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Introduction to the Special Issue on Evidence-based Practices in Action

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THE FEDERAL PROBATION and pretrial services system has been working diligently to implement organizational and process changes to improve our outcomes. We feel it is a good time to share what we've learned. Some of the subjects covered in this issue simply describe who we are as a system of officers and clients. Other articles discuss what we are trying to do. Still others spell out what we've learned so far. While we have used this journal many times as a venue to describe our work, we have begun in recent years to dedicate entire issues to providing an update on where we stand and how we are progressing. This is important now, as we are more purposefully identifying evidence-based principles and very consciously basing our decisions on the best evidence available. This is of course, a long process, and we plan to share what we learn as we go, in hopes that the field of community corrections can keep moving the ball forward, and that our system can contribute to that forward motion.

By accepting the challenge to use the best available evidence to make decisions, we inherently accept that we must be participants in the gathering of that evidence. This is an exciting new responsibility for a group of probation and pretrial services officers. We are accepting the call not simply to adopt what has worked for others, not simply to continue what we have done for years, not simply to follow our guts on what we think we know works, but to regularly evaluate and reevaluate. Most important, we accept the responsibility to alter our practices when the evidence shows there is a better way. While all of this is difficult work, it is made more challenging in a time of budget constraints: more challenging—and yet more important. As we work to maintain and improve our outcomes, we do so with fewer resources. Now more than ever we must be willing to replace less effective processes with more effective ones, and focus our resources on those on whom we will have the greatest impact. We have some very encouraging news to present within this journal. We are at the beginning and we know that Rome wasn't built in a day. But we believe we have the architects, the builders, and the bricks to eventually build a Rome.

The lead article by John M. Hughes takes a step back and reviews the thinking going on in community corrections 50 years ago. It may be surprising to find authors writing in 1961 expressing thoughts very similar to those we are expressing today in this and many other criminal justice publications—emphasizing the officer using his authority wisely to support the behavior change of clients. Hughes goes on to comment on another writer's belief that our failure to measure outcomes and evaluate our practices has been our largest stumbling block, but then suggests that that block has largely been removed.

If we are to evaluate fully, we must look carefully at all of the pieces of the model. An important piece is that of the officer, for our assumption is that he can influence behavior

change in the client. What characteristics are we looking for in our officers, and do we have them in our current staff? The next two articles begin to describe what federal probation officers look like. Whetzel et al. present the results of a survey of officers' attitudes. The findings from three districts indicate that officers are well-balanced in their approach, and also reveal some differences in attitude depending upon role within the office. Though admittedly based upon a small sample, these are some very interesting findings. Whetzel and Lowenkamp then attempt to answer the same question from the perspective of those whom we hope to affect. They describe the results of a survey of offenders. Both of these surveys represent small numbers within our system, but both are encouraging in that they suggest we may, in fact, have the right people for the job.

The next two articles describe the newest pieces of our system's method of determining who is before us—the risk assessment instruments. Johnson et al. provide the background for the development of the Post Conviction Risk Assessment, or PCRA. For reasons delineated in the article, the federal system decided to develop its own fourth-generation assessment instrument, rather than purchasing an off-the-shelf product. Johnson et al. describe the dataset used for the construction and validation process for the PCRA's development. Cadigan and Lowenkamp next discuss the implementation of the assessment instrument developed to assist in pretrial decision making, the Pretrial Risk Assessment (PTRA). While Lowenkamp and Whetzel (2009) described the development and introduced the instrument itself, this article discusses the system's progress in implementation, and more important, begins to evaluate the impact of the PTRA on release recommendations and release rates of defendants in a couple of pilot districts.

The series of articles that follow set out what we are trying to do and provide a snapshot in time of what in fact is happening in various areas. Hurtig and Lenart, as deputy chief probation officers in the federal system, describe their leadership of a working group formed to advise the Administrative Office of the U.S. Courts on improving supervision outcomes. They delineate the working group's role in laying out the "Evidence-Based Practices Blue Print: Incorporating EBP in the U.S. Probation and Pretrial Services System," along with the content of the "Blue Print," which calls for three important products: an education piece for all of the system, a national risk/needs assessment instrument, and a training program for officers on the use of hands-on supervision skills aimed at reducing rearrest. Then comes Meierhoefer's summary of the results of a survey of federal probation chiefs asked about their judge-involved supervision programs. This survey is part of a larger effort by the Federal Judicial Center, at the request of the Judicial Conference Committee on Criminal Law, to study the operations and cost-effectiveness of judge-involved reentry programs that have been implemented in recent years and modeled on state and local drug and reentry courts. Meierhoefer describes the variety in program philosophies and practices and discusses the need for further evaluation of outcomes and cost-effectiveness. In "Applying Implementation Research to Improve Community Corrections," Alexander reminds us that a truly evidence-based system would rely on research to direct the manner in which new ideas or processes are introduced. Many practitioners are not aware that there is a body of research on best ways to effectively implement change within an organization.

The final five articles in this issue share what we have learned from early evaluations on our work. Four of them represent recent findings within the federal system, while the fifth is a meta-analysis based on pretrial research outside of the federal system. Oleson et al. and Robinson et al. discuss some findings related to the two largest products called for in the "Blue Print," the post-conviction risk assessment instrument, and the training on supervision skills, or "Strategic Skills Aimed at Reducing Rearrest" (STARR). In "Training to See Risk: Measuring the Accuracy of Clinical and Actuarial Risk Assessments Among Federal Probation Officers," Oleson et al. test whether the use of the new post-conviction risk assessment instrument (PCRA) improves the ability of officers to accurately assess risk. While a large body of research suggests the dominance of actuarial risk instruments over officers' professional judgment, there was an interest in testing that suggestion within the federal system. The news is good: the use of the PCRA led to more accurate and consistent assessments. Robinson et al. present a randomized study with a pre-post test design that looks at whether training officers in the use of core correctional supervision skills (a program with the acronym STARR in the federal system) will result in the increased use of the skills, and whether the increased use of the skills would improve rearrest rates of the clients under supervision. Robinson et al. found that the training both increased the officers' use of the skills and was associated with lower rearrest rates. These findings are very encouraging and support the continued training and roll-out of the STARR

program as we continue to evaluate and adapt to new information.

As the Meierhoefer article indicates, many federal courts have initiated some version of a reentry or drug court or other judge-involved supervision program in the past couple of years. Several of those programs have subjected themselves to study or evaluation. Vance provides a history of the drug and reentry court movement and gives an overview of the federal programs. He then summarizes evaluations of three such federal programs.

Next comes "Preentry: The Key to Long-Term Criminal Justice Success?" Cadigan and Lowenkamp analyze the relationship between success of a defendant on federal pretrial supervision and the success of that same person on post-conviction supervision. This is the first study to demonstrate such a correlation within the federal system, and perhaps the first published study showing this relationship.

Finally, "Identifying the Predictors of Pretrial Failure: A Meta-Analysis," by Bechtel, Lowenkamp, and Holsinger, examines individual risk factors in pretrial assessments to determine which factors are indeed associated with pretrial failures. Some surprising findings may support the review of current risk assessment instruments for validity and reliability.

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We're Back on Track: Preparing for the Next 50 Years

John M. Hughes

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WHAT WERE CONTRIBUTORS to *Federal Probation* writing about 50 years ago, in September 1961? That's the year that President Eisenhower warned of the "military industrial complex" in his farewell address, and NASA's Project Mercury made Alan Shepherd the first American in space. John F. Kennedy established the Peace Corps, Roger Maris broke Babe Ruth's home run record, and Joseph Heller published *Catch-22*.¹ It was an interesting year for sure, but what was going on in community corrections, as glimpsed in the September 1961 issue of *Federal Probation*?²

John J. Galvin, Warden of the Federal Reformatory in El Reno, Oklahoma, wrote about the need for a common philosophy of treatment that would bring together punishment, humanitarianism, and science. He explained that punishment alone may not be enough to change behavior. Likewise, a soft approach (he called it "an uncritical acceptance of the old dictum: "There but for the grace of God go I") by itself may inadvertently convey to the offender that he does not need to change, that his behavior is understandable given his background and circumstances. Galvin saw the need to stop "vacillating" between the two general approaches, and called for a "lasting synthesis of ideas" that employs science and would allow us "to choose differently at different times between the two approaches, depending upon the circumstances of each situation."³

