http://cepp.com/documents/Center-for-Effective-Public-Policy-Coaching-Packets.pdf>, last accessed May 16, 2013.

Imposing Conditions Driven by Evidence Based Practices

CENTER FOR EFFECTIVE PUBLIC POLICY

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Learning Objectives

I: THE IMPORTANCE OF CONDITIONS

II: HOW “EVIDENCE-BASED” LITERATURE CAN ASSIST US

III: HOW MANY ARE TOO MANY CONDITIONS

IV: WELL TAILORED CONDITIONS

V: CONDITIONS AND CASE MANAGEMENT

VI: WHAT ARE WE LEARNING?

Introduction

- This presentation will focus on a variety of significant factors that are related to the nature, number, and type of release conditions that may be imposed.
- The impact that evidence-based research findings could have on condition setting will also be discussed.

Part I: The Importance of Conditions

- Placing conditions on offenders is one of the most fundamental things that releasing authorities may do.
- Conditions set by releasing authorities create an intended “roadmap” for future actions by the offender and the parole officer.

Imposing Conditions

- Boards have great latitude to determine the number or type of conditions that will be imposed.
- Legally – cannot impose conditions that are illegal, immoral, or impossible to perform. Beyond that, great flexibility.
- Most offenders will violate one or more of their conditions during supervision.
- Field staff must respond to these violations.
- The Board/staff/parole officers must make decisions regarding the disposition of violations.

Time to Re-think Conditions

- For nearly twenty-five years we have been talking about the importance of responding appropriately and effectively to violations.
- That assumes that all the conditions imposed are appropriate and we need to respond effectively when violations of conditions occur.
- Perhaps we should put equal energy into the question of what types of conditions should be set.

Progress in Other Key Areas

- Other important things that release authorities do have received a great deal of attention over the past 25 years:
 - The use of risk/needs assessment tools
 - The development of structured decision making guidelines
 - The use of violation decision making guidelines

The image shows a screenshot of a structured decision-making table, likely from a software application. It is organized into sections: '1. RISK ASSESSMENT & NEEDS ASSESSMENT', '2. RISK ASSESSMENT', and '3. RISK ASSESSMENT'. Each section contains a grid of cells with various numerical values and labels, representing different assessment criteria and their corresponding scores or weights.

Time to Broadly Reflect on the Imposition of Conditions

- With other important parole topics we might start with an examination of your broad goals as a parole board, and then focus on your objectives in a particular area.
- What are your broad goals regarding conditions?
- And how does imposing conditions help you to achieve those goals?

Goals

- What are some of the goals that you have in mind when conditions are imposed?
 - Public safety
 - Punishment
 - Rehabilitation
 - Incapacitation
 - Restoration
 - Promote offender success?
 - Ease public concerns?

We get so good at doing things – but we should stop sometimes and ask why we do it.

Promoting Offender Success

- Many parole boards have expressed interest in:
 - promoting public safety
 - reducing victimization
 - encouraging appropriate treatment and programming to help foster behavior change
 - establishing effective transition and reentry plans
- Much of this involves promoting offender success.

Promoting Success

- If the offender truly succeeds in obeying the law, not victimizing others, meeting responsibilities, and being a positive force – rather than a drain – on his or her friends, family, and community, then it is a success for everyone.



The “Big Picture”

- The need for and value of each condition should be carefully considered.
- Creating numerous conditions creates more opportunities for the offender to fail while under supervision (for example, intensive supervision, or participating in treatment programs when they are not necessarily indicated as a criminogenic need).
- When imposing conditions, consider the purpose, length, priority, and interrelationship of individual conditions. Collectively, do the conditions create a roadmap for success – or a recipe for failure?

Interesting Thought: Promoting Failure

- If we wanted our corrections and parole systems to help promote more failure – actually try and encourage or promote offender failure – how would they operate? What would our conditions setting look like?



