

PROBATION VIOLATION
RIGHTS ADVISORY

Defendant's Name: _____

Date: _____ Case Number(s): _____

Admission to Allegation #	Potential Penalty
1) _____	_____
2) _____	_____
3) _____	_____
4) _____	_____
5) _____	_____

STATEMENT OF RIGHTS & EXPLANATION OF WAIVERS BY PLEA OF GUILTY
(PLEASE INITIAL EACH RESPONSE)

I. You have the right to remain silent. You do not have to say anything about the alleged probation violation you are accused of committing. If you have a hearing, the state could not call you as a witness or ask you any questions. However, anything you do say can be used as evidence against you in court.

I understand that by admitting the probation violation allegations I am waiving my right to remain silent before and during the hearing and sentencing. _____.

II. The waiver of your right to remain silent only applies to your admission to the probation violations in this case. You will still have the right to refuse to answer any question or to provide any information that might tend to show you committed some other crime(s). You can also refuse to answer or provide any information that might tend to increase the punishment for the probation violation(s) to which you are entering admissions.

I understand that by admitting the probation violation(s) in this case, I still have the right to remain silent with respect to any other crime(s) and with respect to answering questions or providing information that may increase my sentence. _____.

III. You have the right to be represented by an attorney. If you want an attorney and cannot pay for one, you can ask the judge for an attorney who will be paid by the county. I understand _____.

IV. You have the right to confront the witnesses or evidence against you. This means the state must prove its case by calling witnesses to testify under oath in front of you, the jury, and your attorney. Your attorney could then cross-examine (question) each witness. You could also call your own witnesses of your choosing. If you do not have the funds to bring those witnesses to court, the state will pay the cost of bringing your witnesses to court.

I understand that by admitting the probation violation allegations I am waiving my right to confront the witnesses against me, and to present witnesses and evidence in my defense.

_____.

QUESTIONS REGARDING PLEA

(Please answer every question. If you do not understand a question consult your attorney before answering.)

PLEASE CIRCLE ONE

- | | | | |
|---|------------|-----------|------------|
| 1. Do you read and write the English language? | YES | NO | |
| If not, have you been provided with an interpreter to help you fill out this form? | YES | NO | N/A |
| 2. Are you currently under the care of a mental health professional? | YES | NO | |
| 3. Have you ever been diagnosed with a mental health disorder? | YES | NO | |
| If so, what was the diagnosis and when was it made? | | | |
| 4. Are you currently prescribed any medication? | YES | NO | |
| If so, have you taken your prescription medication during the past 24 hours? | YES | NO | N/A |
| 5. In the last 24 hours, have you taken any medications or drugs, or drank any alcoholic beverages which you believe affect your ability to make a reasoned and informed decision in this case? | YES | NO | |
| 6. Is there any other reason that you would be unable to make a reasoned and informed decision in this case? | YES | NO | |
| 7. Have any other promises been made to you which have influenced your decision to admit the PV? | YES | NO | |

If so, what are those promises?

8. Have you had sufficient time to discuss your case with your attorney? **YES NO**
9. If you are not a citizen of the United States, the entry of an admission or making of factual admissions could have consequences of deportation or removal, inability to obtain legal status in the United States, or denial of an application for United States citizenship. Do you understand? **YES NO**
10. Do you understand that no one, including your attorney, can force you to enter an admission in this case? **YES NO**
11. Are you entering your admission freely and voluntarily? **YES NO**
12. If you were provided with an interpreter to help you fill out this form, have you had any trouble understanding your interpreter? **YES NO N/A**
13. Have you had any trouble answering any of the questions in this form which you could not resolve by discussion with your attorney? **YES NO**

I have answered the questions on pages 1-3 of this Probation Violation Rights Advisory form truthfully, understand all of the questions and answers herein, have discussed each question and answer with my attorney, and have completed this form freely and voluntarily. Furthermore, no one has threatened me to do so.

Dated this _____ day of _____, 20_____.

DEFENDANT

I hereby acknowledge that I have discussed, in detail, the foregoing questions and answers with my client.