Arthur E. Fink, Dean of the School of Social Work at the University of North Carolina, discussed the need for offenders to come to terms with authority and limits and take responsibility for themselves. He discussed the futility of lecturing an offender who is not ready to change. Simply telling an offender to behave himself or admonishing him for unwanted behavior brought this observation by Fink: "I am moved to observe that such an approach if not downright harmful is of limited usefulness or of no use at all, because it is based upon a misleading notion of human behavior." He pointed out that to be effective we must "engage the offender in the process of doing something about himself." We need to help the offender see the need to change and provide him opportunities to make it happen. Fink notes that the officer's approach to working with offenders:

...will depend to a great extent upon his convictions about people—his respect for them as human beings, with all of their shortcomings; his appreciation of the uniqueness of each person with whom he is working; his belief in the capacity of people to change; and his conviction that true change must come from within. As he works on these premises he can approach each of his parolees as individuals who have difficulties of a serious nature and who need help in getting themselves straightened out—and that he has the skill to help.⁴

Serapio R. Zalba, Executive Director, Northern California Services League of San Mateo County, discussed how an individual's behavior is related to physical, psychological, and social needs. Most of us satisfy our needs in socially acceptable, conventional ways. Others—those who end up in the correctional system—go about it in ways that are unacceptable to society. Zalba

makes the classic argument that "(t)he justification for treatment in corrections is the belief that delinquent actions are expressions of underlying emotional and social problems and needs." For correctional treatment to be effective, the person providing it must adhere to four concepts:

1. There must be a genuine desire to understand what the offender thinks, does, and feels from the offender's point of view.
2. Only the offender can live *his* life, and therefore he must assume responsibility for his own actions and decisions within the boundaries set by society.
3. People have the capacity to learn and to make constructive changes.
4. Correctional workers must use their authority wisely, avoiding excessive control over individuals who don't need it ... one approach applied to all offenders cannot be equally effective in each of the varying situations the worker must deal with."⁵

Wait a second. Aren't the three authors from 50 years ago saying the same sort of things that we're saying now? We could almost get away with changing the dates and republishing these articles today. We were pretty smart back then. From this one glimpse at the content of *Federal Probation* 50 years ago, it appears we were on the right track. What happened? Why did we stop?

The obvious answer is that we were distracted by the era of "nothing works" and the "tough on crime" generation of federal and state laws that filled the nation's prisons and caused hundreds more to be built. Others have done a fine job of describing the corrosive impact of these two phenomena on community corrections, and so I need not repeat the history here.⁶ It may be useful, however, to mention another reason cited in the December 1985 edition of *Federal Probation* by Harold B. Wooten, who made the following observation about the federal probation system:

(W)e have failed miserably to critically examine how well we have done, or can do, in helping offenders change their self-defeating behavior, and by our failure to discuss this issue, we have been less than candid.

Wooten described the federal system's failure to measure outcomes and evaluate supervision programs, and asserted that the system never really made behavior change a desired goal of supervision. Instead, the probation system was satisfied with " cursory supervision," and put almost all its attention on presentence investigations. He noted that new probation officers came into the system "to work with people," but their talents were diverted to presentence investigations and surveillance-type supervision.⁷

Having attended many federal judiciary conferences and ceremonies in my career, I'd have to agree with Wooten—up to a point. Many times over the years, I've heard federal district judges speak to audiences of probation and pretrial services officers and thank them for their excellent work. Almost invariably, they mentioned presentence reports and thanked the officers for their contributions in the difficult business of sentencing. The judges were sincere and meant well, but it always seemed a little uncomfortable for the officers in the room who did not prepare presentence reports, and instead supervised offenders or provided pretrial services. It was also understandable.

Presentence reports have long been highly visible and critical to the district court docket. In contrast, district judges see pretrial services reports infrequently, and usually only are involved in post-conviction supervision when there is an apparent violation. Supervision successes are typically invisible. It is not surprising, therefore, that presentence reports would jump to mind when a district judge spoke to audiences of probation and pretrial services officers.

Nowadays, however, it would not be all that surprising for a federal district judge to talk about his or her very own offender reentry program. In the last three years, about 40 districts have set up offender supervision programs that involve judges. While the programs vary significantly from district to district, they all attempt to leverage the authority of the court to improve the chances of offender success. All, therefore, operate under the assumption that people can change and that there are identifiable ways to help them do it.

Clearly, the sad "nothing works" era is over. The "tough on crime" voices no longer dominate

the conversation. We are again free to explore better ways to improve the likelihood of offender success and protect the community. The excitement over prisoner reentry is palpable, but will it fade away as did the ideas from 50 years ago? I don't think so, and here's why.

There is now broad acceptance in the federal system and the field of community corrections generally of the need to measure and study outcomes to determine program effectiveness. We have realized that counting activities and outputs and adding up expenditures tells us only that we did something and it cost something, not that we accomplished something. In the federal system, we clearly defined seven years ago what we want to accomplish with persons under supervision. The desired outcomes of supervision are:

... the execution of the sentence and the protection of the community by reducing the risk and recurrence of crime and maximizing offender success during the period of supervision and beyond. The goal in all cases is the successful completion of the term of supervision, during which the offender commits no new crimes; is held accountable for victim, family, community, and other court-imposed responsibilities; and prepares for continued success through improvements in his or her conduct and condition. "Continued success" within the context of the criminal justice mission is refraining from further crime. Offenders "prepare for continued success" during the term of supervision by actively dealing with those circumstances that relate to future criminality.⁸

It is now clear that officers are expected to help offenders change their behavior not just while we're watching, but for the longer term—after the period of supervision is over. If we are successful, the offender will be less likely to commit new crime and victimize others, and will be more likely to support himself and his family in a lawful manner. The individual and society will be better off.

Of course, there will be recalcitrant offenders who will not cooperate, and will not change their behavior seemingly no matter what interventions are made. Our strategy in such cases is to respond to noncompliance with the condition of supervision, simultaneously providing a negative consequence designed to deter further noncompliance and intervening to change the circumstances that led to the behavior. Officers may emphasize controlling strategies to detect new criminal behavior, including community observation⁹ and searches.¹⁰ The original arresting agency, federal task forces, local intelligence, or community policing meetings are good sources of information about an offender's pattern of criminal activities and associates and can provide valuable assistance to the officer in monitoring the offender's activities while under supervision.¹¹

Generally, however, we have renewed the assumption that people can change under the right circumstances, and we are pursuing—simultaneously—a two-pronged strategy to increase success rates and reduce recidivism. One prong is to foster the use of evidence-based practices (EBP) by probation and pretrial services officers. We are implementing risk assessment tools¹² and providing officers with core correctional skills training¹³ proven to make interactions with offenders more effective. Our pursuit of EBP is well described in this issue of *Federal Probation*, so I will comment here only on the second prong of our strategic approach.¹⁴

We are very close to completing the technical infrastructure by which to implement a results-based management and decision-making framework for the federal probation and pretrial services system. We now have the ability to collect records from the electronic files of thousands of probation officers in all 94 federal districts in the Probation and Pretrial Services Automated Case Tracking System (PACTS), and store these records in a single data warehouse called the National PACTS Reporting (NPR) System.

The crowning jewel of the technical infrastructure is the Decision Support System (DSS), which draws data from NPR and combines it with data from other judiciary systems, the United States Sentencing Commission, the FBI, the Federal Bureau of Prisons, and the Bureau of the Census. We can now begin to test underlying assumptions about the relationship between supervision practices and supervision outcomes, i.e., between what the system does versus what it accomplishes, and what other factors may be influencing the relationship.

In addition to putting data and analysis in the hands of decision makers and greatly enhancing our ability to conduct research, the technical infrastructure we have created enables managers at all levels of the probation and pretrial services system to access data for straightforward operational business. Having standard reports and dashboards only a few clicks away can help with monitoring investigations, caseload sizes, location monitoring equipment inventory, Risk Prediction Index (RPI) and criminal history score trends, treatment services costs, etc.

If the people from 1961 cited in the beginning of this article were to come back to us today, what could we tell them? The news for President Eisenhower, Alan Shepard, and Roger Maris wouldn't make them happy. The military industrial complex may be even bigger and more powerful than President Eisenhower could have imagined. NASA just mothballed our manned space flight program with the retirement of the space shuttle, and the home run record is now owned by a convicted felon whose performance was enhanced by more than just Wheaties.

For the contributors of *Federal Probation* the news would be much better. We have embraced the balanced approach suggested by Warden John Galvin, adopted Dean Arthur Fink's focus on increasing the motivation of persons under supervision to improve themselves, and incorporated the wise use of authority advocated by Executive Director Serapio Zalba. The big difference 50 years later is that we now have scientific evidence to support the ideas promoted back then. They may have been right 50 years ago, but there was no proof. In the federal system, we have also built the technical infrastructure that will enable self-study and the strategic use of resources envisioned by Harold Wooten in 1985.