Promoting “Failure”

- Overload the offender with multiple conditions that are each difficult to achieve and may not be necessary based on offender risk and need.
- Require the offender to be in multiple places or engaged in multiple and difficult tasks at the same time.
- Require offenders who have few resources to pay a good deal of money.
- Create conditions that are unrelated to the offender’s issues or needs thus discouraging the person.
- “Catch” offenders when they fail.

Back on Track

- Assuming we don’t want failure, then the question becomes: How can imposing conditions help us to promote more offender success?



How are we Doing Now Regarding Offender Success?

- For parolees nationally, about half (52%) successfully complete supervision and about half fail. This has been fairly constant for some time.
- For those parolees returned to prison, one-third were returned for committing a new crime, and two-thirds for violating their conditions.

Source: U.S. Dept. of Justice, Bureau of Justice Statistics, 2012

Some Revocation Information

- Revocations have been the fastest growing category of prison admissions.
- Parole violators account for 35% of new prison admissions, as compared to 17% in 1980.



Sources: USDOJ, BJS, 2002, 2006.

Jails

- Approximately 12 million individuals are received and released from jails each year, representing about 9 million different individuals.
- On any given day, nearly half of U.S. jails house probation violators (34% of detainees) or parole violators (13% of detainees).

Source: Allen Beck, BJS; cited in the Urban Institute's Jail Reentry Roundtable Initiative, June, 2006.

Definitions

- **Effective:** Producing or capable of producing an intended result.
- To know whether or not you are being effective, you have to know what you are trying to accomplish, and how you are progressing toward meeting this goal.

Definitions

- **Efficient:** Performing or functioning in the best possible manner with the least waste of time and effort.
- The conditions imposed have an impact on people (offender, supervision staff, others) and resources (programs, services, etc.). To be efficient, we need to make the best use of time and resources.

Effective, Efficient Conditions

- From an objective perspective, we could look at conditions from two dimensions –
 - Effective: Will imposing particular conditions help us to achieve specific objectives in this case?
 - × Which objectives will it serve?
 - × Will it detrimentally impact our ability to achieve other objectives?
 - × Do these conditions make offender success more likely?
 - Efficient: Will imposing particular conditions in specific cases represent the best use of resources?
 - × Is it the best use of program slots?
 - × Best use of field supervision time?

Part II: How can “Evidence-Based” literature assist us?

- Let’s assume that we want to promote more offender success, and believe that conditions can play some role in helping us do so.
- How can we use evidence-based approaches and information to inform our condition setting practices?

What Does “Evidence-Based” Mean?

- An evidence-based approach means that we are empirically informed – we are using research to guide our methods and practices.
- In the criminal justice world, evidence-based discussions are often focused on risk reduction methods with the goal of reducing recidivism
- But in a broader sense evidence-based simply means that we are effectively using sound information to guide our practice.

Source: *Evidence Based Policy, Practice and Decision Making: Implications for Paroling Authorities*. Center for Effective Public Policy, 2011.

EBP: A Practical Definition

- **Evidence-Based Practices:** A progressive, organizational use of direct, current scientific evidence to guide and inform efficient and effective correctional services.
- Consider an example from the medical field:
 - 1836: bloodletting was routine
 - French physician Pierre Louis: one of first clinical trials in medicine
 - Found bloodletting was linked to far more deaths

What Doesn't Work

- Imposing conditions without a sound basis
- Imposing conditions without regard to offender risks or needs
 - Imposing high end programs on low risk offenders
- Imposing an overwhelming number of conditions
- Imposing conditions that cannot be accomplished

Condition setting and EBP: Three Broad Considerations

- 1) The sheer number of standard and special conditions imposed
- 2) Whether the conditions created are well tailored to the individual
- 3) Whether the conditions imposed are helping us engage in effective case management

On Whom are we Imposing Conditions?

- Offenders often:
 - Are weak on critical life skills
 - Have a variety of anti-social values/attitudes
 - Lack a history of success with jobs, education, relationships, etc.
 - Are not particularly good at following rules
 - Have a substance abuse issue
 - Have housing, job, and other immediate reentry problems

Part III: How Many Conditions?

