

# Individual Risk and Need Assessment in Criminal Justice

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Delinquency

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# Presentation Overview

- The U.S. Justice System: How effective and efficient are we?



- Evidence: What does it mean? Why does it matter?

# Assessment: The Foundational Evidence-based Practice

- Individual Assessment
  - Methods
  - What are we measuring?
  - **Risk and Criminogenic Needs.**
  - Screening instruments, comprehensive risk and need tools and specialized assessments: what's the difference?
  - Where used in C.J. system? Purpose?

# Assessment: The Foundational Evidence-based Practice

- The science and the policy: cut-off scores.
- Common Risk/Need Tools.
  - Are some better?
  - How choose?
- Challenges in implementation.
- Fourth generation assessments as ways of addressing issues.
- "Take-Aways

# A Visit to the Doctor

➤ Sudafed it is!



➤ Maybe I should get a second opinion!

# How Can You Assess?

- Clinical Judgment
  - ❖ Based on training, education, experience and often gut.
  - ❖ About the same accuracy as flipping a coin.



*"I'm sorry, the doctor no longer makes diagnoses."*

# How Can You Assess?

- Actuarial instruments designed and tested on offender populations
  - ❖ Consistently shown to be superior to unaided clinical judgment.
- Best outcome combine clinical and actuarial.

# Risk Defined

- What is Risk? The statistical probability of reoffending.
  - Actuarial tables.
  - Not political, popular.
  - Scientific statement about general reoffending.



# First Cut

- Screening instruments or screeners
  - Few questions
  - All or mostly static factors
  - Information readily available
  - Very quick to administer
  - Sorts into “buckets” often *low, medium, high* according to probabilities of committing new crimes.
  - Must meaningfully differentiate.

# Risk Profile

- A *risk profile* is comprised of *static* and *dynamic factors*.
  - Stable static factors such as age at first arrest, number of arrests are predictive of future behavior.
  - Other static factors, such as age, which do change but cannot be influenced, are likewise predictive.

# Criminogenic Needs

- Beyond screening, comprehensive assessments which consider static and dynamic factors which contribute (statistically linked) to criminal behavior.

Criminogenic Needs			
<b>Anti-social attitudes</b>	<b>Anti-social values and beliefs</b>	<b>Impulsivity</b>	<b>Risk-Taking</b>
<b>Anti-social Associates</b>	<b>Poor problem-solving skills</b>	<b>Low levels of education</b>	<b>AOD Dependence</b>
<b>Isolation from pro-social others</b>	<b>Limited Work Skills and History</b>	<b>Lack of Family Cohesion</b>	<b>Poor Decision-making skills</b>

# Assessment Instruments

- Valid – is the tool predictive of recidivism?



- Reliable – different people assessing same offender same results?

# What Can You Tolerate?

- “Norming” establishing cut-off scores; a policy decision.
- How much risk willing to assume at various levels.
  - ❖ False Positives and False Negatives
  - ❖ e.g. Is low a 30 percent chance or a 10 percent chance?

# Where Used, How Used

- Situations where liberty interest - sentencing
  - ❖ Multiple, sometimes competing goals of the justice system.
  - ❖ Consider historical factors and those for which individual has control.

# Where Used, How Used

- Pretrial
  - ❖ Lower-level offenders who don't have substantial history and who have needs such as mental health and/or drug and alcohol that appear to driving behavior.
  - ❖ Usually screener. ORAS as example.
  - ❖ Does not include any info. about current arrest.

# Where Used, How Used

- Incarceration
  - ❖ Priority for treatment.
  - ❖ Priority among need areas.
  - ❖ Type and intensity of interventions.



# Where Used, How Used

- Release Decision
  - ❖ Readiness. Conditions.
- Community Supervision
  - ❖ Level and conditions

# Risk/Need Instrument Examples

- Level of Service Inventory Case Management
- Wisconsin Risk/Need and Proxy
- COMPAS
- ORAS and location specific instruments

# Risk/Need Instrument Examples

- In Common
  - ❖ Historical Variables
    - Age at first arrest
    - School performance – suspended/expelled?
    - Prior supervision experiences – abscond/walk away

# Risk/Need Instrument Examples

- In Common
  - ❖ Key Need Areas
    - Antisocial attitudes, friends, family
    - Use of Leisure Time
    - Drug and Alcohol Use
    - Education and Employment
    - Financial/Life Skills

# Risk/Need Instrument

- All designed, tested extensively
- All reliable/meaningfully differentiate when administered and used properly
- More about practical considerations

# Considerations in Selection

- Purpose
- Ability to collect in automated system
- Committed to understanding and appropriately using information
- Cost
- Ability to analyze and use information to influence policy

# Considerations in Selection

- Monitoring Reliability
- Training/Re-training
- Readministration

# How's It Working Thus Far?

- Not Great. WHY?
  - Administer instruments, ignore results. "Paper in file."
  - Have results, treat everyone the same.
  - Use overrides inappropriately.
  - Culture change is hard – staff resistance.



# Solutions

- 4<sup>th</sup> generation instruments synthesize results which are used to drive case plan.
- Look to other jurisdictions to see results.
  - ❖ E.g. University of Pennsylvania  
Richard Berk and Philly Probation

# Implementation

- Do No Harm
- First step in Evidence-based system
- Focus on the horizon
- Organizational Assessment and Readiness
- Create clear, compelling statement of goal

# Implementation

- Engage. Teach. Listen.
- Take the time to do it right the first time.

# Questions/Further Information

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