Serving Different Risk & Need Populations in Healing to Wellness Court

Tribal Law Policy Institute
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Risk?
What is factored into RISK?

**Static**
- Criminal History
- Age
- Gender
- Past problems with substance abuse
- Prior Mental Health problems

**Dynamic**
- Antisocial Personality Pattern
- Attitudes
- Substance Abuse
- School/Work
- Family/Relationships
Need?
What Does Low Risk Mean?
What Does High Risk Mean?
What Does Low Need Mean?
WHAT DOES HIGH NEED MEAN?
### Why are Risk and Need Important?

<table>
<thead>
<tr>
<th>Low Risk</th>
<th>High Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Low</strong></td>
<td><strong>High</strong></td>
</tr>
<tr>
<td>REPORTING CENTRE, ADMINISTRATIVE PROBATION, or DIVERSION</td>
<td>NEIGHBOURHOOD PROBATION</td>
</tr>
<tr>
<td>Monthly or no check-ins; Monthly or no psycho-educational groups.</td>
<td>Home, employment and community supervisory checks; Probation appointments; Drug &amp; alcohol testing, as needed; Treatment &amp; social services, as needed; Sanctions &amp; incentives.</td>
</tr>
<tr>
<td><strong>Criminogenic Need</strong></td>
<td><strong>Criminogenic Need</strong></td>
</tr>
<tr>
<td>TRADITIONAL PROBATION</td>
<td>DRUG COURT</td>
</tr>
<tr>
<td>Probation appointments; Drug &amp; alcohol testing, as needed; Treatment &amp; social services, as needed; Home or work visits, as needed; Sanctions &amp; incentives.</td>
<td>Status hearings in court; Probation appointments; Regular drug &amp; alcohol testing; Intensive treatment; Restorative justice programming; Graduated sanctions &amp; incentives.</td>
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How to Measure High Risk/High Need?
Risk Need Assessment (RNA)

• Based on Actuarial Science. (How likely something will occur.)
• Functionally a report card of likelihood of future criminal activity.
• Consists of a multitude of questions set to record Risk factors.
RNA and RNR
Are screening tools effective?
Disadvantages of Risk and Need Assessments?
What are qualities of Good risk and needs assessment?

• Reliable
• Valid
• Correlations
• AUC Values
• Is it valid for all offender populations?
• Is it susceptible to manipulations?
How Does HWC Utilize Risk/Need?

- **Low Prognostic Risk, Low Criminogenic Need**:
  - **Reporting Centre, Administrative Probation, or Diversion**
    - Monthly or no check-ins;
    - Monthly or no psycho-educational groups.

- **Low Prognostic Risk, High Criminogenic Need**:
  - **Traditional Probation**
    - Probation appointments;
    - Drug & alcohol testing, as needed;
    - Treatment & social services, as needed;
    - Home or work visits, as needed;
    - Sanctions & incentives.

- **High Prognostic Risk, Low Criminogenic Need**:
  - **Neighbourhood Probation**
    - Home, employment and community supervisory checks;
    - Probation appointments;
    - Drug & alcohol testing, as needed;
    - Treatment & social services, as needed;
    - Sanctions & incentives.

- **High Prognostic Risk, High Criminogenic Need**:
  - **Drug Court**
    - Status hearings in court;
    - Probation appointments;
    - Regular drug & alcohol testing;
    - Intensive treatment;
    - Restorative justice programming;
    - Graduated sanctions & incentives.
Side Note: It can be dangerous mixing populations
High Risk-High Need

DRUG COURT
Status hearings in court;
Probation appointments;
Regular drug & alcohol testing;
Intensive treatment;
Restorative justice programming;
Graduated sanctions & incentives.
High Risk-Low Need

NEIGHBOURHOOD PROBATION
Home, employment and community supervisory checks;
Probation appointments;
Drug & alcohol testing, as needed;
Treatment & social services, as needed;
Sanctions & incentives.
Low Risk-High Need

TRADITIONAL PROBATION

Probation appointments;
Drug & alcohol testing, as needed;
Treatment & social services, as needed;
Home or work visits, as needed;
Sanctions & incentives.
Low Risk-Low Need

REPORTING CENTRE, ADMINISTRATIVE PROBATION, or DIVERSION

Monthly or no check-ins;
Monthly or no psycho-educational groups.
FULL LIST FOR FUTURE REFERENCE

