

# **Prison Population Reduction Strategies Through the Use of Offender Assessment: A Path Toward Enhanced Public Safety**

Governor's Commission on Prison Overcrowding  
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Policymakers need to understand that it is not one or the other: build prisons or support community corrections. We need strong systems of each. We need to create enough prison space to house the truly violent and those with no desire to change their criminal behavior and, at the same time, we need to invest heavily in helping offenders who are not yet steeped in criminal behavior and wish to chart a different path. Sending someone to prison should be our last resort – it is expensive, it is stigmatizing, and it can increase risk for future criminal behavior.

-- Joan Petersilia (2007), The Pew Charitable Trust Public Safety Performance Project



# Committee Assignments and Outcomes

## ■ Diversion Committee:

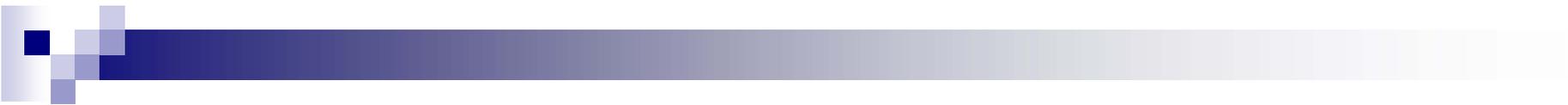
- Safely divert low risk offenders
- Identify offender characteristics that fit a diversion strategy
- Reduce recidivism
  
- Outcomes: Propose a common, system-wide risk assessment instrument for identifying offenders for diversion...acquisition of treatment services



# Committee Assignments and Outcomes

## ■ Length of Stay Committee:

- Causes for increased length of stay
- Strategies to return offenders more quickly to communities, while reducing risk of recidivism
- Outcomes: Identify level of services that must be provided in prison and community to reduce recidivism...and the data needs for development of better decision-making.



# Offender Assessment

**Purpose:** To promote *public safety* through the accurate assessment of offender level of risk (i.e., likelihood of reoffending) and criminogenic needs (i.e., factors that have been found to be empirically associated with the likelihood of reoffending, if not addressed).

- Research consistently shows that objective, actuarial assessment tools are better than clinical judgment alone in making case management decisions.



# Offender Assessment

- Helps to guide decision-making throughout the system:
  - judges (i.e., helps identify alternative sentencing options, level of supervision, and programming);
  - correctional administrators (i.e., case plans and supervision); and,
  - parole boards (i.e., early release decisions)
- Can be used to ascertain whether current correctional populations are placed at appropriate supervision and/or classification levels
- Without assessment, cannot adhere to “what works” in offender management or evidence-based sentencing practices– **ASSESSMENT IS FIRST STEP TOWARD ACHIEVING EBP!**



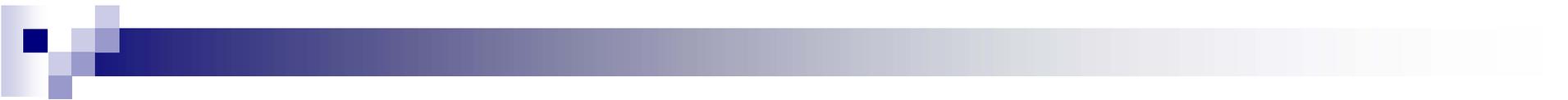
## **8 Principles of Evidence-Based Practices (EBP)**

1. Assess actuarial risk and need
2. Enhance intrinsic motivation
3. Target intervention
4. Skill train with directed practice
5. Increase positive reinforcement
6. Engage ongoing support in natural community
7. Measure relevant practices
8. Provide measurement feedback



# Where can offender assessments be used?

- Pretrial supervision (DIVERSION)
- Prior to and at sentencing (DIVERSION)
- Upon admission and release:
  - Probation (DIVERSION)
  - Parole (TIME SERVED)
  - Community corrections (DIVERSION)
  - Residential and outpatient treatment programs (DIVERSION)
  - Institutional corrections (TIME SERVED)



# Research on Offender Treatment

- Treatment is necessary to maximize public safety!
- Meta-analysis: Not a single study on the effects of official punishment alone (custody, mandatory arrests, increased surveillance, etc.) has found consistent evidence of reduced recidivism.
- Meta-analysis: At least 40% and up to 60% of the studies on correctional treatment report reductions in recidivism rates relative to various comparison conditions, in every published review.
- Treatment in the community (including after/care reentry) has been consistently associated with greater reductions in recidivism compared to secure confinement alone.



