A Hoosier Guide to System-wide Assessment

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Note – Presentation includes material provided by the University of Cincinnati and used with permission

Outline
- Brief History
- Step 1 – Team Work
- Step 2 – Policy Development
- Step 3 – Training and Implementation
- Step 4 – Technology Development
- Step 5 – Impacts Use of EBP
- Step 6 – Continued Work

Organization of Indiana’s System
- Judicial Branch oversees
  - Probation
  - Court Alcohol & Drug Programs
  - Problem-solving Courts
- Executive Branch oversees
  - Department of Correction facilities
  - Parole
  - Community Corrections receiving state grant funds

The previous Indiana Risk and Needs instruments were developed based on the Wisconsin model of assessments, which was created during the 1970’s
- The Wisconsin model has been deemed a "second generation" tool in EBP literature
- Now, "third generation" tools have been developed

Timeline
- 1990-1993 – Indiana Judicial Center received assistance from the National Institute of Corrections (NIC) to develop risk and needs assessment and workload measures system
- 1993 – Judicial Conference adopted the Indiana Adult and Juvenile Risk and Needs Instruments
- 1995 – Judicial Conference required probation departments to use the instruments
- 2003 – Probation Officer Advisory – begins study of utility of Indiana tools
- 2005 – Judicial Conference allows use of third generation tools
- 2006 – Judicial Center received NIC technical assistance grant and forms Risk Assessment Task Force

Multiple Assessments = No Common Language

Pre-trial Probation Community Corrections Prison Parole

The Beginning
No Common Language = No Common Purpose

- Information Silos
- Duplicate Services
- Duplicate Costs
- Inefficient Processing

Risk Assessment Task Force
- Objectives of Task Force
- Membership of Task Force
  - Probation Officers
  - Indiana Department of Correction staff
  - Local Community Corrections staff
  - Reentry court staff
  - Court Alcohol and Drug Program staff
  - Drug court staff
  - Trial judge representative
  - Indiana Judicial Center staff
- Consultants from NIC
- Recommendation of Task Force/On-going Role

Overview of Tools, Research, & Validation

Step 1 – Team Work

One Common Language = One Common Purpose

- Share Information
- Streamline Services
- Share Costs
- Ensures Community Safety

Current uses of Ohio Adult and Juvenile Risk Assessment Systems
- Adult Risk Assessment System - Ohio, Indiana, Arkansas, Alabama, Texas, Hawaii, Connecticut, Massachusetts, Ventura County, CA
- Youth Risk Assessment System - Ohio, Indiana, Arizona, Michigan, Ventura County, CA
Actuarial Assessment

- Based on research
- Predicts group behavior
- Combination of dynamic and static factors

Benefits and Goals of Assessment

Benefits
- Helps guide decision making
- Helps reduce bias
- Improves placement of offenders
- Better utilizes resources
- Helps you know if offender has improved
- Can lead to enhanced public safety

Goals
- To identify risk of recidivism
- To identify criminogenic needs
- To identify appropriate offenders for programs
- To provide risk and need levels for case planning
- To facilitate reassessment to determine offender change

Strengths of the Assessment Systems

- Prospective Study
- Based on Ohio and Indiana Data
- Expands as needed depending on the setting
- Includes major risk & criminogenic need domains, as well as major responsivity factors
- Designed to measure change over time
- Provides a common definition of risk across settings
- Public domain

Conducting an Assessment

- File review
- Self-report
- Interview guide
- Collateral information

Responsivity Factors

Other Areas of Concern. Check all that Apply:

- Low Intelligence*
- Physical Handicap
- Reading and Writing Limitations*
- Mental Health Issues*
- No Desire to Change/Participate in Programs*
- Transportation
- Child Care
- Language
- Ethnicity
- Cultural Barriers
- History of Abuse/Neglect
- Interpersonal Anxiety
- Other

Adult Tools – Indiana Risk Assessment System

- Pretrial
- Community Supervision
- Prison Intake
- Reentry
Juvenile Tools – Indiana Youth Assessment System

- Diversion
- Detention
- Disposition
- Residential
- Reentry

Responsivity Factors – Juvenile Disposition Tool

- Family
  - Supportive of change
  - Family engaged in tx
  - Family stability
  - Neglect/Abuse hx
- Peers
  - Pro-social peers
  - Manage antisocial peers
  - Pro-social leisure activities
  - Motivation to change friends
- Education/Emp
  - Motivation for ed/emp
  - Emp hx
  - IEP
  - Family supports ed/emp
- Pro-social skills
  - Manage own behavior
  - Motivated to learn
- Substance, MH, & Personality
  - Motivation to stop using
  - Sober support network
  - Stable mental health issues