DEFENDANT'S ATTORNEY

**Ada County Sheriff's Office Court Services
Adult Misdemeanor Presentence Report**

Case Information

Name [REDACTED]	Date of Birth [REDACTED]	Case # CR-MD-2011-[REDACTED]	Judge Oths
Offense Probation Violation		Original Charge Driving Under the Influence	
Prosecutorial Jurisdiction Ada County Prosecutor	Prosecuting Attorney Name Edwina Wager		Contact Phone # (208) 287-7847
Defense Attorney Ada County Public Defender	Defense Attorney Name Elizabeth Estess		Contact Phone # (208) 287-7450
Investigating Court Services Officer Christopher J. Saunders, MS		SO # 5224	Contact Phone # (208) 577-3454

Personal Information

Physical Mailing Address [REDACTED] Garden City, ID 83714		Contact Phone # (208) 571-[REDACTED]
Gender Male	Race Other	Ethnicity Non Hispanic
Spouse/Significant Other's Name N/A	Contact Phone # N/A	Marital Status Divorced
Children's Name(s) and Age(s) Alexis - 13, Makai - 3. Both children currently live with Mr. [REDACTED] ex-wife in Boise, ID. Mr. [REDACTED] does not have contact information.		Location N/A
Emergency Contact [REDACTED]s - Chicago, IL	Contact Phone # (217) [REDACTED]	Relationship Sister

Criminal History

Criminal History only includes charges for which Mr. [REDACTED] was convicted. Additional charges that were dismissed or not adjudicated are not included.

- 1994- Burglary, Felony. State of Illinois
- 1996- Aggravated Battery w/ Great Bodily Harm, Felony. State of Illinois
- 2001- Conspiracy to Possess MDMA with Intent to Distribute, Felony. Federal Offense.
- 2011- Driving Under the Influence, Misdemeanor. Ada County.
- 2011- Driving without Privileges, Failure to Provide Proof of Insurance & Possession of a Controlled Substance, Misdemeanor. Ada County.
- 2012- Disturbing the Peace, Misdemeanor. Ada County.
- 2012- Driving Under the Influence (Second Offense), Misdemeanor. Ada County.
- 2012- False Impersonation & Carrying a Concealed Weapon, Misdemeanor. Ada County.

Housing Information

Housing Status Other	Housing Cost \$200/month	Utility Cost \$0	Type of Phone N/A	Phone Cost \$0
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Notes
Mr. [REDACTED] currently resides with a friend in Garden City and pays \$200 a month when he is able. Name not available.

**Ada County Sheriff's Office Court Services
Adult Misdemeanor Presentence Report**

Employment

Employment Status

Full Time

Employer Name & Supervisor

Tools Inc. (Supervisor)

Employer Contact Phone #

(208)

Employer Address

Main St. Boise, ID 83702

Salary

Commission - Approximately \$2400/month

Work Schedule

7am - 3pm (Monday - Thursday) & 5am - 1pm (Friday)

Type of Work

Sales

Position

Tool Broker

Have You Ever Been Fired

No

Notes

Mr. was previously employed at Tools Inc. and returned to work with this employer on Wednesday, April 17, 2013. This information was verified on April 18, 2013 by our office.

Financial

Monthly Income

\$0

SSI/Disability

\$0

Child Support

\$0

Other

\$0

Other

\$0

Notes

Mr. has no reported income at this time. His income will increase once he begins working. Mr. does not collect any social assistance at this time.

Substance Use

History of Alcohol Use

Yes

Frequency

No Use Past Month

Date of Last Use

February 16, 2012

Amount

1 beer, 2 shots

History of Drug Use

Yes

Frequency

1-2 Times/Week

Date of Last Use

March 16, 2013

Drug(s) Used

Methamphetamine

Drug(s) of Choice

Methamphetamine, Opiates, Alcohol

Past Treatment History

None Reported

Notes

Mr. reported using methamphetamine because he is unable to fill his prescription for Adderall.

Medical

Currently Under Care of a Medical Provider

No

Medical Provider's Name

N/A

Medical Provider Address

N/A

Medical Provider Contact Phone #

N/A

Medical Diagnoses/Conditions

Mr. self-reported a history of colitis. Mr. noted that he had had 3 feet of his intestinal tract removed during a prior surgery.

Current Treatment/Medication

N/A

Notes

**Ada County Sheriff's Office Court Services
Adult Misdemeanor Presentence Report**

Mental Health

Currently Under Care of a Mental Health Provider

No

Mental Health Provider's Name

N/A

Mental Health Provider's Address

N/A

Mental Health Provider's Contact Phone #

N/A

Mental Health Diagnoses/Conditions

Mr. ██████ self-reported mental health diagnoses of Post-Traumatic Stress Disorder, Generalized Anxiety Disorder, Major Depressive Disorder, Impulse Control Disorder (Intermittent Explosive Disorder) & Dissociative Disorder NOS. If placed on probation, part of a case plan might include a further exploration of mental health history.