I am confident that our talented cadre of community corrections professionals and our commitment to rely on rigorous empirical research—by others and by ourselves—to inform policies and practices will continuously improve system performance and keep us on the right track for the next 50 years.

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Goodbye to a Worn-Out Dichotomy: Law Enforcement, Social Work, and a Balanced Approach (A Survey of Federal Probation Officer Attitudes)

Jay Whetzel¹

Mario Paparozzi²

Melissa Alexander³

Christopher T. Lowenkamp¹

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MUCH HAS BEEN LEARNED over the past three decades about how individual offender rehabilitation—"what works"—relates to reducing recidivism (Andrews, et al., 1990; Palmer, 1995; Gendreau, 1996; Gendreau, French, and Taylor, 2002; Andrews and Bonta, 2010). Far less has been learned about the impact of the professional orientation of probation officers (POs) on offender recidivism, although the significance of the professional orientation of probation and parole officers has been recognized by scholars and practitioners for well over 50 years (Ohlin, Piven and Pappenfort, 1956; Glaser, 1969; Fitzharris, 1979; Paparozzi and Gendreau, 2005).

In the context of probation supervision, applying evidence-based principles for effective intervention is at all times colored by the professional orientation of POs. If, for example, POs favor law enforcement functions, a tepid approach toward evidence-based policies, programs, and practices that support offender rehabilitation may result. Many in the field of corrections would agree that staff orientation can "make or break" a program or policy (Takagi, 1973; Gendreau, Goggin, and Smith, 1999; Paparozzi and DeMichele, 2008; Paparozzi and Schlager, 2009). Given this distinct possibility, it is essential for probation organizations to engage in rigorous self-analysis to determine how and to what extent the values and professional orientation of POs might interact with efforts to reduce offender recidivism.

A primary function of POs is to spur and nurture the pro-social reintegration of offenders. In so doing, two essential public safety functions of probation are fulfilled: a) short-term risk management of criminals conditionally supervised in the community; and b) long-term behavioral reform for the purpose of individual offender recidivism reduction (Paparozzi and

Hinzman, 2005). In the context of probation supervision, these public safety outcomes are generally accomplished through case management strategies involving some combination of law enforcement and social/casework activities. The importance of achieving a balance between law enforcement and social/casework activities and in achieving a proper temporal ordering of these activities in the context of probation supervision has yet to be addressed by the probation profession (Paparozzi and DeMichele, 2008). A law enforcement/social worker dichotomy has traditionally been invoked to describe officers' professional orientations, with many staff at all organizational levels being polarized at one extreme or the other. It is well-known among probation insiders that this dichotomy is a fact of professional life, and that emphasis on one or the other ebbs and flows with the shifting political and ideological cultures unique to a particular epoch.⁴

Research findings suggest that the "incompatibility of the control and assistance tasks," results in a "chasm" that impedes effective probation supervision (Fulton et al., 1997). Some probation professionals contend that this role conflict be resolved by abandoning the social work/assistance role entirely (Barkdull 1976). Others simply seem to accept that both orientations have a place in community corrections.

Researchers have suggested that PO role conflict negatively affects organizational effectiveness and service delivery to offenders. Blumberg (1974) noted that unresolved law enforcement and assistance roles contribute to an uncertain professional status and "civil service malaise." Whitehead and Lindquist (1985), in a study of probation officer burnout, found that 63 percent of respondents noted the role conflict between law enforcement and social casework functions and the general impersonal treatment of offenders as contributing to burnout.

Researchers and practitioners spend significant time and effort trying to understand how to reform offender behavior in correctional settings. Virtually no effort, however, is expended on the relationship between professional orientation of probation officers and recidivism. The significance of the failure to examine the relationship between PO orientation and the success or failure of probationers cannot be overstated (Studt, 1973; Paparozzi and DeMichele, 2008). The very foundation upon which the delivery of appropriate treatment services is based is flawed if the individuals operationalizing the delivery of services are inappropriate role models, inflexible in their response to probationer relapses, uncaring, cynical about their employing agency and the clients served, and the like (see Offender Survey article, this issue of *Federal Probation*).

Even the best evidence-based principles must be "washed through" the filters of staff values and professional orientation, and it is logical to assume that this filtering process may sometimes moderate or even negate the positive effects of evidence-based programs, policies, and practices that target offender rehabilitation. Frontline probation staff socially construct the realities of probation supervision in the context of their everyday perceptions and professional orientations towards their job and the offenders under supervision. It is this everyday construction of reality that determines the therapeutic integrity of the application of evidence-based principles. It is at least plausible that the efficacy of an evidence-based rehabilitation program or service may be diminished by probation officers who do not value offender rehabilitation and therefore implement such programs less than enthusiastically.

Examining, understanding, and modifying, when appropriate, the professional orientations and attitudes of federal probation officers is a critical step in the adoption of evidence-based practices. After a brief review of the relevant research literature, this study presents preliminary findings from two surveys of staff job orientation administered to federal probation officers in three districts. Future studies will seek to replicate the findings of previous research (Paparozzi and Gendreau, 2005) demonstrating that officers with a balanced professional approach realized lower rates of technical violations and rates of arrest than did officers with either law enforcement or social worker orientations.

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Previous Research

Officer Attitudes

In the past, probation and parole officer attitudes have typically been investigated as they relate

to role orientation (Glaser, 1969; Klockars, 1972; Ohlin, Piven, and Papenfort 1956; O'Leary and Duffee, 1971; and Rowan, 1956), role conflict (Clear and Latessa, 1993; Erwin and Bennett, 1987; Hardyman, 1988; and McCleary, 1978), goal orientation (Ross and Johnson, 1997), job stress (Whitehead and Lindquist, 1989), sources of role orientation (Clear and Latessa, 1993; Sluder and Reddington, 1993), and attitudes towards use and carrying of weapons (Sluder, Shearer, and Potts, 1991). Officers' attitudes toward their roles and their goal orientation have also been linked to officer behaviors to determine if an individual officer's preferences influence his or her treatment of clients (Clear and Latessa, 1993; Dembo, 1974; Stichman, Fulton, Latessa, and Travis, 1997a). There has been, however, a dearth of research exploring officer attitudes and behaviors and their effects on probationer/parolee outcomes. As Fulton et al. (1997) suggest, if further training may modulate an officer's attitudes towards a more balanced approach or towards greater orientation towards treatment, the question of what effect these attitudes may contribute to officer and offender behavior becomes increasingly important.

Officer Attitudes and Performance

Although there have been numerous studies on different types of probation officer attitudes and behaviors, research on how attitudes and role preferences translate into correctional practice is limited. Wright (1998) found that officers may tend to hold more views supportive of offender reform than offender control. These views may be important to probation and parole because they may affect how an officer reacts to offender behaviors, including violations of supervision. Clear and O'Leary (1983) found that attitudes of authority and assistance were significantly related to both the type and the number of supervision objectives that officers set for clients. Research by Katz (1982) and Duffee (1975) shows that attitudes may be related to certain behaviors, particularly an officer's decision to recommend revocation. Dembo's (1972) findings supported this link—officers with a low reintegrative score, representing a greater punishment orientation, were more likely to take formal action on violations and to recommend return to prison. Dembo concluded that officer orientations not only affect job behavior, but they may affect case outcomes as well. This finding is particularly important given the degree of agreement between officer recommendations at sentencing and actual case disposition (Hagan, 1975; Walsh, 1985).

In contrast to the notion that individual attitudes impact behaviors, research conducted by Erwin and Bennett (1987), Clear and Latessa (1993), and Stichman et al. (1997b) demonstrates that despite clear role preferences, officers are able to perform tasks of both assistance and control. Clear and Latessa (1993) attempted to clarify the relationship between role attitude and role performance through measuring probation officers' attitudes toward role performances and by giving the officers case scenarios for which they selected the supervision tasks they considered to be important for their clients. Stichman et al. (1997b) similarly found that although officers in intensive supervision programs (ISP) may have different attitudes from regular officers, these attitudes were only somewhat related to their behaviors. These studies suggest that officers, regardless of their personal role orientation, could perform control or treatment tasks according to the policies of the program.

Officer Attitudes and Outcomes

Conspicuously missing from the literature on officer role orientations in probation and parole is a discussion about the influence of various orientations on client recidivism. Perhaps the most relevant and recent research on philosophical groundings and effectiveness in probation and parole comes from the interest in intermediate sanction programs (ISPs). Research on ISPs in the past has shown that surveillance-oriented approaches are not effective in reducing recidivism. Many ISP policies either explicitly or implicitly encourage authoritative supervision strategies. Although there is often an increase in supervision activities for offenders on ISP, there is rarely a coinciding increase in intensity of services. Harris (1987:21) notes that this emphasis on control has caused field agents to "become avowed enemies of their charges, operating...to incarcerate, and as urine takers, money collectors, compliance monitors, electronic surveillance gadget readers, and law enforcers."