Research & Validation

- UC staff interviewed clients in Indiana for validation study
- We secured permission for recidivism checks and UC analyzed the data for Indiana’s population
- UC made a number of recommendations to the Task Force as a result of the validation study

Step 2 – Policy Development

- Task Force drafted and recommended the policies to the Judicial Conference Board of Directors and Department of Correction
  - Policy for Certification and Eligibility
  - Policy for IRAS & IYAS
- Both the Board of Directors and Department of Correction adopted the same policies for Risk Assessment
- Both entities have also approved subsequent amendments over time

Step 3 – Training and Implementation
**Training Overview**

- **2010** – all current staff were trained on the risk assessment systems
  - Juvenile staff – 723 (held 32 trainings)
  - Adult staff – 1,617 (held 56 trainings)
- **2011-present** – all staff were trained in Indianapolis
  - 6 juvenile sessions, 6 adult sessions, 4 for DOC adult facility staff are held each year
- **Total Number of staff trained as of July 31, 2012**
  - Juvenile – 827 Adult – 2,045

**Certification Process**

- All practitioners must
  - Complete a two-day training
  - Pass an assessment exam
  - Pass a written exam

**Stakeholder Training**

- Judicial Education Sessions
- Reports/updates on the project at relevant conferences
- Summit on EBP and RA
- Local trainings

**Step 4 – Technology Development/Implementation**

- Workgroup formed to assist in providing feedback on the web-based system
- Pilot tested web-based system
- Launched statewide – Oct. 1, 2010 for juvenile staff; Jan. 1, 2011 for adult staff
- **Current number of assessments (as of July 31, 2012)**
  - Juvenile – 61,343 Adult – 182,953

**INcite – Indiana Court Information Technology Extranet**

- Centralized, secure website developed and maintained by the Indiana Supreme Court’s Judicial Technology & Automation Committee
- Applications include:
  - Risk Assessment
  - Presentence Investigation Report
  - Statewide Protection Order Registry
  - BMV Portal
  - Mental Health Adjudications to FBI
  - Statistical Reporting for the courts
1. Criminal History
2. Education, Employment and Financial Situation
3. Family and Social Support
4. Neighborhood Problems
5. Substance Abuse
6. Peer Associations
7. Criminal Attitudes and Behavioral Patterns

Note: This sample is for demonstration purposes only; real data was not used.

Benefits to Centralized Database
- Information sharing and reduction of duplicative work
- Better communication among agencies
- Thresholds and static questions
- Graphs show changes in risk level over time
- Reporting feature allows agencies to monitor staff and evaluate program effectiveness
- State level audit and easier access to data for revalidation purposes
Step 5 – System-wide Implementation Impacts Use of EBP - Other Connections

Case Planning

- Assessment results will guide case planning
- Each domain in the IRAS and IYAS will have a domain score
- Case plans should target the risk and need areas that score in the high/moderate ranges

Risk Assessment and Case Planning

Sample Domain Score Grid (CST)

<table>
<thead>
<tr>
<th>Domain Level</th>
<th>1.0 Criminal History</th>
<th>2.0 Education, Employment and FinancialSituation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Source</td>
<td>Low (1)</td>
<td>Failure</td>
</tr>
<tr>
<td>Score</td>
<td>Med (3)</td>
<td>Failure</td>
</tr>
<tr>
<td>High (5)</td>
<td></td>
<td>Failure</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Domain Level</th>
<th>5.0 Substance Use</th>
<th>4.0 Neighborhood Problems</th>
</tr>
</thead>
<tbody>
<tr>
<td>Source</td>
<td>Low (1)</td>
<td>Failure</td>
</tr>
<tr>
<td>Score</td>
<td>Med (3)</td>
<td>Failure</td>
</tr>
<tr>
<td>High (5)</td>
<td></td>
<td>Failure</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Domain Level</th>
<th>5.0 Family and Social Support</th>
<th>6.0 Peer Associations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Source</td>
<td>Low (1)</td>
<td>Failure</td>
</tr>
<tr>
<td>Score</td>
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<td>Failure</td>
</tr>
<tr>
<td>High (5)</td>
<td></td>
<td>Failure</td>
</tr>
</tbody>
</table>

Sample Domain Score Grid (Disp.)