Current Treatment/Medication

Mr. ██████ reported current prescriptions for Adderall, Xanax & a mood stabilizer (unable to recall name).

Notes

Mr. ██████ reported numerous instances of abandonment in his childhood including growing up without a father, an abusive mother and no contact with extended family. Mr. ██████ displayed signs of Reactive Attachment Disorder (RAD) as an adolescent, which may have carried through into adulthood. As an adolescent, RAD is characterized by withdrawing from others, acting aggressively towards peers, alcohol/drug use and masking feelings of anger/distress all of which were identified by Mr. ██████. If counseling were to be recommended by the court, addressing issues surrounding abandonment and attachment would be warranted. Mr. ██████ reported a history of mental health treatment including community clinics, Warm Springs Counseling Center and a commitment to State Hospital South in Blackfoot, Idaho. Of note, Mr. ██████ expressed that he had a positive interaction with his counselor at Warm Springs Counseling Center.

Education

Highest Level of Education Completed

GED

Year Completed

1990

Location

Illinois Youth Corrections

Notes

Mr. ██████ reported that he has completed units at Boise State University and is within a year of graduating with his Bachelor's Degree.

Assessments

Proxy Score

8 - high

LSI-R

46

LSI-R Risk Level

31 +: High

UNCOPE

At Risk - Dependence

Mental Health Screener

Referral Needed

Notes

The LSI-R is used to assess 10 risk/need areas in an offender's life. Scores of 31 or greater on an LSI-R assessment are indicative of an offender having high social needs and a high risk to recidivate. This group is the optimum population for targeted, risk reduction intervention strategies. Supervised probation could provide for community safety through supervision and monitoring of case plans designed to address risk/need areas.

Areas of Concern

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> Education | <input checked="" type="checkbox"/> Employment | <input checked="" type="checkbox"/> Financial | <input checked="" type="checkbox"/> Spousal/Family Relationships |
| <input checked="" type="checkbox"/> Accomodation/Housing | <input checked="" type="checkbox"/> Leisure/Recreation | <input checked="" type="checkbox"/> Associations/Acquaintances | |
| <input type="checkbox"/> Alcohol Abuse | <input checked="" type="checkbox"/> Drug Use | <input checked="" type="checkbox"/> Mental Health | <input checked="" type="checkbox"/> Attitudes/Orientations |

**Ada County Sheriff's Office Court Services
Adult Misdemeanor Presentence Report**

Review Summary

Before the court stands **Charzel Williams Jr.**, currently facing disposition for a probation violation stemming from the original charge of Driving While Under the Influence of Alcohol.

Mr. **Williams** has a history of success in the community when he properly manages his medications and maintains employment. Mr. **Williams** successfully completed a 77 month federal sentence which included a supervised release program with the Port of Hope as well as Federal Parole. Mr. **Williams** has not consumed alcohol since February of 2012. Mr. **Williams** is within a year of earning his Bachelor's Degree in Childhood Development from Boise State University. Since his release to the Ada County Sheriff's Office Pre-Trial Unit, Mr. **Williams** has acquired a job and has maintained contact with his pre-trial case manager. In addition, he has not missed or failed any of his Urine Analyses Tests.

Mr. **Williams** has a long criminal history, which includes multiple violent convictions and a federal drug conviction.

Mr. **Williams** identifies his propensity towards violence and self-identified his drug of choice as "Anger." Mr. **Williams** last reported drug use took place on March 16, 2013, the day of his arrest. Mr. **Williams** reports methamphetamine use to compensate when he doesn't have his Adderall. Mr. **Williams** reported a dislike for the criminal justice system and thinks that probation is a "joke."

Summary Findings

Mr. **Williams** was assessed at a score of 46 on the LSI-R assessment. An LSI-R score of 46 identifies an individual as a high risk to recidivate, but also an individual who would best benefit from targeted intervention strategies and intensive supervised probation. Taking into consideration the goals of community safety and rehabilitation this group has the most to gain from intensive supervision to allow for, and monitor, targeted interventions. The number of areas identified by the LSI-R that require attention in a case/probation plan cannot be adequately addressed or completed within a year. If the court would consider, for the purpose of community safety and risk mitigation, a consecutive term of supervised probation, Mr. **Williams** would stand a greater chance of success. In addition, completion of his case/probation plan would reduce his likelihood to recidivate in the future.