- For starters, why do we impose conditions at all?
- In the earliest uses of “parole” (which comes from the French – “to promise”) there was one condition. Don’t take up arms against us again.
- In the criminal justice context, we have taken to the idea of meeting many objectives and curing many ills by imposing numerous conditions.

Standard/General and Special/Extra Conditions

- Standard conditions are imposed in all cases every time a person is granted a parole/release. The number imposed varies by jurisdiction. It might be as few as five or as many as twenty or more.
- Special conditions are additionally imposed in a particular case. These conditions create extra requirements or prohibitions for the offender.
- In some states, the total of standard and special conditions can be in the 30s or higher.

Reasons for Imposing Conditions

- There might be any number of issues that you are trying to address through conditions:
 - Define boundaries of acceptable behavior
 - Require certain actions that might aid rehabilitation
 - Put offenders on notice about certain requirements
 - Impose additional controls on movement
 - Require restitution or encourage restoration
 - Establish critical reentry/transition objectives

Your jurisdiction

- Which of these issues or expectations might be addressed by some of your standard conditions?
- What issues might you be trying to address through your special conditions?



Where do Conditions Come From?

- In some jurisdictions, there are conditions that must be imposed because of the language in a statute or regulation.
- In others, agency policies might require some particular conditions.
- In some states, conditions are generated by computers or staff – based on some information in the file or gathered during interviews.
- The rest are created by parole board members.

How do Board Members Decide the Conditions to Impose?

- In your jurisdiction, why are certain conditions routinely imposed?
- And how do conditions get imposed? Is it:
 - During a hearing
 - During a case file review
 - Is it done in “isolation”
 - How are your conditions conveyed to other members?
 - Is there discussion about conditions?

How Many Conditions Can One Person Comply with at One Time?

- Although about one-half of the individuals on parole ultimately succeed, many of the “successful” cases have violations or compliance issues at some time during their parole period.
- And some violations are deemed too minor to warrant much of a response by field staff.
- Based on that, very few individuals are in complete compliance with all of their conditions all of the time.
- What role do conditions play in all of this?

Numerous Objectives/Numerous Conditions

- If you expect a parolee to get a job, or go to school, then a certain amount of time has to be spent doing that.
- If you expect a person to participate in a treatment program, some time must be spent doing that.
- If the parolee is expected to engage in community service or pro-social activities, then some time must be devoted there.
- In addition to the things that you expect, the parolee may have to be a parent, care-taker, or perform some other important duties.

New Restrictions and Obligations

The parolee might have:

- Remain in his/her residence during certain hours.
- Avoid being in certain places or locations.
- Avoid contact with certain people (in addition to the victim).
- Pay a supervision fee.
- Pay restitution, court fines, or other fees.
- Participate in numerous programs or activities.

Question: Are All of the Standard Conditions Necessary?

- It seems to have become customary that adding is better than taking away.
- Over time, and for good or well-intentioned reasons, standard conditions might be expanded.
- The question to ask yourselves is: is it NECESSARY to impose to all of these conditions in EVERY case. It might seem desirable to do so for some reason – but is it necessary?

Few Standard Conditions in Ohio



- Obey the law
- No contact with the victim
- Follow the instructions of your parole officer
- Don't leave the State without permission
- Don't possess firearms or deadly weapons
- Obey any special conditions
- Notice:
 - You are waiving extradition by signing the conditions
 - You are subject to warrantless searches
 - Must pay your supervision fees

Few Standard conditions in Georgia



- Obey the law
- Subject to warrantless searches
- No firearm or deadly weapon
- Need permission to leave state/change residence
- Must pay fees, restitution, child support
- If have no job and no H.S. diploma must work on GED.
- Must participate in the plan created by your P.O. which includes working and being drug tested

Promoting Success

- The sheer weight of numerous conditions might make it quite difficult for the average parolee to succeed. And offender success is our goal.
- Numerous conditions may encourage the parolee to believe that he/she cannot meet all of these requirements – and perhaps that contributes to the relatively high number of offenders who fail within six months of release.
- What do you know about the value of, or outcomes associated with, existing conditions?