# Research on Offender Treatment

- Effective treatment cannot be delivered without valid offender assessment and proper case planning.
- Requires adherence to empirically identified principles:
  - Risk: The level of service should vary with level of risk
  - Need: Appropriate intermediate targets of change (criminogenic needs)
  - Responsivity: Cognitive-behavioral strategies and match modes of intervention to learning styles, motivation, and other characteristics.
- Other: Professional discretion and treatment integrity



## What is risk?

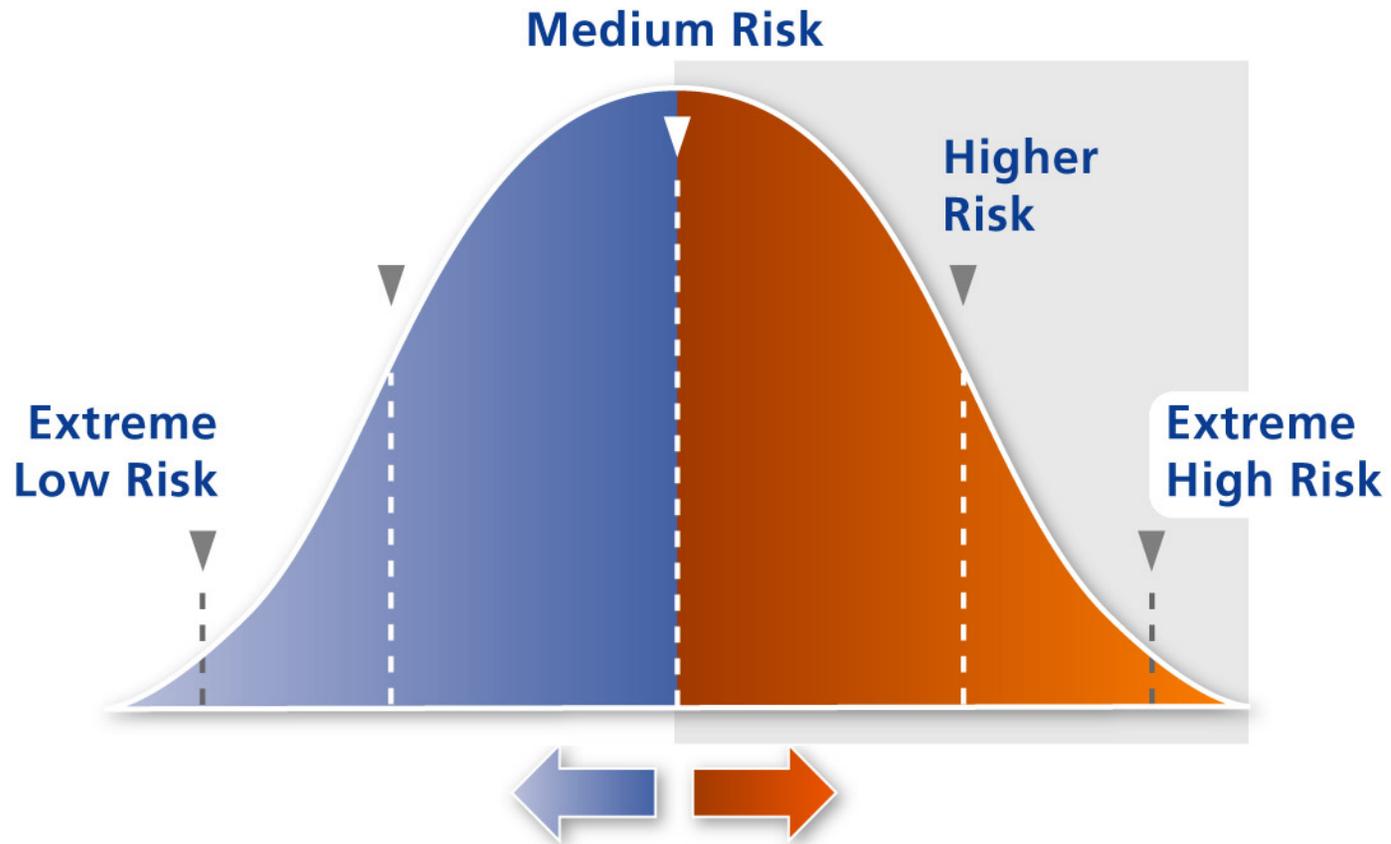
**Risk is likelihood of recidivism!**

**Risk is NOT current offense--and it is MORE than criminal history!**

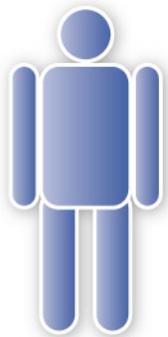
- “Offender needs” inform level of risk – specifically, “criminogenic needs” must be addressed to change offender risk of recidivism and danger to the public.

# Offender Risk of Recidivism

Resembles a Bell-Shaped Curve (Normal Distribution)



# Triage: Cutting the “Tail” Off One End of Your Caseload



Low Risk Offender – has more favorable pro-social thinking and behavior than other risk levels.

Divert to administrative supervision.