Although intervention and services are included in their programs, most ISPs emphasize surveillance and enforcement. Many ISP evaluations demonstrate an increase in technical violations for ISP offenders as compared to offenders placed in other sentencing options, but

there are no significant differences between the groups in new arrest rates (Erwin, 1987; Petersilia and Turner, 1993; Wagner and Baird, 1993). As stated previously, Dembo (1972) found that officers who had a greater punishment orientation were more likely to take formal action on violations and to recommend return to prison. As ISP policies encourage more authoritative supervision strategies, it is possible that these officers could have more surveillance-oriented attitudes, which in turn may lead to higher technical violation and revocation rates.

An evaluation of an ISP operated by the New Jersey State Parole Board is particularly instructive concerning a link between officer attitudes, roles, and ISP outcomes (Paparozzi, 1994). As further evidence of a relationship between treatment and recidivism reduction, Paparozzi found that ISP subjects received twice as many treatment referrals as a matched group of offenders on traditional parole supervision and had a 20 percent lower recidivism rate. Paparozzi also examined the relationship between officer attitudes, roles, and parole outcomes. Based on a survey of officer attitudes, Paparozzi categorized the ISP officers as social work officers, balanced approach officers, and law enforcement officers. Recidivism data for each category revealed that the social work officers had significantly higher rates of new arrests and lower rates of technical violations, the law enforcement officers had significantly higher rates of technical violations and lower rates of new arrests, and the balanced approach officers had lower rates of both technical violations and new arrests.

Paparozzi concluded that a balanced approach to supervision that utilizes the full range of potential probation and parole activities—intervention, surveillance, and enforcement—is essential to meeting both the short-term objectives of behavioral change and long-term objectives of reduced recidivism. Additional support favoring the balanced approach as the most effective in terms of recidivism was found by Stichman et al. (1997b).

Changing Officer Attitudes

If officer attitude ends up being related to offender outcomes and recommendations for prison, the policy implications are significant, particularly for efforts to change officer attitudes. However, if officer attitudes are fixed, the utility of the findings linking officer attitude to offender performance becomes somewhat limited. Research by Fulton et al. (1997) indicates that officer attitudes can be changed by training sessions. In this research, Fulton et al. (1997) measured the attitudes of officers who underwent comprehensive training and development activities and compared them to officers who did not participate in such activities. The training and development activities focused on effective interventions, objectives-based case management, and risk/needs assessment. The officers who underwent the training and development were more likely to have attitudinal scores more supportive of the rehabilitative function of probation and were more likely to support activities that promote behavioral change rather than just surveillance.

The current study provides the preliminary results of a study in the federal system that links the responses of officers on two surveys to client outcomes. This study covers the methodology employed in administering the surveys and the results of those surveys. Investigations regarding the relationship between officer responses and caseload outcomes will be forthcoming.

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Method

The researchers asked three districts (Massachusetts, the Eastern District of Michigan, and the Middle District of North Carolina) to participate in the officer survey. All three districts have been involved in implementing EBP in their districts, have shown interest in understanding the impact of officer orientation on supervision, and have a history of surveying officers for various purposes. All officers, probation officer assistants, supervisory probation officers, deputy chiefs, and chiefs were asked to complete two surveys, the Officer Orientation Questionnaire (see Paparozzi & Gendreau, 2005) and the Staff Attitude Survey (see Fulton et al., 1997).

The researchers used a modified Dillman method (Dillman, 2000) to conduct the surveys. Each chief, through a detailed email, advised his or her staff that the district was participating in the research. The staff was informed of the nature of the research and the importance of their

participation. A week later, the chief sent an email to all officers asking them to complete the two surveys with survey links. Reminder emails were sent after one week, and then again after an additional three weeks. Two respondents never completed the survey. Six others initiated the Officer Orientation Questionnaire but failed to completely fill in all items. This led to 152 usable surveys (out of 160) or a 95 percent completion rate for the officer orientation questionnaire. Only two respondents failed to complete the Staff Attitude Survey; thus, 156 out of 158 officers completed the questionnaire, for a 98 percent completion rate.

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Results

As indicated in [Table 1](#), most respondents were from Michigan Eastern (the largest district of the three), followed by North Carolina Middle, and then Massachusetts (the smallest district). [Table 2](#) indicates the percentage and number of respondents by position. Clearly, the majority of respondents were probation officers (61 percent), followed by probation officer specialists (18 percent). Smaller percentages are noted in the probation officer assistant category and the administrative groups.

The Officer Orientation Questionnaire

The officer orientation questionnaire (OOQ) was developed by Dembo (1972). The survey comprises 24 items rated on a scale of 1 to 7, indicating the officer's agreement with statements that represent two extremes of a continuum. For example, one item has the extremes of "the causes of crime are located in factors internal to the offender" and "the causes of crime are to be found in factors external to the offender." Officers must rate where their belief falls on the continuum. The possible range of scores is 24 to 168. The OOQ was used by Paparozzi & Gendreau (2005) and they provided the following scoring cutoffs: 24–71 law enforcement oriented officers, 72–120 balanced officers, and 121–168 social work oriented officers. The average score on the OOQ for those that completed the survey was 112.75, with a standard deviation of 13.55. The range was 61 to 142. There was very little variation in the average scores by district. An F-test confirmed that the differences from one district to another were not statistically significant.

[Table 4](#) contains the distribution of officer orientation categories based on their overall scores and cutoffs used by Paparozzi and Gendreau (2005). As can be seen from [Table 4](#), one respondent was categorized as law enforcement oriented, 105 were identified as balanced and 46 were identified as social work oriented (1 percent, 69 percent, and 30 percent respectively). Federal officers in this sample are apparently balanced; almost 70 percent are scored as balanced; only one percent score as law enforcement. In contrast, in a study by Paparozzi and Gendreau (2005), officers were equally distributed across three groups.

Additional analysis revealed that scores differ significantly by position (see [Table 5](#)). Post hoc analysis indicated that probation officers differed significantly from chiefs. It is unclear why there is a difference between the upper management and line staff. One hypothesis may be that all three districts are heavily involved in EBP efforts, which tend to fall in the social work category, and this may be the emphasis for the leadership at this time.

Staff Attitude Survey

The Staff Attitude Survey (SAS) includes 33 semantic differentials that are intended to measure officer attitudes. The items are designed to measure attitudes about the goals of supervision, officer roles, and supervision strategies. For example, one item states "your primary concern as a probation officer is to monitor offender compliance" (a score of 1) versus "rehabilitate the offender" (a score of 7). Respondents are instructed to circle the number on the scale that best describes them. The scale was modified from a range of 1 to 6, to a range of 1 to 7, to allow respondents the option to choose a neutral score within the middle of the range. The SAS includes two scales. The first, the Subjective Role Scale, has items that focus on what officers do. The second scale, the Strategy Scale, evaluates *how* officers perform their functions (Fulton et al., 1997).

[Table 6](#) provides the descriptive statistics for the scale9 scores and the average response across the 33 items. All scales were coded so that higher numbers indicate a social work or

intervention perspective rather than law enforcement. The scale scores were slightly higher than those reported by Fulton et al.; however, that could be because we lengthened the possible responses on our survey from 1 through 6 to 1 through 7. The overall average for the 33 items is 4.57, which is close to the middle of the scale (4.6 out of a possible 7). Again, as with the Officer Orientation Questionnaire, the SAS data indicate that these officers are balanced. The averages for all respondents are presented, as there were no differences by district.

There are variations on the SAS by position (see [Table 7](#)). Specialists and supervisors have a slightly greater social work orientation than probation officer assistants or probation officers. Additionally, deputy chiefs and chiefs score a bit higher on the survey than do the other respondents, indicating more of a social work orientation.

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Discussion

The results from this preliminary analysis are encouraging. These data indicate that the federal officers who completed these surveys are balanced in their approach to their work. Such a balanced approach has been shown to yield lower rates of technical violations and lower rates of rearrests in prior studies (Paparozzi, 1994), and bodes well for the federal probation system as these are two primary outcome measures that are considered critical. This finding is also consistent with recent data that have shown that the rearrest rates of federal offenders are comparatively low, ranging from 12 percent at year one, 18 percent at year two, and 24 percent after year three (Baber, 2010), outcomes that are generally lower than those seen in state systems. Finally, these results are consistent with recent survey data from offenders (see Offender Survey article, this issue of *Federal Probation*), in which offenders had very favorable impressions of their officers, with 94 percent describing their officers as "firm but fair." Taken together, they present a positive impression of federal supervision.