Part IV: Conditions Are Not Well Tailored

•Release authority members may have a good deal of information when they are making their decisions. This information might include

- Risk/needs assessment scores
- Substance abuse testing scores
- Educational achievement information
- Program participation
- Institutional disciplinary information
- Sex offender or other assessment scores
- Psychological/behavioral assessments

Available Special Conditions

- A releasing authority might require:
 - Participation in a program prior to release
 - Participation in a residential/community program
 - House arrest/curfew
 - Intensive supervision
 - Intensive outpatient treatment
 - Community service/restitution
 - Evaluation/participation in any number of community treatment programs or services

Special Conditions

- For special conditions, the first question is: are appropriate and “necessary” conditions being added to a case?
 - And view the terms “appropriate” and “necessary” in an EBP context – what information, data, research, etc. suggests that this particular condition will help to promote public safety, reduce recidivism, and promote offender success?
- The second question is: if the condition is appropriate/necessary, can it reasonably be complied with now?

How do you Effectively “Match” an Offender with a Condition?

- Some conditions involve closer surveillance, or placement in more restrictive housing. How do you decide which offenders need this type of additional oversight? What information, research, evidence, do you have to help you make this decision?
- Risk/needs assessment scores and other assessments may help to highlight specific criminogenic needs or concerns. How does this information help guide your conditions?

Evidence-Based Information

- Put differently, how can research, data, or information help us to decide which conditions are most helpful in reducing risk (and promoting offender success) for particular offenders.



Trying to Do Everything at Once

- The “average” individual appearing before you probably has numerous problems, issues, and needs. These issues may have evolved over many years.
- Some of them may be criminogenic – related to criminal behavior – and some may be long standing issues that have simply never been resolved.
- How many of these substantial things can one person work on at one time?

Understanding Motivation

- Some of the research on Motivational Interviewing that might help motivate change in others indicates that:
 - Motivation is changeable.
 - Motivation can be issue specific.
 - Motivation can be influenced by the actions of others.
 - The ability to work on small, measureable, meaningful changes can help reinforce change strategies.

Overwhelming the Person

- Assuming that all of the issues, problems, needs, etc. have been appropriately identified – which of them are the most important for the offender to work on at this time?
- Creating a “laundry list” of important but overwhelming expectations may simply discourage action by the offender on anything – leading to “non-compliance” and failure.

Target Higher Risk Offenders with Programmatic Conditions

- The best result (lowering likelihood of recidivism) from programmatic interventions occurs when well designed and properly focused interventions are provided to higher risk offenders. These show a potential to reduce recidivism by up to 30% for higher risk offenders.
- Providing high-end programs to lower risk offenders may INCREASE the likelihood of their failure.

Source: Andrews and Bonta, 1998

Target “Crime-Producing” Needs

1. Anti-social attitudes, values, and beliefs (“criminal thinking”)
2. Pro-criminal associates and isolation from pro-social associates
3. Temperament and behavioral characteristics (e.g., impulsivity, risk taking, poor self-regulation)
4. Weak problem-solving and social skills
5. History of anti-social behavior (criminal history; especially starting at an early age and carried out in a variety of ways)
6. Negative family factors (e.g., neglect and abuse, undisciplined environment)
7. Lack of vocational and educational skills
8. Substance abuse

Source: Gendreau and Andrews, 1990

Matching Offenders and Programs = Responsivity

- Matching interventions (particular types of programs, services) to people (who possess certain skills/circumstances).
 - Learning style
 - Motivation
 - Mental health symptoms
 - Cognitive/intellectual functioning



One size does not fit all!

What Do We Know Now?

