

**Risk Needs Assessment Committee**  
**March 23, 2009**

The Risk Needs Assessment Work Group met in the formal classroom of the Heflin-Torbert Judicial Building in Montgomery, Alabama. The purpose of this meeting was to decide whether to use a risk and needs assessment tool for CCASP pilot sites and, if so, to identify the Risk and Needs Assessment Tool to be approved for use.

Meeting Participants:

Jennifer Fahey, Meeting Moderator  
Rosa Davis, Chair;  
Roger Thorne, TASC;  
Ralph Hendrix, TASC  
Becki Goggins, ACJIC;  
Paul Brown, Montgomery County Community Corrections;  
Ann Cargo, Pardons and Paroles;  
Cynthia Dillard, Pardons and Paroles;  
Richard Fiore, AOC  
Ann Adams, ADOC  
Christina Van Der Hulst, ASC  
Paul Sullivan, ASC

**Welcome and Description of Meeting Objectives**

Rosa Davis opened the meeting by explaining the objectives and processes for the meeting. It was highlighted that the work group would be discussing Risk/Needs assessments in terms of “what they are” and “what value they have”. To assist the committee Jennifer Fahey and Paul Brown gave their own perspectives about Risk/Needs assessments tools.

Ms. Davis introduced Ms. Jennifer Fahey, as the moderator for the group. Ms. Fahey began the discussion by introducing her perspective on Risk/Needs Assessments.

Ms. Fahey described her background: that she was an elected prosecutor who got so frustrated seeing the same people being processed in the system over and over again that she left prosecution to explore other avenues of enhancing the criminal justice system. She is now working to find ways to break the cycle of reoffending.

Ms. Fahey went over the meeting agenda and discussed the meeting’s objectives. The agenda is as follows:

- A. Overview of Risk/Needs Assessment - Process & Practice
- B. One Practitioners Experience in Assessments
- C. Pros & Cons of Different Assessment Tools
  - LSI-R (proprietary), OST (Arizona), and Ohio

- content
- cost
- time to administer
- validation
- etc.

D. Phone Conference w/ David Simourd – Algonquin Correctional Services, Ontario  
Canada (trainer and evaluator of LSI-R and OST)

E. Identification of Outstanding Information Needed  
Policies & Processes Necessary for Assessment Practice  
Discussion of Tool Adoption

F. Are We Ready to Make a Decision?

G. Next Steps

### **A. Overview of Risk/Needs Assessment – Process & Practice**

Ms. Fahey gave a PowerPoint presentation on Risk/Needs Assessments Tools and Practices. The presentation covered what assessments contribute to, how they diagnose the offender in detail, what kind of risk the offender presents, and how targeting intervention is paramount.

Risk and Needs assessment provides objective and empirically validated evaluations of an offender's risk and needs that can be addressed to lower the risk measured. The measured risk includes the offender's likelihood to re-offend, to fail to appear in court, or to meet other decision point objectives in the criminal justice system. The needs are those elements that contribute to the offender's risk score. These include lack of job skills, mental health issues, age, etc. Some of the risk factors are dynamic or subject to change while others are static.

Assessment contributes to protecting public safety, holding offenders accountable, and controlling corrections costs. Proper responses to an assessment protect public safety by reducing recidivism and holding the offender accountable (making punishment work). Proper response to an assessment also helps control corrections costs by allowing a more strategic use of prison beds and programmatic services; by producing fewer violations of sanctions, and by preventing new crimes and new victims.

Assessment first diagnoses the offender: What contributed to their criminal behavior. What are the appropriate sanctions to be applied? What are the offender's treatment needs? To what interventions would the individual best respond? By paying attention to the assessment results, corrections does not waste limited resources on low risk offenders who are not likely to re-offend even without treatment, sanctions or supervision. Assessment also enables corrections to not waste limited resources on extremely high risk offenders who show little, if any, promise of positive change. Following assessment recommendations also guides corrections to abandon programs that do not work or do not include an evaluation component.

### *How Does Risk/Needs Assessment Work?*

Proper assessment allows corrections to invest in more accurate, data driven decision-making. Proper assessment requires utilizing a highly trained staff who recommends the offender for quality programs rooted in evidence-based practices and supported by a system of quality assurance and evaluation with constant feedback to measure progress.

A validated instrument is administered to the offender by a trained staff member who understands anti-social thinking and social/adult learning concepts, and who is trained in appropriate communication techniques. Staff skills are not just taught but must be practiced and role played to assure staff understands the assessment techniques. A well trained assessment administrator is always required to generate accurate assessment results.

The assessment provides objective and empirically validate evaluations of an offender's risk and needs. The results assist in decision-making processes regarding the placement, supervision, and case planning for the individual offender. Addressing the offenders risk and needs by matching the offender to an empirically identified level of services has been linked to positive changes in offender behavior. High risk and high needs offenders respond better to intensive and comprehensive services, while low risk offenders respond better to minimal or no intervention.