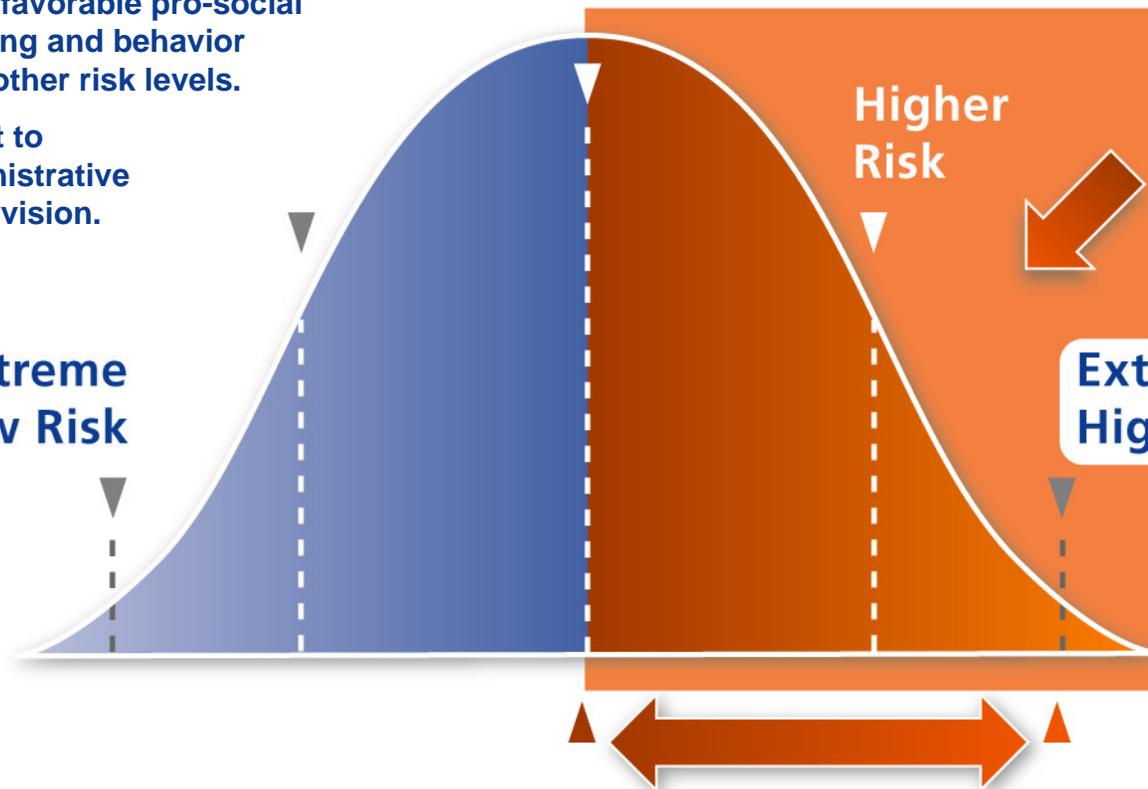
Extreme Low Risk

Medium Risk

Higher Risk

**MOST BANG FOR THE BUCK HERE**

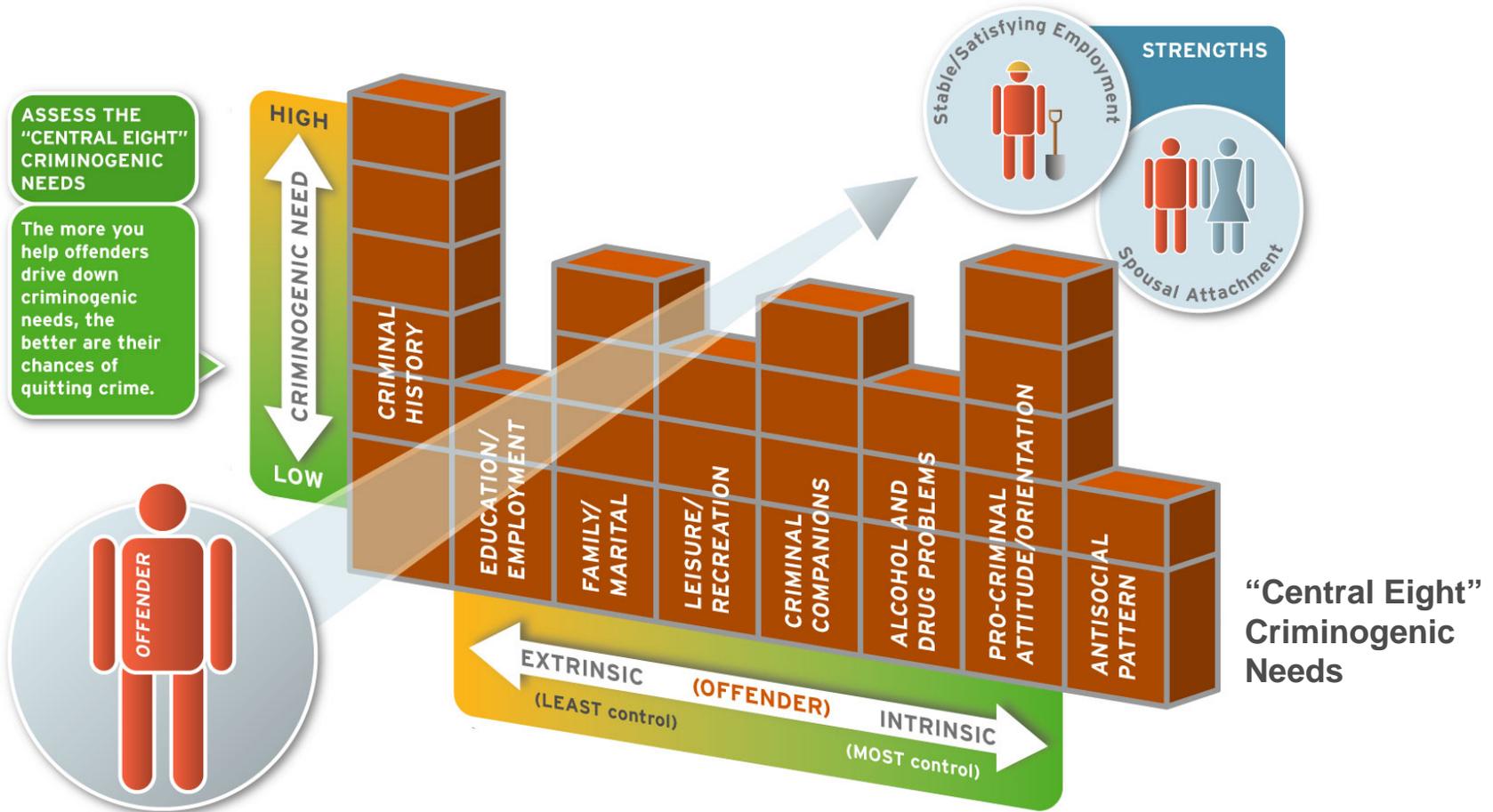
Extreme High Risk



# What Criminogenic Needs need to be targeted to reduce risk to public?

<b>The 'Central Eight' Criminogenic Needs</b>	<b>LS/CMI™ Section 1 Subcomponents</b>
<b>History of Antisocial Behavior</b>	<b>Criminal History</b>
<b>Antisocial Personality Pattern</b>	<b>Antisocial Pattern</b>
<b>Antisocial Attitudes</b>	<b>Procriminal Attitude/Orientation</b>
<b>Antisocial Associates</b>	<b>Companions</b>
<b>Family/Marital</b>	<b>Family/Marital</b>
<b>Education/Employment</b>	<b>Education/Employment</b>
<b>Substance Abuse</b>	<b>Alcohol/Drug Problem</b>
<b>Leisure/Recreation</b>	<b>Leisure/Recreation</b>

# Recidivism Wall: Impediment to More Pro-social Thinking & Behavior





# Front-end Strategies (Diversion and Prevention)

- How can offender assessment contribute to prevention and diversion?
  - Tells us “who” and “what” to TARGET and “how much” treatment and supervision is necessary
  - Identifies best candidates for diversion (i.e., low risk offenders)
  - By addressing needs, can prevent future crimes
  - Saves resources so high risk offenders can be properly supervised and treated (i.e., high risk = more intensive treatment and supervision), while low risk offenders are given minimal treatment and supervision.



# Day Report Centers

## Mean LS/CMI Scores at Intake, 2008

	Total (N = 1647)		
	Max Score	Mean	SD
Criminal History	8	3.07	2.04
Education/Employment	9	3.86	2.66
Family/Marital	4	1.51	1.27
Leisure/Recreation	2	1.46	0.72
Criminal Companions	4	2.19	1.51
Alcohol/Drug Problems	8	4.03	2.17
Pro-Criminal Attitude/Orientation	4	1.01	1.25
Antisocial Pattern	4	1.20	1.15
<b>Total LS/CMI</b>	<b>43</b>	<b>18.34</b>	<b>8.23</b>