Limitations

A significant limitation to this study is that it only included three of the 94 districts in the system. The small number of districts certainly precludes generalizations beyond the three districts. In addition, these districts have been involved in implementing evidence-based practices and decision making for many years, which calls into question the degree to which they represent the typical district in the federal system. The second major limitation is the fact that we have yet to link the officer responses to caseload outcomes. As it now stands, this study is merely one of many that seek to understand the orientation of probation officers, albeit with a unique sample of federal officers. However, the linking of officer responses on these surveys to officer caseload outcomes will be completed within the next six months.

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Conclusion

As discussed earlier, even the best evidence-based principles must be "washed through" the filters of staff values and professional orientation. Arguably, balanced officers create relationships with offenders that are neither indulgent of anti-social attitudes and noncompliance nor authoritative and heavy-handed. Balanced officers utilize both ends of the extreme, likely responding most appropriately to offender behavior and providing a pro-social role model for offenders. As offenders generally have more contact with officers than with any referral agent over the course of three to five years of supervision, it is critical that agencies tap into the potential effectiveness of these interactions. Combining the balanced approach with the evidence-based programs and principles that continue to emerge (i.e., Bonta et al., 2008) will likely result in significant increases in positive outcomes. As community corrections increasingly recognizes the critical role of officers as interventionists, rather than simply brokers of services, it is important that we fully understand the impact that officer attitudes and orientation may have on the supervision process.

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Goodbye to a Worn-Out Dichotomy: Law Enforcement, Social Work, and a Balanced Approach (A Survey of Federal Probation Officer Attitudes)

Tables

[Table 1](#)[Table 2](#)[Table 3](#)[Table 4](#)[Table 5](#)[Table 6](#)[Table 7](#)

Table 1.

Distribution of Respondents Across District

District	N	%
Massachusetts ¹	46	27
Michigan-Eastern ²	65	38
North Carolina-Middle ³	59	35

¹ 3 respondents did not complete the OOQ and 1 did not complete the SAS

² 2 respondents did not complete the OOQ and 1 did not complete the SAS

³ 1 respondent did not complete the SAS

Table 2.
Distribution of Respondents Across Position

Position	N	%
Probation Officer Assistant	6	4
Probation Officer ⁵	97	61
Probation Officer Specialist ⁶	28	18
SUSPO	20	13
Deputy Chief ⁷	5	3
Chief ⁸	2	1

⁵ Two respondents did not complete the OOQ and one did not complete the SAS. One officer, not represented in these numbers, did not initiate either survey.

⁶ Three respondents did not complete the OOQ.

⁷ One respondent did not complete the OOQ and one respondent did not complete the SAS.

⁸ One chief, not represented in these numbers, did not initiate either survey.

Table 3.
Descriptive Statistics for the OOQ for All Respondents and by District

District	N	Mean	Standard Deviation	Minimum	Maximum
All	152	113.00	13.57	61	142
MA	43	114.19	11.56	85	140
MI-E	63	112.68	15.20	61	142
NC-M	46	112.33	13.15	83	141

$F(149,2) = 0.236$; $p = 0.790$

Table 4.
Distribution of Officer Orientation Categories for All Respondents and by District

District	Law Enforcement		Balanced		Social Work	
	N	%	N	%	N	%
All	1	1	105	69	46	30
MA	0	0	31	72	12	28
MI-E	1	2	41	65	21	33
NC-M	0	0	33	72	3	28

$\chi^2(4) = 2.602$; $p = 0.627$

Table 5.
Descriptive Statistics for the OOQ by Position

District	N	Mean	Standard Deviation	Minimum	Maximum
Probation Officer Assistant	6	116.83	16.388	95	140
Probation Officer	95	110.15	13.299	61	138
Probation Officer Specialist	25	116.32	9.503	93	131
SUSPO	20	116.90	15.242	94	142
Deputy Chief	4	125.00	12.728	110	137
Chief	2	132.50	0.707	132	133

F(150,5) = 3.240; p = 0.008

Table 6.
Descriptive Statistics on Subjective Role Scale, the Strategies Scale, and the Average Item Response for All Respondents

Scale	N	Mean	Standard Deviation	Minimum	Maximum
Subjective	168	29.64	4.84	15	42
Strategies	168	19.64	3.15	12	27
Average Item Rating	168	4.56	0.58	3.36	6.33

Table 7.
Descriptive Statistics for the Average Item Response on the SAS by Position

District	N	Mean	Standard Deviation	Minimum	Maximum
Probation Officer Assistant	6	4.62	0.46	4.03	5.15
Probation Officer	96	4.41	0.52	3.36	6.00
Probation Officer Specialist	28	4.87	0.64	4.00	6.33
SUSPO	20	4.76	0.57	3.73	5.76
Deputy Chief	4	4.97	0.50	4.55	5.67
Chief	2	5.23	0.11	5.15	5.30

F(150,5) = 4.738; p = 0.000

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Who Cares What Offenders Think? New Insight from Offender Surveys

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[Survey Administration](#)

[Results](#)

AS COMMUNITY CORRECTIONS professionals, should we care about how offenders perceive us? The research demonstrates that focusing simply on the officer/offender relationship generally does not reduce offending (Andrews & Bonta, 2003; Trotter, 1996). However, in one critical study, officers who made use of open and warm communication skills and demonstrated mutual respect with offenders had greatly improved recidivism outcomes—the offenders they supervised were half as likely to return to prison as those offenders who were supervised by officers who did not use those skills (Trotter, 1996). The importance of the officer/offender relationship was first identified as part of a larger set of skills called core correctional practices (Andrews and Kiessling, 1980; Andrews and Carvell, 1998). Core correctional practices include: 1) the effective use of authority, 2) anti-criminal modeling and reinforcement, 3) problem solving, 4) use of community resources, and 5) the quality of interpersonal relationship between staff and client. Andrews and Kiessling argued that a positive relationship between the officer and offender is necessary for other core correctional practices to be effective; however, a relationship alone does not reduce recidivism. According to Dr. Faye Taxman, "the glue of this [change] process is deportment or the manner of being between the offender and officer" (Taxman, 2002). This positive relationship is "necessary but not sufficient to bring about behavioral change" (Spiegler and Guevremont, 1998).

How are we to gauge our relationships with offenders and determine whether the relationships support the behavioral change process? One easy approach is through offender surveys that directly inquire about the offenders' experiences. Client "satisfaction surveys" have long been associated with effective correctional programs (Gendreau and Andrews, 1994 & 2002; Lowenkamp, 2004; Lowenkamp, Latessa, & Smith, 2005). Given the importance of administering client satisfaction surveys, the Office of Probation and Pretrial Services (OPPS), Administrative Office of the U.S. Courts developed a short survey to be completed by offenders on post-conviction supervision (Whetzel, 2010).

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Survey Administration

In 2009 two districts, New York Western (NYW) and Kentucky Western (KYW), piloted an offender survey developed by OPPS. The OPPS survey was based in part on input from various districts that had previously surveyed their offenders. In the OPPS survey, offenders were asked

to respond to each of the following statements:

1. My probation officer is firm but fair
2. My probation officer is a positive role model
3. My probation officer helps me to learn how to solve my problems
4. My probation officer helps to arrange various services for me
5. My probation officer assists me in securing employment
6. My probation officer communicates with me openly and respectfully
7. My probation officer helps to motivate me
8. My probation officer includes my family in my supervision
9. Being on supervision has had a positive effect on my life
10. My probation officer frequently meets me in my community
11. My probation officer is involved in my substance abuse or mental health treatment
12. When I do the right thing, my probation officer acknowledges it

Offenders had to answer using a five-point Likert scale with the following choices: Strongly Agree, Agree, Undecided, Disagree, and Strongly Disagree. Offenders could also provide commentary. To conduct the survey, Kentucky Western mailed the questions to 300 randomly selected offenders; the response rate was 30 percent. In New York Western, offenders were asked to complete the surveys while in the waiting room. Officers were not involved in the completion of the surveys. In January 2011 the Northern District of Texas also conducted the survey using Survey Monkey, sending the survey link to 445 offenders who submit their monthly reports electronically. In all, 372 offenders completed the survey: 97 from KYW, 146 from NYW, and 129 from TXN.