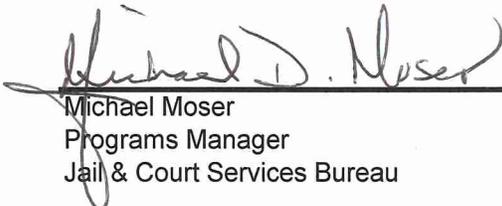


Christopher J. Saunders, MS
Reentry Programs Supervisor

APRIL 18, 2013

Date

Reviewed by:



Michael Moser
Programs Manager
Jail & Court Services Bureau

April 18, 2013

Date

LSI OR

Level of Service Inventory-Revised

By D.A. Andrews, Ph.D. & James L. Bonta, Ph.D.

Profile Report

Name: [REDACTED]

Assessment Age: 39

Gender: Male

Social Security #:
ID Number: [REDACTED]

Referral Source: Courts

Reason for Referral: Misdemeanor PSI

Present Offenses: Probation Violation

Disposition:

Rater:

Purpose of Report:

Context: Community: Presentence Report/Predisposition Report

Other Client Issues: None Specified

Assessment Date: April 17, 2013



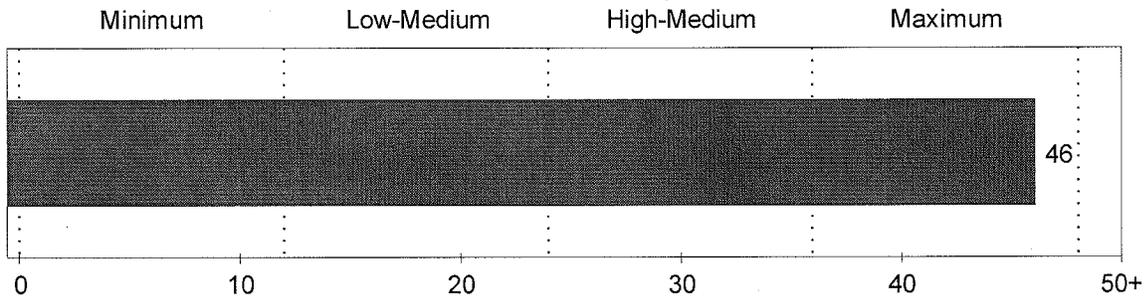
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P.O. Box 950, North Tonawanda, NY 14120-0950
3770 Victoria Park Ave., Toronto, ON M2H 3M6

Introduction

The Level of Service Inventory-Revised is a risk and needs assessment tool. This report summarizes the results of the LSI-R administration, and provides information pertinent to the assessment of the individual.

Overall Assessment Based on LSI-R Total Score

The graph below shows the LSI-R Total Score and indicates the classification level associated with that score.



Assessment Based on LSI-R Score

Source/Purpose of Classification	LSI-R Score
Overall LSI-R Score	Maximum
Risk Level (Community)	Maximum level of supervision/service is highly recommended.
Probation Guideline	Maximum Surveillance
Halfway House	Not appropriate unless intensive supervision and treatment are also provided.
Probability of Recidivism	> 90%

Comparison to Prison Inmates

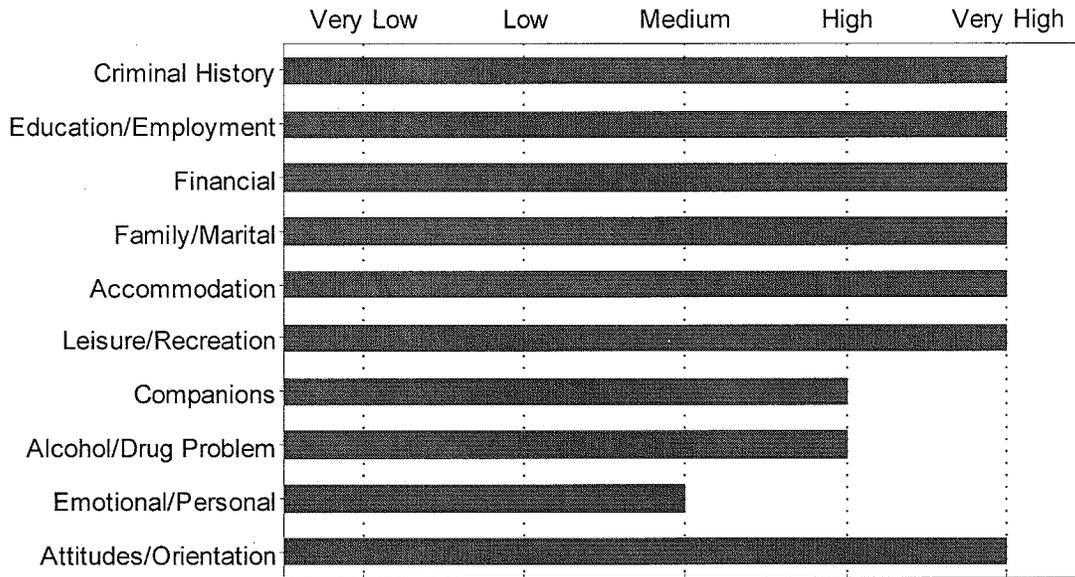
The score is as high or higher than 99.9% of a normative group of prison inmates tested with the LSI-R.