# Day Report Centers

**Percent Distribution of LS/CMI Scores at Intake, 2008**

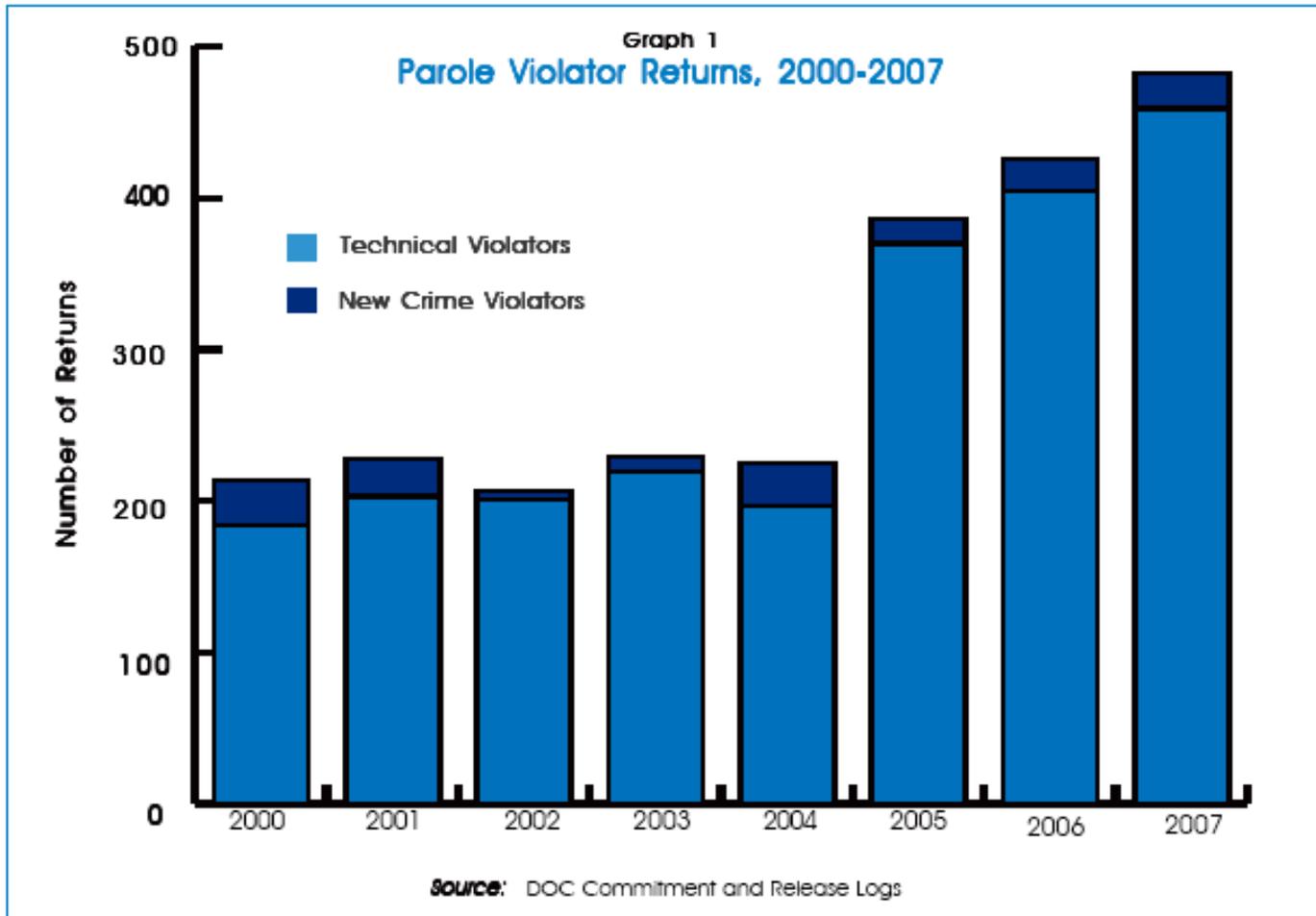
	Total (N = 1647)				
	Very Low	Low	Medium	High	Very High
Criminal History	27.6%	26.3%	33.9%	12.0%	0.3%
Education/Employment	26.0%	21.4%	18.7%	25.1%	8.7%
Family/Marital	26.5%	28.9%	20.8%	14.8%	9.0%
Leisure/Recreation	13.5%	0.0%	27.3%	59.2%	0.0%
Criminal Companions	19.7%	14.5%	24.2%	9.9%	31.8%
Alcohol/Drug Problems	8.9%	15.2%	31.0%	32.5%	12.4%
Pro-Criminal Attitude/Orientation	50.8%	17.5%	17.9%	7.5%	6.3%
Antisocial Pattern	35.0%	28.7%	21.8%	10.4%	4.1%
<b>Total LS/CMI</b>	<b>3.6%</b>	<b>15.6%</b>	<b>36.9%</b>	<b>34.5%</b>	<b>9.4%</b>



# Prison Population Statistics

- Nonviolent offenders (burglary, property, drug, dui, and other):
  - 75.9% of new admissions in 2006
  - 50.8% of stock population in mid-2007
- 20.5% of new commitments were comprised of parole violators in 2007
- Length of stay (LOS) increased for nearly all crime categories between 2001 and 2006, and for many nonviolent offenses: burglary (20.1 months), property (10.6 months), and drug offenders (8 months).

# Parole Violator Returns





# Back-end Strategies (Reduce time served & early release)

- Common strategies include:
  - Reducing sentences for certain crimes
  - Increasing release credits inmates can earn
  - Reducing prison time served for probation/parole technical violators (i.e., “capping time served”)
    - Statutorily set time offenders can serve for technical violations (i.e., 12 months to 3 months)
  - Reducing probation terms; thereby, reducing chances of being sent to prison for conditional violation
  - Directing the parole board, through legislation, to release most inmates before they serve more than certain percentage of their sentences (e.g., 120%)



## Back-end Strategies (Reduce time served & early release)

- Release all inmates with no history of serious, violent, or sex offenses early?
- Or, alternatively, develop specific criteria for early release for certain prisoners based on:
  - Current offense (nonviolent)
  - Risk/need level (includes criminal history)
  - Proportion of sentence served
  - Institutional conduct over past 12-months
  - Other factors? (age, for instance)



# Back-end Strategies (Reduce time served & early release)

- How can offender assessment help in efforts to reduce time served and make early release decisions?
  - Help identify “best candidates” for early release, so population can be prioritized
  - Determine target needs for:
    - Easing transition from prison to community (targeting needs)
    - Classifying to step-down units for transition
    - Linking offender to community services
  - Set initial community supervision levels, and assess behavior and risk change overtime
  - Can serve as back-end assessments for offenders returning for a violation of parole conditions