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Results

All three districts were pleasantly surprised by their results. Taken together, the survey data showed that 96 percent of the offenders strongly agreed or agreed that their officers were "firm but fair," a term coined by Andrews and Kiessling that summarized the effective use of authority. The qualitative data, i.e., offenders' commentary, was also overwhelmingly positive. While some offenders used the survey as an opportunity to criticize their officers, the vast majority expressed appreciation for the support their officers were providing.

TX-N has made use of the information in several different ways, including sharing it with judges and preparing PowerPoint slideshows of the outcomes to show on television screens in the offender waiting area. Where an offender provided specific positive comments and identified the officer, their comments were sent to the officer and the officer's supervisors. According to Northern District of Texas Deputy Chief Jerry Ritchie, that was "quite a positive shot in the arm for many officers." The survey data will also be used in the district's external website and in the district annual report.

The [aggregate data](#) from all three districts (KYW, NYW, TXN) is presented below.

An impressive 96 percent of offenders indicated that their officer was firm but fair. Consider the following offender comments: "my PO is very good at what he does and has seen me go through a lot during this time. He has been proud of me when I've done well and, when I've messed up, he was stern but didn't treat me poorly or make me feel bad about myself"; and "I just want to say that my PO is by the book, takes no crap, but he truly cares." In the research literature, offenders on supervision are considered a type of "involuntary client," that is, they are

receiving assistance and direction from the probation officer, but not of their own volition (Trotter, 1996). In order to establish a productive "therapeutic alliance" between the offender and the probation officer, officers must be authoritative (but not authoritarian) and clearly define their own and the offenders' roles (Skeem et al., 2007). The effective use of authority requires officers to "explicate the formal rules associated within the correctional setting such that they are made more visible, understandable, and unambiguous" (Dowden and Andrews 2004).

Eighty-nine percent of offenders "strongly agreed" or "agreed" that their probation officers were positive role models, i.e., offering what Andrews and Kiessling would call "anti-criminal modeling." The concept of "PO as offender role model" has not been traditionally discussed or integrated into new officer training, where officer behavior is typically discussed in relation to professional conduct as officers of the court, not as models for anti-criminal behavior. Consider these comments: "My experience with the probation officers has been very positive. Good people with a level head and common sense. The interaction that I have experienced has been a very positive one. They have been courteous, friendly and responsive"; and "My PO sets an example that all probation officers should follow: returns phone calls promptly, shows concern, pleasant voice. She is a good example...." This is critical, as Trotter (1996) notes the impact that prosocial modeling has on involuntary clients.

Offenders are indeed *involuntary* clients and are frequently advised that failure to participate in the supervision process will lead to negative consequences. In such a relationship, it is all too easy for officers to assert their authority excessively and to fail to treat offenders with respect. Consistent with core correctional practices, officers must "avoid interpersonal domination or abuse" (Dowden and Andrews, 2004). Fortunately, over 95 percent of offenders in these surveys reported that their officers communicate with them openly and respectfully. What we may fail to realize, however, is that such a rapport with an offender is a necessary precondition for enhancing an offender's intrinsic motivation to change. The following offender quote reflects this effectively.

I have had several officers throughout the years and I must say that personally, it makes a huge difference in my attitude and behavior, when I am treated like an equal, or at least not talked down to... When I am treated like a productive and equal member of society, it makes me want to act like one, and make my PO proud.

The data show that offenders strongly agree or agree that officers assist with problem solving (81 percent), motivate them (83 percent), and acknowledge their successes (85 percent). "My PO has helped me learn how to solve problems, motivates me and always acknowledges when I do the right thing." All three of these behaviors reflect the use of core correctional practices.

The use of offender surveys marks a new level of engagement in the supervision process. Understanding that offenders' probability of success is enhanced through the use of evidence-based core correctional practices compels us to integrate them into our everyday involvement. The new STARR program (Supervision Techniques Aimed at Reducing Re-Arrest) is built on the same core correctional practices highlighted in the offender survey. To become an evidence-based system, perhaps the first lesson we must learn is that our effectiveness as change agents depends, to some degree, upon us, on who we are and how we treat offenders. The offender survey is a good place to start.

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Who Cares What Offenders Think? New Insight from Offender Surveys

Tables

Table 1.
Responses to Survey Questions

	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree	Median
My PO is firm but fair	61%	35%	3%	1%	1%	1
My PO is a positive role model	46%	43%	7%	3%	1%	2
My PO helps me learn how to solve problems	33%	48%	13%	5%	1%	2
My PO helps to arrange various services for me	31%	49%	15%	3%	2%	2
My PO assists me in securing employment	22%	47%	22%	7%	2%	2
My PO communicated with me openly and respectfully	59%	36%	2%	2%	1%	1
My PO helps to motivate me	35%	48%	13%	3%	2%	2
My PO includes my family in my supervision	32%	43%	15%	8%	2%	2
Being on supervision has had a positive effect on my life	35%	39%	15%	6%	5%	2
My PO frequently meets me in my community	31%	56%	7%	5%	1%	2
MY PO is involved in my SA or MH treatment	27%	46%	18%	6%	4%	2
When I do the right thing my PO acknowledges it	48%	37%	10%	4%	1%	2

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The Construction and Validation of the Federal Post Conviction Risk Assessment (PCRA)

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[Editor's Note: The following article was accepted after under going a double-blind peer review process, in recognition of the critical importance of the Post Conviction Risk Assessment tool to the federal probation system's adoption of evidence-based practices.]

THE UNITED STATES PROBATION system was created in 1925 by the Federal Probation Act. This Act gave the U.S. Courts the power to appoint federal probation officers and the authority to sentence defendants to probation instead of a prison term. One of the primary functions of federal probation is to supervise convicted offenders who are sentenced to a term of probation or a term of supervised release following a period of imprisonment, and offenders released early from prison on parole or mandatory release by the U.S. Parole Commission or military authorities.

The federal probation and pretrial services system is organized into 94 districts within 11 regional circuits and operates under a decentralized management structure. As a result of being decentralized, each district operates with a great deal of autonomy; however, despite this autonomy, the system maintains cohesion through the Administrative Office of the U.S. Courts

(AO). The AO serves as the administrative headquarters for this decentralized system and develops national policies that help districts in their efforts to protect the community and reduce recidivism.

During the past two decades, advancements in social science research, the need to use resources more efficiently and effectively, and increased expectations to reduce recidivism have sparked a major philosophical shift in the field of probation. Although probation officers are still required to monitor offender behavior and report noncompliance to the court, the general focus has shifted to reducing future criminal behavior (Alexander & VanBenschoten, 2008). Arguably, the best chance for reducing recidivism occurs when officers not only have a reliable way of distinguishing high-risk offenders from low-risk offenders but also can intervene in the criminogenic (crime supporting) needs of high-risk offenders (Andrews et al., 1990; Lowenkamp & Latessa, 2004; Bonta & Andrews, 2007; Campbell, French & Gendreau, 2007). For federal probation, this has meant looking for more effective ways to manage offenders by predicting their potential to reoffend and/or their potential dangerousness to the community (Walklate, 1999).

This article explains the process the AO used to develop a risk assessment instrument for use with its post-conviction supervision population. We provide a brief overview of the principles of effective classification and a summary of the evolution of risk assessments and then explain why the AO chose to create its own risk assessment instrument rather than use an existing instrument. However, the primary purpose of the article is twofold: (1) To present the methodology and results produced in the development of the Post Conviction Risk Assessment (PCRA) tool, and (2) to discuss limitations of the PCRA as well as future developments.

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Principles of Effective Risk Classification

In general terms, the principles of effective risk classification refer to the prediction or identification of offenders most likely to violate the law or conditions of supervision during a period of criminal justice supervision, the identification of factors that can be influenced to change the likelihood of recidivism, and the acknowledgement of factors that might influence the benefits of a particular service (Van Voorhis & Brown, 1996). Risk of recidivism, criminogenic need, and general responsivity are three of the primary principles of effective classification (Andrews et al. 1990). The fourth principle, professional discretion, targets the professional's ability to look beyond the application of the first three principles when circumstances indicate a need to do so (Gottfredson, 1987).

The principles of effective risk classification suggest that agencies should use actuarial assessment tools to identify dynamic risk factors, especially in high-risk offenders, while also identifying potential barriers to treatment (Bonta & Andrews, 2007; Latessa et al., 2010). Actuarial risk assessments rest on three factors: (1) certain individual characteristics and behaviors are statistically predictive of future involvement in criminal behavior; (2) the more risk factors an offender has, the greater the likelihood of future criminal behavior; and (3) when properly validated and administered, actuarial risk predictions are more accurate than clinical predictions (Meehl, 1954; Sawyer, 1966; Gottfredson, 1987; Andrews and Bonta, 1994). Andrews and Bonta (1998) argue that it is the combined assessment of risk and need that improves the ability to predict who is likely to offend and outlines what interventions should take place to reduce risk and subsequently recidivism.