<table>
<thead>
<tr>
<th>HIGH</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
</tr>
</thead>
<tbody>
<tr>
<td>MED</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
</tr>
<tr>
<td>LOW</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
</tbody>
</table>

Specialized Assessments - Examples

<table>
<thead>
<tr>
<th>Assessment</th>
<th>Assessment Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>SASSI</td>
<td>Substance abuse</td>
</tr>
<tr>
<td>Static-99/RRASOR</td>
<td>Sex Offending</td>
</tr>
<tr>
<td>ODARA/DVSI</td>
<td>Domestic Violence</td>
</tr>
<tr>
<td>MAYSI -2</td>
<td>Mental Health (Youth)</td>
</tr>
<tr>
<td>MMPI</td>
<td>Personality/ Psychopathology</td>
</tr>
</tbody>
</table>
Revision to Pre-Sentence Report

Revised Indiana Presentence Report
- Links assessment results to the report
- Domain risk levels contained in domain sections
- Overall risk level in “Risk & Needs Assessments” section
- Additional assessment findings in “Complimentary Assessment Instruments”

Domain Level Check Boxes

As it appears in the report:

- Low
- Moderate
- High
- N/A (IRAS-CSST)

No numerical scores!

Risk level domain information included in the following report sections:
- Criminal History
- Family and Social Support
- Peer Associations
- Education, Employment, Financial
- Neighborhood
- Substance Abuse
- Criminal Attitudes & Behavior

VIII. Risk and Needs Assessment

- Identifies the tool used
- Identifies the defendant’s overall risk level
- Summarizes risk assessment results in any area or domain scoring moderate or high.

IX. Evaluation Summary

Includes:

- Plans or recommendations for services to address each moderate to high risk/needs domain (case-plan)
- May also include these recommendations in Section X: Recommendation
Risk Assessment in Sentencing

Risk Assessment and Case Law:
- Malenchik v. State, 928 N.E.2d 564 (Ind. 2010)
- J.S. v. State, 928 N.E.2d 576 (Ind. 2010)

So, How Can Judges Use Assessments in Sentencing?

- Evidence-based assessment instrument scores are not aggravating or mitigating circumstances
- Evidence-based assessment instruments are admissible and serve as significant sources of valuable information for judicial consideration in sentencing

So, How Can Judges Use Assessments in Sentencing?

- Assessment information can be used to:
  - Decide whether to suspend all/part of sentence
  - Decide whether to assign offender to alternative treatment facilities or programs
  - Design a probation program for the offender
  - To supplement/enhance the evaluation & application of other sentencing evidence to formulate an individualized sentencing program appropriate for each defendant

So, How Can Judges Use Assessments in Sentencing?

- Assessments are admissible at sentencing
- “Encouraged” to use by Supreme Court “as supplemental considerations in crafting a penal program tailored to each individual defendant”
- Not as aggravators or mitigators
- Can inform as to suspending or executing a sentence
- Can indicate programming or interventions appropriate for the individual offender

Risk Assessment in Sentencing

- Identification of Risk Factors can help identify desired probation/sentencing conditions
  - Focus probation conditions on areas of need, avoid conditions on areas where there is no need
    - Consider informal probation for low risk offenders
    - More structure for medium risk offenders
    - Maximum structure/supervision/incapacitation for high risk offenders
  - Try to avoid mixing risk levels in programming!
Step 6 – Continued work

- Automating the Preliminary Inquiry, Pre-Disposition Report, and Modification reports for juvenile cases and incorporating assessment information
- Automating the case plans so the assessment information feeds into the case plan
- Future projects: Formal Quality Assurance training for local agencies on assessments; inter-rater reliability study; recertification processes; continued stakeholder trainings; workload measures study

Resources on EBP in Corrections

- National Institute of Corrections:
  - http://nicic.gov/ReducingRiskResearchSources
- University of Cincinnati:
  - http://www.uc.edu/corrections.html
- Probation Best Practices Guide:
  - http://www.in.gov/judiciary/center/pubs/best-practices/
- JTAC Risk Assessment Application:
  - http://www.in.gov/judiciary/jtac/2675.htm
- DOC/Community Corrections EBP Resources:
  - http://www.in.gov/idoc/2720.htm

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