Professional Discretion/Override

The professional discretion/override was not used in this case.

Assessment of Risk/Needs Based on LSI-R Subcomponents

The graph below displays specific areas, and indicates whether they are low, medium, or high risk/needs areas.



Details Regarding Subcomponent Risks/Needs

Criminal History

1. Any prior adult convictions: Yes, Number: 8
2. Two or more prior convictions: Yes
3. Three or more prior convictions: Yes
4. Three or more present offenses: Yes, Number: 3
5. Arrested under age 16: Yes
6. Ever incarcerated upon conviction: Yes
8. Ever punished for institutional misconduct: Yes, Number: 2
9. Charge laid or probation/parole suspended during prior community supervision: Yes
10. Official record of assault/violence: Yes

Education/Employment

11. Currently unemployed: Yes
12. Frequently unemployed: Yes
13. Never employed for a full year: Yes
15. Less than regular grade 10: Yes
16. Less than regular grade 12: Yes
17. Suspended or expelled at least once: Yes
18. Participation/performance: A very unsatisfactory situation with a very clear and strong need for improvement
19. Peer interactions: A very unsatisfactory situation with a very clear and strong need for improvement
20. Authority interactions: A very unsatisfactory situation with a very clear and strong need for improvement

Financial

- 21. Problems: A very unsatisfactory situation with a very clear and strong need for improvement
- 22. Reliance upon social assistance: Yes

Family/Marital

- 23. Dissatisfaction with marital or equivalent situation: A very unsatisfactory situation with a very clear and strong need for improvement
- 24. Non-rewarding, parental: A very unsatisfactory situation with a very clear and strong need for improvement
- 25. Non-rewarding, other relatives: A very unsatisfactory situation with a very clear and strong need for improvement
- 26. Criminal-Family/Spouse: Yes

Accommodation

- 27. Unsatisfactory: A very unsatisfactory situation with a very clear and strong need for improvement
- 28. 3 or more address changes last year: Yes
- 29. High crime neighborhood: Yes

Leisure/Recreation:

- 30. Absence of recent participation in an organized activity: Yes
- 31. Could make better use of time: A very unsatisfactory situation with a very clear and strong need for improvement

Companions

- 33. Some criminal acquaintances: Yes
- 34. Some criminal friends: Yes
- 35. Few anti-criminal acquaintances: Yes
- 36. Few anti-criminal friends: Yes

Alcohol/Drug Problem

- 37. Alcohol problem, ever: Yes
- 38. Drug problem, ever: Yes
- 40. Drug problem, currently: Methamphetamine. A very unsatisfactory situation with a very clear and strong need for improvement
- 41. Law violations: Yes
- 42. Marital/Family: Yes
- 44. Medical: Yes

Emotional/Personal

- 46. Moderate interference: Yes
- 48. Mental health treatment, past: Yes
- 50. Psychological assessment indicated: Yes, Reactive Attachment Disorder

Attitudes/Orientation

- 51. Supportive of crime: A very unsatisfactory situation with a very clear and strong need for improvement
- 52. Unfavorable toward convention: A very unsatisfactory situation with a very clear and strong need for improvement
- 53. Poor, toward sentence: Yes
- 54. Poor, toward supervision: Yes

Summary of LSI-R Item Responses

The rater entered the following response values for the items on the Level of Service Inventory-Revised Form.