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Brief History of Risk Assessment Tools

Purpose of a Risk Assessment Tool

The assessment of offenders has long been acknowledged as a necessary component for criminal justice practitioners who are responsible for assessing and managing offenders. In the field of probation, the primary purpose for using a risk assessment tool is to help keep communities safe from offenders who are most likely to reoffend. Although security was the primary reason for the development of risk assessment instruments, the ability to classify offenders at the

appropriate risk level is also beneficial. Consequently, risk assessment tools help probation officers identify which offenders need intensive interventions and what needs should be targeted by the interventions.

Evolution of Risk Assessment Instruments

The evolution of risk assessment is described as following a generational path that started with the most basic form of assessment and has progressed to a more complex form of risk assessment (Bonta & Wormith, 2007). Each generation utilized the best available methods to predict the risk of recidivism and then applied the results of the assessment to supervision strategies. This tradition continues today, with researchers continually refining their understanding of criminal behavior and the associated enhancements to risk/needs prediction tools (VanBenschoten, 2008).

First generation

For most of the 20th century, professional judgment or intuition was the most common method used to predict criminal behavior. This form of assessment involved an unstructured interview with the offender and a review of official documentation (Bonta, 1996; Van Voorhis & Brown, 1996; Andrews & Bonta, 2006; Connolly, 2003). Guided by their own professional training and experience, probation officers and clinical professionals made judgments about who required enhanced supervision or correctional programming (Bonta & Andrews, 2007). One of the inherent weaknesses of such an unstructured process is the lack of a quantitative way to determine how decisions are reached, which leads to a lack of consistency and agreement resulting in low inter-rater reliability (O'Rourke, 2008). In other words, the same interview conducted by different interviewers could net dramatically different results; therefore, the conclusions and recommendations regarding the offender could vary depending on the interviewer (Wardlaw & Millier, 1978; Monahan, 1981; Van Voorhis & Brown, 1996).

Second generation

Although second-generation risk tools have been available since the late 1920s, it was not until the 1970s that the assessment of risk began to depend more upon actuarial, evidence-based science and less on professional judgment and intuition. Second generation risk assessments are often referred to as actuarial methods (O'Rourke, 2008). Actuarial risk assessments consider individual items (e.g., history of substance abuse) that have been demonstrated to increase the risk of reoffending and assign these items quantitative scores (Bonta & Andrews, 2007). Burgess (1928) established the first of these models. In the Burgess method, each variable in the model can be scored as a "point," and the prediction is based on the aggregate number of points assigned to an offender (Connolly, 2003). For example, the presence of a risk factor may receive a score of one and its absence a score of zero. The scores on the items can then be summed—the higher the score, the higher the risk that the offender will reoffend (Bonta & Andrews, 2007). This technique gives equal weight to all predictors, even though there may be unequal effects. There is little research, if any, indicating that more complex (i.e., weighted) scoring methods produce better prediction than simple (i.e., unweighted) methods (Gottfredson 1987).

Third generation

Recognizing the limitations of second-generation risk assessment, research began to develop in the late 1970s and early 1980s on assessment instruments that included dynamic risk factors (Bonta & Wormith, 2007). The third generation of assessment is commonly referred to as risk-need assessments (Andrews & Bonta, 1995; Bonta & Andrews, 2007). These instruments combined the static predictor variables of the second-generation instruments with dynamic criminogenic need items (e.g., present employment, criminal friends, and family relationships) that were sensitive to changes in an offender's circumstances (Connolly, 2003; Bonta & Andrews, 2007). Third-generation risk assessment tools exceed statistical risk prediction by adding the element of need identification. As previous instruments assisted in decision-making regarding supervision conditions, third-generation assessments help identify areas that require intervention to mitigate recidivism risk while under supervision (Van Voorhis & Brown, 1996).

Fourth generation

The last few years has seen the introduction of fourth-generation risk assessment instruments.

These new risk assessment instruments go beyond the third-generation risk-need assessments. Not only do fourth-generation instruments include risk-need assessments, they also assess a broader range of risk factors along with responsivity factors important to treatment for integration into the case management plan (Bonta & Andrews, 2007; Bonta & Wormith, 2007). Some examples of responsivity factors include reading and cognitive abilities, race, gender, motivation to change, as well as external factors such as treatment setting and counselor characteristics (Andrews et al., 1990; Bonta & Wormith, 2007). One other aspect of fourth-generation risk assessments is the attempt to explicitly link identified needs with supervision and treatment services (Bonta & Wormith, 2007).

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Post Conviction Risk Assessment Tool

Actuarial risk assessments are not new to the federal probation system; in fact, they have been part of the supervision process since the early 1980s. To better assist probation officers in identifying high-risk offenders and intervening in their criminogenic needs, the AO chose to develop a risk assessment instrument tailored specifically to its population of offenders. The Post Conviction Risk Assessment (PCRA) is an actuarial risk and needs assessment tool developed from data collected on federal offenders who started a term of supervision between October 1, 2005 and August 13, 2009. This tool is designed to target treatment interventions prioritized by risk, need, and responsivity.

How the PCRA Came into Existence

In the *Strategic Assessment of the Federal Probation and Pretrial Services System* (hereafter cited as IBM, 2004), the authors identified shortcomings with the AO's use of the Risk Prediction Index (RPI).¹ One of the concerns expressed by the authors was the RPI's static nature, which causes a disconnection between the risk score and case management (IBM, 2004). Put another way, if an offender's risk to recidivate changes during the course of supervision, the RPI does not reflect this change; therefore, officers are not able to consistently and effectively interpret those changes and provide the proper supervision response.

To address the RPI's shortcomings, the Strategic Assessment recommended that the AO research other data-driven supervision tools (IBM, 2004). The desire to meet this recommendation, coupled with emerging criminal justice literature about more advanced risk assessment tools, influenced the AO to develop its own Research to Results (R2R) effort. During the R2R effort, 16 of the 94 federal probation districts were awarded funding to implement evidence-based practices² into their districts. Of those 16 districts, five districts chose to use a commercially available risk and needs tool to conduct risk assessments. In addition, AO staff members met with developers of three commonly used off-the-shelf risk/needs tools (LS/CMI, COMPAS, RMS)³ to better understand the advantages and disadvantages of each tool.

Since the federal criminal justice system represents a distinctive population and since specific trailer assessments for special needs populations (such as sex offenders) are also required, it became obvious that more flexibility would be needed. At the conclusion of the experimentation and information gathering stage, the AO assembled a panel of experts to examine the options of purchasing a commercially available tool or building a new tool. After much discussion, the consensus of the group was to build a new tool with data specific to federal probation.

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Construction and Validation of the PCRA

Methods

Data used to construct and validate the PCRA came from federal presentence reports (PSR), existing risk assessments, criminal history record checks, and PACTS.⁴ Criminal history records or rap sheets were used to identify any new arrest after the start of supervision. The five R2R districts that were using a commercially available risk assessment tool were asked by the AO to provide data to assist in the development of the PCRA.⁵ Each district provided a list of offenders who had received an assessment using an off-the-shelf risk prediction instrument and

who also had a completed PSR. In total, the five districts submitted a list of 4,746 offenders, from which 479 cases were randomly selected.⁶ Districts were then asked to provide rap sheets on the randomly selected cases. PACTS was the main source of data for scored elements on the PCRA; it included data on roughly 100,000 offenders.

Data Elements

There are two sets of items included on the PCRA: scored and not scored. The first set of items are rated and scored and thus contribute to an offender's risk score. Rated and scored items used to develop the PCRA were based on prior research in the area of predicting criminal behavior (for example Gendreau, Little, & Goggin, 1996; Simourd & Andrews, 1994; Hubbard & Pratt, 2002; Andrews & Bonta, 2006) that were also available in PACTS. Based on a review of extant research, data elements related to criminal history, peer associations, family, employment, substance abuse, and attitudes were selected from PACTS. As a result of bivariate analyses, some interval and ratio variables (e.g., age, prior arrests, education, and drug and alcohol problems) were collapsed into ordinal measures. Multivariate models and completeness of data were used to identify the most predictive and practical data elements to be included on the instrument. Variables included on the PCRA had a significance level of .10 or below (see [Table 1](#)).