- What do we actually know about the outcomes, or value, of the different conditions imposed?
- If we do a good job of limiting our conditions to appropriate circumstances, and necessary considerations, how do we know that the program or intervention is actually effective?

“No matter how beautiful the strategy we should occasionally look at the results.” Winston Churchill

Part V: Conditions and Case Management

- As mentioned earlier, conditions are the “road map” that guide both offender and supervision staff efforts.
- Supervision staff will develop a “case plan” that will outline expectations and goals for the offender.
- The conditions imposed will be a critical factor in this case plan.

Case Planning: Working Towards Goals

- In order to encourage a person to work towards a goal, he or she must believe that the goal is appropriate and achievable.
- Smaller, short-term goals may be the best way to help a person move forward towards larger goals.
- Smart goals = small, measurable, achievable, realistic, timely goals.
- Do our existing conditions help people to move forward in meeting broader goals?

Source: Marilyn Van Dielen, Orbis Partners

Case Planning and EBP

- EBP literature suggests that some particular things can help to stimulate or generate better offender outcomes:
 - The use of rewards and incentives
 - Encouraging intrinsic motivation
 - Encouraging support in natural communities

Case Planning: Enhance Intrinsic Motivation

- To enhance the offender’s intrinsic motivation, parole supervision staff may try to:
 - Build on strengths of the offender
 - Use Motivational Interviewing to identify issues, engage in problem solving approach to offender management
 - Engage the offender in establishing goals
 - Question: how will these goals “fit in” with the conditions?

Conditions and Intrinsic Motivation

- If the conditions imposed are focused on key criminogenic areas, then case planning efforts that encourage the offender to take actions or act differently in the future in these areas can be a key to promoting successful outcomes.
- Conversely, conditions that are not related to criminogenic areas – or are not well focused on the issues facing the offender – may detract from efforts to promote success.

The Point

- If supervision staff must choose between devoting their time and energy to either monitoring the offender's compliance with the terms of parole/release – or working with the offender on risk reduction strategies that involve making progress in key criminogenic areas – which do you think gets preference?
- Most likely, the conditions that were imposed.

Case Planning: Use of Positive Reinforcement

- The most effective behavior modification results occur when a 4:1 ratio of positive to negative reinforcement is used.
- This represents a significant change in how corrections and criminal justice agencies have traditionally operated – and may raise a variety of organizational culture issues.

Source: Domurad and Carey, 2010

Conditions and Positive Reinforcement

- Focusing offender and staff energy on key areas that require attention or change can help create the proper environment for the use of positive reinforcement.
- But again, if conditions are imposed that appear to be less relevant, over-whelming, or unnecessary, then the offender may be less willing to put forth the necessary energy – resulting in no progress – and resulting in no positive reinforcement.

Engage the Support of Natural Communities

- Studies have consistently demonstrated that offenders who maintain positive pro-social supports are more likely to be successful in the community.
 - Maintaining strong family ties while incarcerated reduced likelihood of recidivism.
 - Reduced substance abuse use the result of pressure, motivation and encouragement from family members.
 - Maintaining family relationships is key for the success of female offenders.

Sources: Harrison, 1998, 1991; Holt and Miller, 1972; La Bodega de la Familia; Dowden and Andrews, 1999

Conditions and Natural Communities

- If engaging support of natural communities is critical to offender success, how can conditions be tailored or fashioned to help encourage this?



Prioritizing Conditions

- Some conditions may be particularly meaningful during the first part of supervision. The completion of some programs, activities or events may be more crucial than other issues at the time of release.
- Prioritizing conditions by indicating actions that must be done first, or for some initial period of time, may help with the organization of case planning activities.

Duration of a Condition

- How long should a condition continue to be in effect? Is a set period of time established, or is it up to field or program staff to decide?



Timing

- The early identification of issues that need to be addressed by the inmate during his/her incarceration could play a key role in the timing of conditions.
- The institutional case plan (which can be driven by objective risk assessment instruments) can impact the the selection and timing of conditions.
- Parole Board could impose few conditions at the time of release - and allow staff to impose/recommend conditions later.