Item	Response	Item	Response	Item	Response
1.	Y	19.	0	37.	Y
2.	Y	20.	0	38.	Y
3.	Y	21.	0	39.	2
4.	Y	22.	Y	40.	0
5.	Y	23.	0	41.	Y
6.	Y	24.	0	42.	Y
7.	N	25.	0	43.	N
8.	Y	26.	Y	44.	Y
9.	Y	27.	0	45.	N
10.	Y	28.	Y	46.	Y
11.	Y	29.	Y	47.	N
12.	Y	30.	Y	48.	Y
13.	Y	31.	0	49.	N
14.	N	32.	N	50.	Y
15.	Y	33.	Y	51.	0
16.	Y	34.	Y	52.	0
17.	Y	35.	Y	53.	Y
18.	0	36.	Y	54.	Y

Additional Item Information

- 1. Number of prior convictions: 8
- 4. Number of present offenses: 3
- 8. Number of times punished for institutional misconduct: 2
- 40. Type of drug associated with current drug problem: Methamphetamine
- 45. Other indicators of drug problem: None Specified
- 50. Area of psychological assessment indicated: Reactive Attachment Disorder

Date Printed: Wednesday, April 17, 2013

End of Report

Risk/Needs Assessment 101: Science Reveals New Tools to Manage Offenders

Every day, criminal justice officials make decisions that have enormous implications for public safety and spending: Should this offender be sentenced to prison or probation? What conditions of supervision are appropriate? Does this violation of supervision warrant a revocation to prison? Historically such critical decisions about offender punishment and treatment were guided by personal experience, professional judgment and a limited understanding about the most effective ways to deter offenders from committing future crimes.

Today our knowledge has vastly improved. After decades of experience managing offenders and analyzing data, practitioners

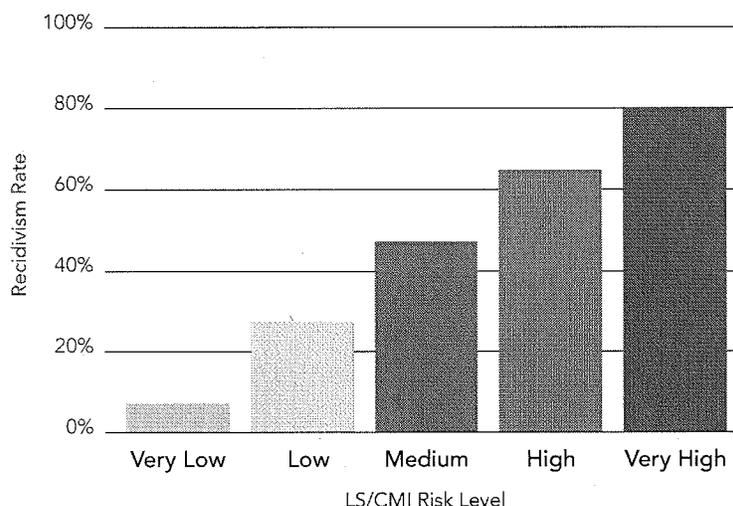
and researchers have identified key factors that can help predict the likelihood of an individual returning to crime, violence or drug use. The instruments that have been developed—and fine-tuned over time—to measure the likelihood of future criminal behavior can help officials to better identify individuals at a high risk of reoffending, while also identifying the types of supervision and services that are most likely to slow the revolving door of America's prisons (see Figure 1). When developed and used correctly, these risk/needs assessment tools can help criminal justice officials appropriately classify offenders and target interventions to reduce recidivism, improve public safety and cut costs.

Figure 1

Data Driven: Assessment Tools Can Accurately Identify Offender Risk

A validation study of one of the most commonly used tools, the Level of Service/Case Management Inventory (LS/CMI), demonstrated its ability to accurately identify offenders' risk of reoffending.¹

SOURCE: Andrews et al, 2004



1 What Are Risk/Needs Assessment Tools?

A risk/needs assessment tool is essentially a uniform report card that measures offenders' criminal risk factors and specific needs that, if addressed, will reduce the likelihood of future criminal activity.

Tools typically consist of a set of questions that guide face-to-face interviews with offenders, probing behaviors and attitudes that research shows are related to criminal reoffending. The questionnaire often is supplemented with an official records check, including prior arrests and incarcerations. Responses are statistically weighted, based on research that shows how strongly each item correlates with recidivism. The tool then calculates an overall score that classifies an individual's risk of reoffending. This risk level and accompanying information about an offender's unique needs can then inform decisions about the best course of action.

2 How Are These Tools Used?

Risk/needs assessment tools can be customized for use by different agencies at various decision points in the sentencing and corrections process.