Assessment instruments intentionally, thoughtfully and strategically target appropriate interventions. They allow the corrections system or supervisor to focus on moderate to high risk offenders (the majority of offenders in the system) and to implement sanctions and services for offenders that respond only to the identified risk and needs.

A recent study in Maryland showed a positive affect on the recidivism rates for drug screens, new crime arrests, and for technical violations among affected offenders. In the test population, the recidivism rates were significantly lower where the system assessed the offenders; developed a case plan around criminogenic factors; referred the offender to the appropriate array of services; used supervision to assist offenders in learning triggers for inappropriate behaviors; used incentives, as well as sanctions in the process (the recommendation of incentives to sanctions is 6:1); and incorporated a timely communication with the offender to review progress. *See, Taxman, F., Yancey, C. and Bilanin, J (2006) Proactive Community Supervision in Maryland: Changing the Outcomes.*

Risk and Needs assessment programs must be carefully implemented and administered. Interventions aimed at low risk offenders are least likely to work. These offenders have less to change and are not likely to reoffend anyway. Good interventions that are poorly implemented or poorly maintained do not work. Nor are interventions that are poorly defined, lack specificity, and are non-directive likely to have positive results.

The bottom line is that risk and needs must be done right or not at all. Risk and needs assessments can be very useful when the right offenders and right needs are targeted, using the right modality. If implemented, the administrators *must* follow the data rather than experience “gut” reaction.

The presentation reiterated that the assessments prevented resources from being wasted. The presentation also covered that while it is important to use a tool that is proven in practice, staff that uses the tool should be well trained and if they are not, the results from using the assessment tools will be affected. Ms. Fahey concluded by stating that the committee needs to select a tool for Alabama to utilize.

### **B. One Practitioner’s Experience in Assessment**

Paul Brown, Montgomery County Community Corrections, gave his perspective on Risk/Need assessment tools. Mr. Brown handed out an article, “Offender Rehabilitation. What we Know and What Needs to Be Done,” by Paul Gendreau, which included a cover sheet listing “Dynamic Criminogenic Risk Factors”. Mr. Brown referred the committee to page 149 of the article, which details ‘what works’ when it comes to treatment strategies. Mr. Brown highlighted that while the list was compiled from a study conducted in 1980 that ‘what works’ has not really changed.

Mr. Brown continued by explaining his background, that he has been in the business for 30 years and that he was first introduced to Risk/Needs Assessment in 1997. Mr. Brown told the committee that originally the Risk/Needs Assessment was difficult to ‘sell’. He recounted his experience in implementing the use of a risk and needs instrument in Texas. His group set up a test scenario in Texas pitting a seasoned probation officer, who believed he could judge the offender’s risk and needs better than any “instrument” against a young “wet behind the ears” officer trained in using the instrument. The study was to cover 3 years but was stopped after 2 because of ethical considerations. The young officer’s results were so much better than the experienced officer’s, the director of the program felt to continue without using the predictive instrument was malpractice in those cases where it was not used. Again, the lesson is that appropriately used, these instruments can make a significant difference in achieving the purposes of corrections programs.

Mr. Brown noted that the tool that was used in the trial has only had a few changes since then and that the changes were largely due to the inability to determine certain risk/needs predictability.

Mr. Brown handed out four instruments that Montgomery County Community Corrections will be using, coupled with a Validation of Risk Assessment Instrument by the Texas Department of Criminal Justice. The four instruments are: Intake Risk Assessment; Intake Needs Assessment; Risk Reassessment and Needs Reassessment. Mr. Brown explained that the Risk Assessment score equaled the time/effort required for case management purposes and the Needs assessment score indicated to what extent intervention was required.

Mr. Brown handed out a third handout, the “Supervision Plan” and asked the committee what two areas they would address if an offender had poor financial management skills, was unemployed, had low education and a drug problem. It was agreed that the drug problem and education/vocation needs should be resolved, since this will enable the offender to get a job.

Mr. Brown discussed the time of contact, that is, a person that has a maximum risk and maximum needs requires the greatest time, while an offender with medium risk, medium needs often is a ‘mixed bag’ in that the tendency is to override with monitoring and referral. Minimum need and minimum risk offenders do not take up much time and often do okay without supervision.

Mr. Brown handed out a copy of the Montgomery County Community Corrections Department policy on Risk and Needs Assessment. He highlighted that training had been conducted on the policy. He also noted that training is important as imposing conditions and the costs of this are not necessary and could be detrimental. The supervision plan, enclosed in the policy document, tells the officers how to deal with different risk and needs results emphasizing that in training only two issues should be worked on. The officers are also trained that they need to be flexible, often the supervised plan may not work because the client is ‘unable to do it’, and not because the client does not ‘want to do it’.

Mr. Brown also noted that rewards to sanctions should be 6 to 1 as opposed to 4 to 1 as detailed in the first article that he handed out.

### **C. Pros & Cons of Different Assessment Tools LSI-R, OST and Ohio**

Ms. Fahey noted that the committee is looking at three different tools the LSI-R, OST (Arizona) and the Ohio tools. Before she looked at the Pros and Cons, she asked who had questions or concerns.