# 2008 DOC Releases: Minimum Sentence Served

## Average % Minimum Sentence Served

	Total		CO Releases Excluded	
	N	% Minimum Sentenced Served	N	% Minimum Sentenced Served
Homicide	38	181.27%	36	188.46%
Sex Offenses	96	177.33%	84	194.26%
Robbery	104	161.62%	102	163.99%
Assault	191	158.42%	164	173.52%
Burglary	243	207.64%	221	219.21%
Property	476	166.24%	397	187.21%
Drugs	503	145.72%	429	160.68%
DUI	160	138.67%	142	149.52%
Other	138	141.19%	104	172.04%
<b>Total</b>	<b>1949</b>	<b>161.89%</b>	<b>1679</b>	<b>178.15%</b>

\* Includes probation violators and regular commitments

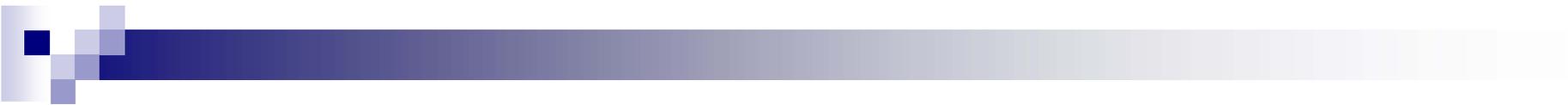
\*\* Excludes lifers, Anthony Center, and diagnostic releases

# 2008 DOC Releases: Length of Stay and Percent Over Minimum Sentence Served

**Minimum Sentence Served, Length of Stay, Percentage over Minimum Sentence  
(excluding court-ordered releases)**

	<b>Ave. Minimum Sentence (Months)</b>	<b>Average LOS (Months)</b>	<b>% Serving &gt; 100% Minimum Sentence</b>	<b>% Serving &gt; 120% of Minimum Sentence</b>
Homicide	58.62	85.64	82.1%	59.0%
Sex Offenses	58.55	69.11	80.4%	67.4%
Robbery	56.41	75.13	66.2%	40.1%
Assault	19.76	32.67	79.0%	64.5%
Burglary	15.34	31.55	57.1%	46.8%
Property	15.46	26.76	68.3%	54.8%
Drugs	15.54	23.60	78.4%	52.2%
DUI	13.03	19.36	88.7%	62.9%
Other	14.44	24.08	76.5%	63.6%
<b>Total</b>	<b>21.19</b>	<b>32.69</b>	<b>72.3%</b>	<b>54.5%</b>

\* Total releases including court-ordered, min. required LOS = 20.81 months; LOS = 29.56 months



## 2008 DOC Releases: Sentenced Served by Commitment Type

### Minimum Sentenced Served and Length of Stay (excluding court-ordered releases)

<b>Commitment Type</b>	<b>N</b>	<b>Avg. Minimum Sentence (Months)</b>	<b>Avg. LOS (Months)</b>	<b>% Minimum Sentence</b>
Regular	1245	23.18	35.18	178.55
Probation	434	15.47	25.53	176.99
Total	1679	21.19	32.69	178.15

# 2008 DOC Releases: LSI-R Scores and Sentence Served

- No significant difference in risk scores for prisoners serving >120 and < 120 of minimum sentence (< 120; mean = 23.29, SD = 7.07)

## LSI-R Scores for 2008 Releases

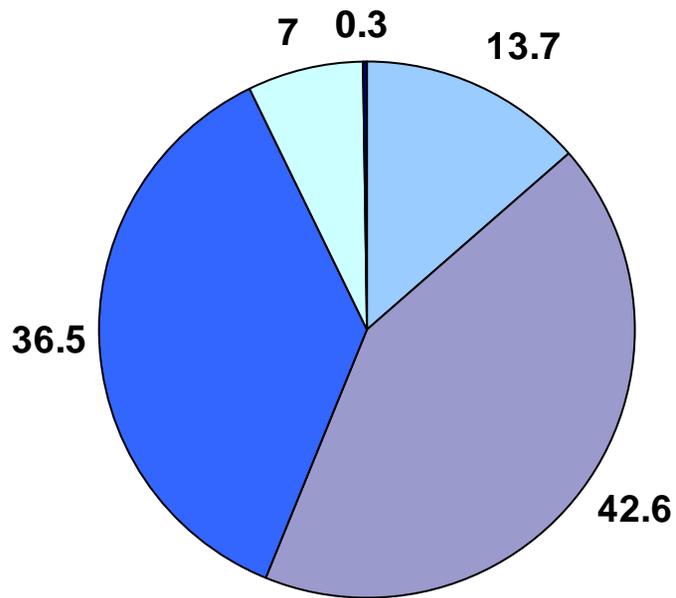
	2008 Releases			2008 Releases (serving > 120 min. sentence)		
	N	Mean	SD	N	Mean	SD
Homicide	17	19.18	6.54	11	18.55	7.13
Sex Offenses	20	22.45	9.35	13	21.46	9.66
Robbery	52	22.23	7.35	19	20.79	7.46
Assault	18	19.67	8.29	9	16.89	8.43
Burglary	87	23.39	7.58	15	25.73	7.44
Property	97	21.41	7.62	21	20.38	9.31
Drugs	27	23.56	6.73	5	28.40	7.50
DUI	4	20.50	12.40	3	23.33	12.50
Other	7	27.29	8.67	6	27.67	9.44
<b>Total</b>	<b>329</b>	<b>22.21</b>	<b>7.73</b>	<b>102</b>	<b>21.78</b>	<b>8.79</b>

\* Excludes ACC, diagnostics, parole violators, and lifers.