- **Courts** use risk/needs instruments to help make pretrial bail and release decisions, sentencing and revocation decisions and to set conditions of supervision.
- **Probation and parole agencies** often use such tools to decide levels of supervision, determine the need for specialized treatment programs (such as substance abuse, mental health and cognitive skill building), develop an offender's supervision plan and inform decisions about sanctions and revocations.
- **Prison and jail systems** typically use risk tools to help set inmate security classification levels and identify which programs inmates should attend.
- **Parole boards** use the instruments to guide release decisions and to set conditions of supervision.

3 What Are Criminal Risk Factors?

Research has identified both changeable (dynamic) and unchangeable (static) risk factors related to criminal behavior. Studies have revealed seven dynamic risk factors closely associated with criminal conduct that can be assessed and altered through effective interventions.²

1. **Antisocial Personality Pattern**—impulsive, adventurous pleasure seeking, restlessly aggressive and irritable behavior
2. **Procriminal Attitudes**—offering rationalizations for crime and expressing negative attitudes toward the law
3. **Social Supports for Crime**—having criminal friends and being isolated from prosocial peers
4. **Substance Abuse**—abuse of alcohol and/or drugs
5. **Poor Family/Marital Relationships**—poor family relationships and inappropriate parental monitoring and disciplining
6. **School/Work Failure**—poor performance and low levels of satisfaction with school or work
7. **Lack of Prosocial Recreational Activities**—a lack of involvement in prosocial recreational and leisure activities

Research also has identified a number of static risk factors linked to a high risk of reoffending including age at first arrest, number of prior convictions and current offense.³

4 Why Is It Important to Differentiate Individuals by Risk Level?

Matching offenders to programs based on their risk levels is one of the keys to reducing recidivism. Research has revealed that certain intensive programs work very well with high-risk offenders but actually can increase recidivism rates among low-risk offenders (see Figure 2). One program, for example, cut recidivism for high-risk offenders by more than 25 percent but increased reincarceration of low-risk offenders by almost 18 percent.⁴ Researchers think this counterintuitive finding may occur because mixing risk groups exposes the lower-risk offenders to the more destructive behaviors of higher-risk offenders and jeopardizes prosocial relationships and productive community engagement they may have.⁵

Further, risk classifications help criminal justice officials maximize use of limited resources. Targeting higher-risk offenders with proven programs ensures that resources are concentrated on offenders with whom they can have the greatest impact.

5 How Effective Are Risk/Needs Tools?

Numerous studies have demonstrated that validated risk assessments accurately differentiate between high-, medium- and low-risk offenders. In other words, individuals classified as high risk reoffend at a higher rate than those classified as low risk.⁶

Risk/needs assessments have become a cornerstone of good correctional practice. Research consistently has shown that assessing each individual's risk of reoffending, matching supervision and treatment to an offender's risk level and targeting his or her unique criminal risk factors and needs with proven programs

significantly improves offender outcomes, reduces recidivism and enhances public safety.⁷ In fact, studies have demonstrated that evidence-based community supervision and treatment strategies consistently reduce recidivism as much or more than incarceration.⁸

6 What Tools Are Available?

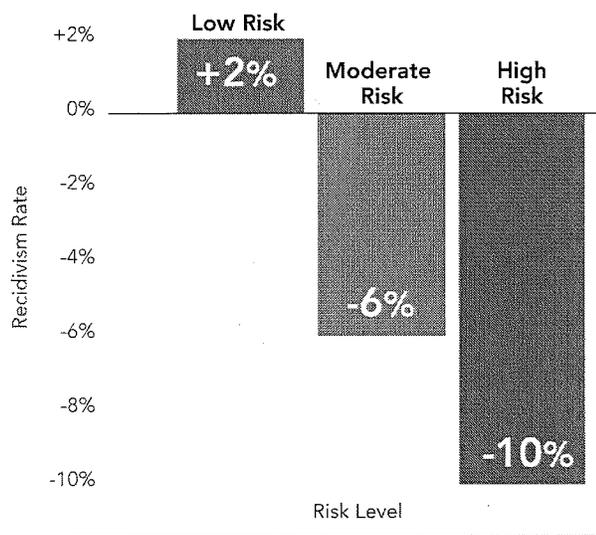
A wide range of instruments is available and careful consideration should be given to selecting or developing an appropriate risk/needs assessment. Many tools are available off the shelf, some of which measure only risks or needs while others assess both. There also are specialized instruments that assess the risk of

Figure 2

Targeting High Risk Offenders Maximizes Recidivism Reduction

A 2010 study demonstrated the effectiveness of matching offenders to programs by risk level. The study of 44 halfway house programs in Ohio found that the programs reduced recidivism for high-risk offenders by 10 percent but increased recidivism of low-risk offenders by two percent. One program decreased recidivism rates by more than 25 percent for high-risk offenders but increased new incarcerations by almost 18 percent for low-risk individuals.