Communicating with Field Staff

- Supervision staff need to understand exactly what the releasing authority means, and expects, regarding compliance with conditions.
- Some Boards indicate in their conditions that a single violation of a particular condition should result in a return to prison.
 - If this is true, field staff need to understand those expectations.

Conditions and Violations

- Violation hearings may be the only opportunity that some field staff will have to understand the Board's perspective regarding conditions.
- What messages are you conveying to field staff during these hearings?
- What other opportunities could you create to indicate your expectations to field staff?

Part VI. What are we Learning?

- Certain data, research, and information exists that can help to inform condition-setting.
- The EBP literature suggests that we focus our limited resources wisely on moderate or higher risk cases, focus on significant criminogenic needs, and use programs and services that are responsive to the individual.

Effective Condition Setting

- Target higher risk cases – use scarce resources/ interventions on this population
- Focus on criminogenic needs
- Develop a single case plan that follows the offender through the system
- Impose conditions that attack appropriate issues or reinforce necessary actions
- Encourage the use of incentives to shape behavior
- Focus on cognitive behavioral interventions

Offenders Fail Early

- Data from many states indicates that most offenders who fail on supervision fail early (within the first 6 months).
- The initial period of time after release is critical to offender success. Reentry and transition efforts that try to help the offender overcome various practical problems are important.
- What role might conditions play in either encouraging or discouraging the offender during this critical time?

Taking Small Steps

- EBP and motivational interviewing literature suggests that people can change their behaviors – but the change may occur in small steps – little changes that help support larger changes.
- Conditions are often focused on big changes, or significant requirements. Perhaps imposing fewer “big changes” at one time (the beginning of supervision) would help encourage some key small changes during the first six months after release.

Consider Available Information

- Studies in MO have indicated that the inability to acquire lawful work is the factor most related to returns to prison.
- In GA, studies have indicated that offenders who attended vocational education programming were 17% less likely to return to prison after release than similarly situated offenders who did not participate in such programming.

Sources: MDOC; GDC.

Use Information to Inform Practice

- Studies in MO (1998-2002) indicated that offenders who had known substance abuse needs and received treatment returned to prison at a much lower rate (4.7%) during the first year after release than those who did not receive treatment (28.3%).
- In GA, offenders who are placed in transitional housing units prior to release are much more likely to successfully complete supervision (more than 20%).
- When we don't transition offenders to lower classification levels, we can see the opposite result. In KS, offenders who were released directly from segregation units had a return to prison rate of 80% (compared to 56% for all offenders).

Taking a Fresh Look at Conditions

- Examining the source, and need for standard conditions can be a helpful – even informative process.
- Trying to do a good job of “matching” offenders to programs means we need to learn more about the risk tools and the information they contain.
- We also need to have a clearer understanding of the value or outcomes from certain programs.

Conclusion

- Use conditions wisely - to meet your most important goals in each case.
- Consider the impact that conditions will have on the offender's first few months after release.
- Start small - you can add conditions later (or empower field staff to do this) if necessary.
- Understand the information that you have about current risk and needs tools, offender failure, and existing programs in your jurisdiction.

Important Work

- Parole decisions, and the imposition of conditions, are made by a relatively small number of people who impact hundreds of thousands of other people and millions of dollars in resources.
- It is complicated and important work.
- Give this area some attention – you may be surprised by what you find and what you can do to use conditions to help you achieve your goals.

National Parole Resource Center



- The National Parole Resource Center, funded by the U.S. Department of Justice, Bureau of Justice Assistance, provides information and assistance to Parole Boards on a wide range of issues. Visit them at ***www.nationalparoleresourcecenter.org***.
- Setting appropriate conditions is one of the ten “practice targets” for paroling authorities endorsed by the NPRC and BJA.

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Links

The following organizations, websites and publications are helpful for obtaining specific guidance. 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.

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.

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