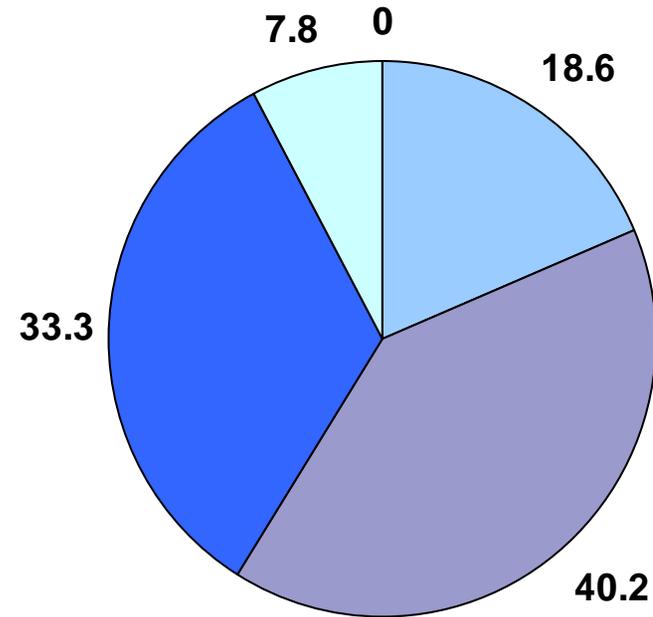
\* Includes probation violators and regular commitments.

# 2008 DOC Releases: Distribution of LSI-R Scores

Total Releases

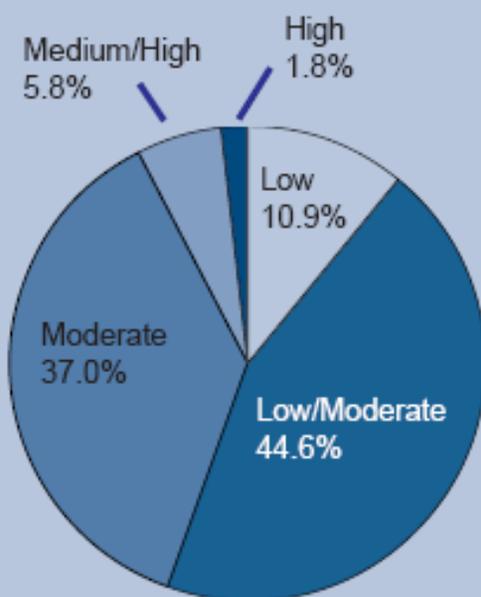


Releases Over 120%

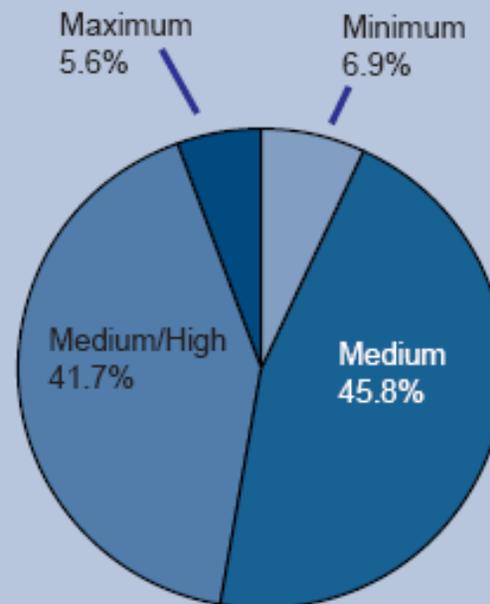


# Preparing for Release: LSI-R Score Distribution

Graph 6. Distribution of total LSI-R scores for male and female inmates (N = 348)



Male Inmates



Female Inmates

Note: Male inmates (N = 276); Female inmates (N = 72). Categories based on author's guidelines for classifying incarcerated offenders' risk/need level based on raw scores (see Andrews and Bonta, 1995).

# Preparing for Release: LSI-R Domain Scores

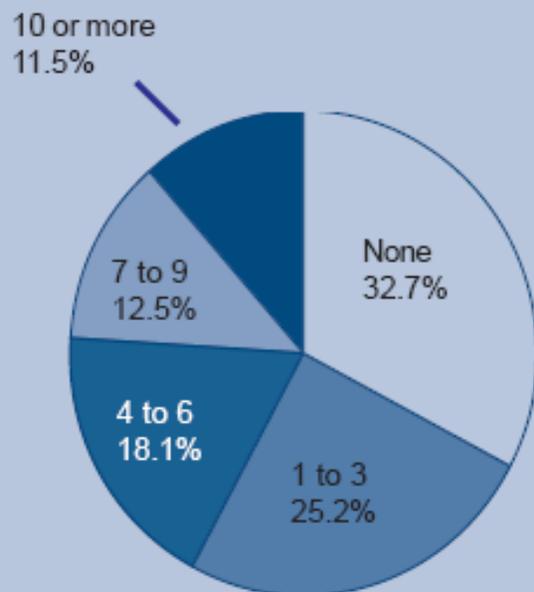
Table 5. Descriptive statistics for LSI-R total score and subcomponents by gender