SOURCE: Latessa et al, 2010



committing certain offenses (such as sex offenses and violent offenses) or specific areas of need (such as substance abuse and mental health). A number of agencies have opted to modify existing instruments or to develop tools themselves.

7 What Considerations Should Be Made When Implementing an Assessment Tool?

Effective implementation of a risk/needs assessment is critical to successful recidivism reduction. Each instrument must be validated to ensure that risk classifications accurately represent the likelihood of reoffending among the group of offenders for which it will be used. Corrections agencies should ensure that tools are widely available, standardized and routinely used to inform decisions affecting case planning and offender management. Staff should have consistent access to training opportunities, and officials should regularly assess whether supervising officers are successfully reducing the risk level of their charges. In larger agencies, the use of a centralized assessment unit can improve consistency and objectivity. Finally, because offender risk and need factors change over time, offenders must be reassessed periodically to ensure accurate classification and to maximize efficient use of limited resources.

8 What Are the Challenges and Limitations of Risk/Needs Assessment?

- Risk/needs assessments cannot predict an individual's behavior with absolute precision. Inevitably there will be lower-risk offenders who reoffend and higher-risk offenders who do not reoffend. However, objective tools more accurately predict behavior than subjective assessments by individuals, making them critically important in helping agencies to classify and manage groups of offenders.
- Risk/needs assessments can help guide decisions, but they should not be dispositive. These tools serve as an anchor for decision-making, but professional discretion remains a critical component.
- Risk/needs instruments must be well designed, well implemented, validated and used routinely to inform decision-making. Staff must be adequately trained and supervised to ensure the assessment consistently and effectively informs decisions and drives case management plans.
- There is no one-size-fits-all risk assessment tool. Agencies frequently employ multiple tools to inform decision-making at points throughout the criminal justice process, and significant attention must be dedicated to ensuring that the appropriate instruments are selected or developed.

WHAT CAN POLICY MAKERS DO?

State policy makers across the country are putting research into action by passing legislation that requires their courts and corrections agencies to use evidence-based practices. Over the past few years, a number of states have passed comprehensive corrections reform packages that require the use of risk/needs assessment and are projected to save taxpayers millions of dollars. For example:

- **Arkansas:** The Public Safety Improvement Act of 2011, a comprehensive sentencing and corrections reform law, directs the Department of Community Correction to use risk/needs assessments to set conditions of supervision and to assign programming as part of an overall strategy for improving supervision practices.⁹ The full package is projected to save Arkansas \$875 million in averted prison costs through 2020.¹⁰
 - **Kentucky:** The wide-ranging Public Safety and Offender Accountability Act of 2011 requires the courts and corrections authorities to incorporate risk/needs assessments to inform decisions at multiple points in the criminal justice process.¹¹ The Act further requires that 75 percent of state expenditures on individuals under community supervision be spent on evidence-based programming within five years. The state estimates the overall legislation will save \$422 million over 10 years.¹²
 - **New Hampshire:** In 2010, the state legislature mandated the use of risk/needs assessments to inform decisions about the length of active supervision for all offenders on probation and parole.¹³ Along with the establishment of a new system for handling technical violations of supervision, this provision is expected to save the state nearly \$11 million over five years.¹⁴
 - **South Carolina:** The legislature in 2010 required probation agents to conduct actuarial assessments of offenders' risks and needs, and make decisions about the type of supervision and services consistent with evidence-based practices. The law was part of the Omnibus Crime Reduction and Sentencing Reform Act,¹⁵ which is projected to save the state \$241 million over five years.¹⁶
-

Endnotes

- ¹ Don Andrews, James Bonta and Stephen Wormith, *Level of Service/Case Management Inventory (LS/CMI): An offender assessment system (user's manual)*. Toronto: Multi-Health Systems, 2004.
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Launched in 2006, the Public Safety Performance Project seeks to help states advance fiscally sound, data-driven policies and practices in sentencing and corrections that protect public safety, hold offenders accountable and control corrections costs.

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