- Community Risk/Needs Management Scale (CRNMS)
- Correctional Assessment and Intervention System (CAIS)
- **Correctional Offender Management Profile for Alternative Sanctions (COMPAS)**
- Dynamic Factors Intake Assessment (DFIA)
- **Inventory of Offender Risks, Needs, and Strengths (IORNS)**
- Level of Service instruments, including Level of Service/Case Management Inventory (LS/CMI)
- Level of Service/Risk Need, Responsively (LS/RNR)
- Level of Service Inventory (LSI)
- **Level of Service Inventory-Revised (LSI-R)**
- **Level of Service Inventory-Revised: Screening Version (LSI-R:SV)**
- Offender Assessment System (OASys)
- Offender Group Reconviction Scale (OGRS)
- **Ohio Risk Assessment System, including the Ohio Risk Assessment System-Pretrial Assessment Tool (ORAS-PAT)**
- **Ohio Risk Assessment System-Community Supervision Tool (ORAS-CST)**
- **Ohio Risk Assessment System-Prison Intake Tool (ORAS-PIT)**
- **Ohio Risk Assessment System-Reentry Tool (ORAS-RT)**
- Federal Post Conviction Risk Assessment (PCRA)
- Recidivism Risk Assessment Scales (RISc)
- Risk Management System (RMS)
- Risk of Reconviction (ROC)
- **Statistical Information of Recidivism Scale (SIR)**
- Salient Factor Score instruments
- **Self-Appraisal Questionnaire (SAQ)**
- Service Planning Instrument (SPIn) & Service
- **Service Planning Instrument-Women (SPIn-W)**
- **Static Risk and Offender Needs Guide (STRONG)**
- **Wisconsin Risk/Needs (WRN)**
- **Wisconsin Risk and Needs-Revised (WRN-R)**
- Offender Screening Tool
Approaches Towards Structured Risk Assessment: Actuarial Risk Assessment

**Strengths**

• No Human judgment
• More accurate than unstructured assessments
• Very transparent
• Can usually be scored using information available in official records.

**Weaknesses**

• Not as individualized.
• Does not always include factors that may increase or decrease recidivism.
• Focus on past behavior and does not account for offenders changing.
• Not useful for intervention planning or reassessment to measure progress.
Approaches Towards Structured Risk Assessment: Structured Professional Judgment!

**Strengths**
- Professional Discretion
- More accurate than nonstructural assessments (comparable to actuarial assessments).
- Transparent
- Additional items considered can be added

**Weaknesses**
- Biases due to inclusion of dynamic risk factors.
- Time-consuming (take generally longer than actuarial).
- Necessary information might not be readily available to code items for accurate results.
Correctional Offender Management Profile for Alternative Sanctions (COMPAS)

**Factors Considered**
- Risk
- Static
- Dynamic

**Content Domains**
- Attitudes
- Associates/Peers
- History of Antisocial Behavior
- Personality Problems
- Relationships
- Work/School
- Recreation/Leisure Activities
- Substance Use Problems
- Mental Health Problems
- Housing Status
### Inventory of Offender Risks, Needs, and Strengths (IORNS)

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Level of Service Inventory-Revised (LSI-R)

Factors Considered
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• Static
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Level of Service Inventory-Revised: Screening Version (LSI-R:SV)

Factors Considered
• Risk
• Static
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Content Domains
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Ohio Risk Assessment System, including the Ohio Risk Assessment System-Pretrial Assessment Tool (ORAS-PAT)

**Factors Considered**
- Risk
- Static
- Dynamic

**Content Domains**
- History of Antisocial Behavior
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- Substance Use Problems
- Housing Status
Ohio Risk Assessment System-Community Supervision Tool (ORAS-CST)

Factors Considered
• Risk
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Ohio Risk Assessment System-Community Supervision Tool (ORAS-CSST)

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Ohio Risk Assessment System-Reentry Tool (ORAS-RT)

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• Substance Use Problems
• Mental Health Problems
• Housing Status
# Federal Post Conviction Risk Assessment (PCRA)

**Factors Considered**
- Risk
- Static
- Dynamic

**Content Domain**
- Attitudes
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- History of Antisocial Behavior
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Planning Instrument-Women (SPIn-W)

Factors Considered
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• Protective
• Static
• Dynamic

Content Domain
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• Substance Use Problems
• Mental Health Problems
• Housing Status
Static Risk and Offender Needs Guide (STRONG)

Factors Considered
- Risk
- Static
- Made up of Static Risk Assessment, Offender Needs Assessment, and Offender Supervision Plan.

Content Domain
- History of Antisocial Behavior
- Substance Use Problems
## Wisconsin Risk/Needs (WRN)

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Wisconsin Risk and Needs-Revised (WRN-R)

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The Tribal Law and Policy Institute is a Native American non-profit organized to design and deliver education, research, training, and technical assistance programs which promote the enhancement of justice in Indian country and the health, well-being, and culture of Native peoples.

www.home.tlpi.org
www.WellnessCourts.org