Roger Thorne from TASC stated that he was concerned about duplication, in that without an automated system, requiring these assessments will create more work. In particular he was concerned that the assessment would duplicate what is done in the psycho/social assessment that the Department of Mental Health does, which may also be changed. When asked when these assessments are done, Roger replied that they are done for all felonies. When questioned, Roger refined his answer by stating that the assessment is started for all, and if it is noted that there is a requirement it is then completed.

Ms. Fahey noted that the plan is that MIDAS gets up and running, will hopefully be able to populate other later assessments from the data entered in the earlier assessments.

Mr. Hendrix from TASC asked whether anyone had looked at the time gradient of treatment intensity and time, that is, does the community have the appropriate resources to do what the risk/needs assessment requires.

Mr. Brown responded that the Risk/needs assessments do not detail the treatment requirements. It was noted that it is great to identify the need but then what do you do with it if there are not enough resources to deal with it.

Ms. Davis stated that in order to establish the resources we first must identify the need. Ms. Fahey noted that time is a factor, the shorter the time period between treatment and the offense the better.

Ms. Fahey wrapped up this part of the session and moved to the Pros and Cons of the three tools.

The committee determined the following Pros and Cons:

| LSI-R          |      | Ohio                                |                | OST                         |                           |
|----------------|------|-------------------------------------|----------------|-----------------------------|---------------------------|
| Pro            | Con  | Pro                                 | Con            | Pro                         | Con                       |
| Well Validated | Cost | Easy to administer                  | Ohio validated | Static/Dynamic differential | More cumbersome than Ohio |
| Great training |      | Reputable creator                   |                |                             |                           |
| Buy automation |      | Good EBR                            |                |                             |                           |
|                |      | Gender Specific                     |                |                             |                           |
|                |      | Non-proprietary                     |                |                             |                           |
|                |      | Tools for all stages                |                |                             |                           |
|                |      | Similar to current AL tool for risk |                |                             |                           |

It was determined that due to the cost, the LSI-R would not be considered, leaving the choice between the OST and the Ohio instruments. The majority of the committee was leaning towards the Ohio tools.

**D. Phone Conference w/ David Simourd – Algonquin Correctional Services, Ontario Canada (trainer and evaluator of LSI-R and OST)**

David Simourd opened by stating he provides training for both LSI-R and the OST and that he is well versed on risk assessment in general. . Simourd gave a summary on both the LSI-R and the OST. In brief the LSI-R has 54 items; it was started in the late 80’s. It has a lot of theory built into it. There is a user cost. It uses yes/no answers which makes it efficient to use.

The OST has 44 items, it has been validated but no reports have been published.

Members of the committee asked a number of questions to which Simourd responded. The committee appeared to be mostly satisfied with Simourd's perspective but were inclined to disagree with his opinion about only using one tool and that there is no requirement to acknowledge different grading for males and females.

**E. Identification of Outstanding Information Needed  
Policies & Processes Necessary for Assessment Practice  
Discussion of Tool Adoption**

Ms. Fahey moved the committee on to the next agenda item and asked what else the committee needed to know before they could make a decision as to which tool should be implemented.

Mr. Hendrix suggested that they speak to Virginia regarding MOST/OST implementation given they have a similar sentencing structure to AL.

A question was raised on how the assessments will work with the current sentencing guidelines and the 10 point scale. There was some discussion that the assessments would not be incorporated into the Voluntary Sentencing Standards but could supplement the Standards, especially for community corrections recommendations.

After much discussion the following items were noted as needing further discussion and research:

- MIDAS and privacy issues – medical and mental health (HIPPA implications)
- The relationship to Sentencing guidelines
- Use of tool to sentencing - implications for drug courts
- Duplication of assessments – psycho social
- Treatment intensity time/ program availability
- Transportation - % to reoffend – use in Alabama
- Mobile – LSI-R
- MIDAS as a platform

**F. Are We Ready to Make a Decision?**

After some further discussion, Rosa Davis made the motion for “the committee to recommend that CCASP and Alabama use the Ohio Risk/Needs Assessments.” Paul Brown seconded the motion. The motion passed with Ralph Hendrix abstaining.

**G. Next Steps**

A list of next steps was made, with the aim that they would be completed by the next meeting to be held April 20, 2009.

|    | Item   | Sponsor                  | Status    |
|----|--|--------------------------|-----------|
| 1. | Recommend Ohio tool for Statewide adoption   | Committee                | Completed |
| 2. | Fund raise minimum of \$50,000   | Rosa, Becky and Richard  |           |
| 3. | MIDAS funding – automation, with lack of duplication   | Rosa, Becky and Richard  |           |
| 4. | Explore VA. Landscape,<br>Specifically:<br>- Sentencing Guidelines<br>- Drug Court Application | Ralph Hendrix            |           |
| 5. | Explore laws regarding data sharing.   | Rosa and Cynthia Dillard |           |
| 6. | Determine whether Mobile collected LSI-R data. If so, what is it?                              | Paul Brown               |           |
| 7. | Guidelines for implementation strategy.  | Jennifer Fahey           |           |