LSI-R Domain	Maximum Score	Total (N = 348)		Male Inmates (N = 276)		Female Inmates (N = 72)	
		M	SD	M	SD	M	SD
Criminal History	10	4.88	2.04	4.77	2.06	5.28	1.92
Education/Employment	10	4.98	2.55	5.08	2.51	4.60	2.66
Financial	2	.80	.76	.81	.76	.78	.75
Family/Marital	4	1.48	1.26	1.43	1.29	1.68	1.10
Accommodation	3	.52	.79	.52	.80	.53	.77
Leisure/Recreation	2	1.26	.84	1.23	.84	1.39	.81
Companions	5	2.88	1.30	2.87	1.31	2.89	1.26
Alcohol/Drug Problems	9	3.95	2.46	3.98	2.46	3.81	2.45
Emotional/Personal	5	.95	1.22	.96	1.20	.94	1.32
Attitude/Orientation	4	1.23	1.35	1.24	1.38	1.21	1.24
Total LSI-R Score	54	22.93	7.40	22.88	7.40	23.10	7.46

Note: Leisure/Recreation contained 1 case with missing information.

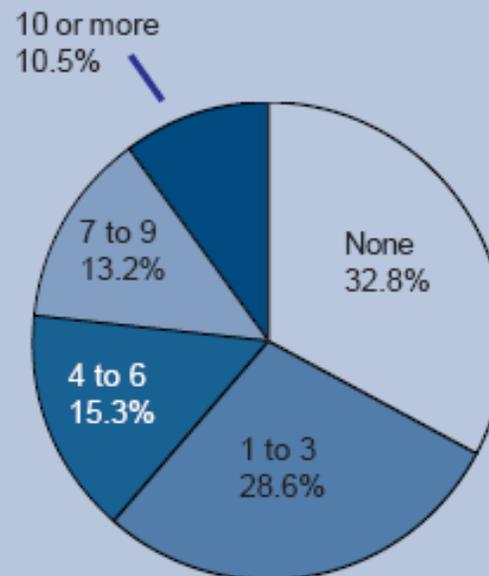
# Preparing for Release: Number of Programs Provided to DOC Inmates

Graph 1. Number of programs provided to total sample of inmates (N = 496)



Note: Mean = 3.87; SD = 4.24

Graph 2. Number of programs provided to released inmates (N = 189)



Note: Mean = 3.68; SD = 4.14

**Table 3. Institutional programs provided to the total sample and released inmates**

Institutional Programs	Total Sample (N = 496)		Released Inmates (N = 189)	
	n	%	n	%
<i>Education and Training</i>				
<i>Vocational Training</i>				
No	371	74.8	146	77.2
Yes	125	25.2	43	22.8
<i>Computer Training</i>				
No	457	92.1	174	92.1
Yes	39	7.9	15	7.9
<i>Adult Basic Education</i>				
No	434	87.5	167	88.4
Yes	62	12.5	22	11.6
<i>Higher Education</i>				
No	490	98.8	189	100.0
Yes	6	1.2	0	0.0
<i>Health Education</i>				
No	443	89.3	173	91.5
Yes	53	10.7	16	8.5
<i>Special Offender Programs</i>				
<i>Domestic Violence Prevention</i>				
No	464	93.5	178	94.2
Yes	32	6.5	11	5.8
<i>Sex Offender Treatment</i>				
No	469	94.6	179	94.7
Yes	27	5.4	10	5.3
<i>Substance Abuse Treatment</i>				
No	247	49.8	93	49.2
Yes	249	50.2	96	50.8
<i>Cognitive and Skill-based Treatments</i>				
<i>Cognitive Skills</i>				
No	405	81.7	156	82.5
Yes	91	18.3	33	17.5
<i>Coping Skills</i>				
No	481	97.0	186	98.4
Yes	15	3.0	3	1.6
<i>Social Skills</i>				
No	411	82.9	160	84.7
Yes	85	17.1	29	15.3
<i>Life Skills</i>				
No	438	88.3	174	92.1
Yes	58	11.7	15	7.9
<i>Crime Victim Awareness</i>				
No	358	72.2	137	72.5
Yes	138	27.8	52	27.5

Note: Inmates may have received multiple programs in each institutional program category above. As a result, "yes" percentages represent the proportion of inmates that received at least one program in each category.



# Conclusions

## ■ Offender risk/needs assessment:

- Is an essential component for achieving EBP
- Is the engine that drives effective programs helps you know who & what to target
- Can be used in both efforts to divert offenders from prison and alleviate prison crowding through backend strategies
- Can help identify offenders:
  - Appropriate for diversion
  - Better candidates for early release
- Tells us how to reduce an offender's risk of recidivism
- Is centered on the notion of how best to enhance **PUBLIC SAFETY!**