The second set of data elements are rated but not scored and do not contribute to an offender's risk score. These items were identified as potentially predictive in a smaller sample of offenders from five of the R2R districts. With the exception of peer relationships, which came from the COMPAS and RMS, data elements came from the PSR. A total of 104 elements were collected from the PSR; however, four of those elements were personal identifiers (i.e., first name, last name, middle initial, and PACTS number). Additional rated but not scored items were added based on probation officers' input on what data they need to supervise a case (see [Appendix 1](#)). A total of 29 factors were identified as potential predictors and included on the assessment. These potential predictors were included as "test items" and future analysis will determine whether these items will become rated and scored PCRA items.⁷

Sample

In order to construct and validate the PCRA, the researchers devised three sample groups. A construction group was created for the construction of the instrument, and two validation groups⁸ were created for the validation of the instrument. These groups were created using an existing analysis file from PACTS data that contained 185,297 offenders on probation or supervised release.⁹ The construction group was created from data obtained from the initial case plan.¹⁰ Using a near 50/50 split, data from the first case plan was divided into two sample groups; one became the construction sample and the other became the first validation group. One validation group (Validation) was taken from the initial case plan the offender receives during his or her term of supervision and the second validation group was taken from subsequent case plans (hence the name Subsequent Case Plan). Both the construction (N=51,428) and validation (N=51,643) groups comprised offenders who started a term of supervised release or probation on or after October 1, 2005. The subsequent case plan group comprised 193,586 case plan periods.

Analysis

A fairly straightforward and traditional approach was used in the development of the PCRA. Multivariate logistic regression models¹¹ were used to determine which items were superfluous. As a result, the total number of items included in the multivariate model was reduced to ensure that statistical significance and direction of the relationship were maintained. Once the multivariate model was finalized, bivariate cross tabulations were used to assign appropriate weights. This method was chosen due to its transparency and, to date, there is little research indicating the superiority of complex weighting structures over dichotomous coding risk factors (see Gottfredson & Gottfredson, 1979; Silver, Smith, and Banks, 2000; Gottfredson & Snyder, 2005; Harcourt, 2007).¹² The bivariate cross tabulations are presented in [Appendices 2-4](#).

Once the final scoring algorithm was determined, a score was calculated with a cutoff score developed by visual inspection of the data. Although the data cutoffs were fairly evident in the data, alternate cutoffs were tested with confirmation of best fit as determined through the use of

chi-square statistics. A final set of analyses was conducted to determine how changes or stability in risk category from the beginning to the end of supervision was correlated with change in the probability of a new arrest.

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Findings

[Table 1](#) displays the results of a multivariate model predicting arrest during the initial case plan period using a split sample from the construction sample. As [Table 1](#) shows, many of the variables included in the multivariate model were statistically significant at the .001 level. Odds ratios in the model also appear to be consistent with existing research that support well-accepted beliefs that alcohol and drug problems, unemployment, poor attitude (not motivated to change), criminal history, and lack of social support increase an offender's chances of getting re-arrested. Females appear to have a decreasing effect on the likelihood of re-arrest, which is also consistent with much of the existing research on gender and crime (Gendreau et al., 1996).

From the multivariate analysis, variables were selected for inclusion on the risk assessment instrument (see [Appendix 5](#)). To gain a better understanding of the bivariate relationships between the significant predictors in the multivariate model, we conducted a series of cross tabulations. Those results are reported in [Appendices 2–4](#). In general, the bivariate cross-tabulations allowed us to assign 1 or 2 points to each of the factors. Although this approach may seem counter to prevailing wisdom on the development of weights for risk assessment, there is evidence that suggests that this approach produces an instrument that still outperforms clinical approaches to prediction (Dawes, 1979) and is more robust across time and sample variations (Gottfredson and Snyder, 2005; and McEwan, Mullen, & MacKenzie, 2009).

[Table 2](#) presents the descriptive statistics on the risk assessment score, which can theoretically range from 0 to 19. There are 15 scored items. The scoring for each of the 15 items is displayed in detail in [Appendix 5](#). [Table 2](#) presents the number of cases in each sample, minimum and maximum values, mean, and standard deviation of the linear risk score. There are no significant differences in the length of the prediction period or average risk score for the construction sample and first validation sample (6.46 and 6.43, respectively). However, there are differences in the mean risk score between the subsequent case plan sample and construction sample and subsequent case plan sample and first validation sample. The difference in prediction periods is a matter of policy, as the first case plan period is approximately 6 months while the third case plan is completed 12 months after the second case plan or 18 months after the beginning of supervision. The lower mean risk score might simply be a function of lower-risk offenders surviving supervision to the third and subsequent case plan periods. At any rate, there could be some debate that the difference in risk scores is not practically significant, and this argument might be valid since all three mean scores fall into the low-risk category.

[Table 3](#) presents the distribution of risk categories by the type of sample used. In all three samples, low and low-moderate risk offenders accounted for at least 85 percent of the cases, whereas high-risk offenders accounted for only 1 percent. There was no statistically significant difference between the construction sample and the validation sample at an alpha level of .01. However, there was a significant difference between the second validation sample (subsequent case plan) and the construction sample as well as between the second validation and the first validation sample. This is likely due to higher-risk offenders having a greater likelihood of revocation and thereby failing to survive to the second and subsequent case plan periods. This finding, like that of the linear risk score, might be more an issue of sample size rather than holding practical significance. The change in the percentage of low-risk cases seems to be what drives the overall significant chi-square test.

The next set of analyses focused on assessing the PCRA's predictive ability. AUC-ROC (Area of the Curve-Receiver Operating Characteristics)¹³ was chosen as the measure to assess prediction in large part because it is not impacted by base rates. Another convenient property of the AUC-ROC over a correlation coefficient is that AUC-ROC is a singular measure and does not have differing calculations depending on level of measurement of the variables being evaluated (Rice & Harris, 2005). [Table 4](#) displays the AUC-ROC between risk scores and re-arrests. A fourth sample (long-term follow-up) that includes initial case plan data on all

offenders placed on supervision between September 30, 2005 and September 30, 2006 is introduced in [Table 4](#). The data therefore allow for a follow-up period between three and four years. As [Table 4](#) shows, the AUC for each of the four sample groups is close to or exceeds the AUC-ROC value associated with large effect sizes (Rice & Harris, 2005). The AUC for the second validation sample rose to .73, while the AUC for the long-term follow-up sample rose even higher to .78. Based on these results, the PCRA appears to have very good predictive validity in terms of accurately classifying offenders' risk level.

To put the AUC values into practical terms,¹⁴ we calculated the failure¹⁵ rates by each category of risk for each sample. These results are presented in [Table 5](#). With the exception of the long-term follow-up sample, the failure rates were relatively unchanged for a risk category across samples. For example, low-moderate risk offenders failed at a rate of 13 percent in both the construction and initial validation samples, and at 12 percent in the subsequent case plan sample. However, in the long-term follow-up sample, the low-moderate risk group's failure rate increased significantly to 42 percent. Overall, the failure rate for the long-term follow-up group was 44 percent, but the failure rate was significantly higher for high-risk offenders in this same group. Moderate-risk offenders failed at a rate of 71 percent and high-risk offenders had an 83 percent failure rate. The uniform increase in failure rates across categories of risk and across the various samples continues to support the validity of the PCRA.

Survival analysis was conducted for each risk category and the survival curves associated with those analyses are displayed in [Figure 1](#). All possible data points, regardless of follow-up time, were used in the analysis.¹⁶ The follow-up period ranged from 0 to 60 months. Survival rates for each risk category are displayed at 6 months, 12 months, 36 months, and 60 months. As [Figure 1](#) shows, high-risk offenders have a very steep decrease in survival, as only 69 percent survived the first 6 months of supervision. As time passes, survival rates continue to drop rapidly for high-risk offenders, as only 46 percent survived at 12 months and only 17 percent at 36 months. After 60 months of supervision, a mere 6 percent of the high-risk offenders remain. In contrast to high-risk offenders, low-risk offenders have a significantly different experience on supervision. For example, while the survival rate for high-risk offenders was only 17 percent at 36 months, 90 percent of the low-risk offenders survived at this time period. Moreover, the survival rate for low-risk offenders decreased only 5 percentage points through 60 months to 85 percent.

Low-moderate risk offenders have a survival curve that is almost precisely between the survival curves of the low- and moderate-risk cases. Interestingly, the survival curve for the moderate-risk offenders seems to follow a form that is closer to the high-risk offenders than to the lower-risk offenders. Note that the survival rates continue to grow throughout the follow-up period for each group, and each curve (with the exception of low-risk offenders) shows little sign of leveling off.

One of the major benefits of third- and fourth-generation risk assessment is the ability to measure change in risk over time. While many of the risk factors on the PCRA would be considered stable, some would also be considered acute (for a full discussion see Serin, Lloyd, & Hanby, 2010; Serin, Mailloux, & Wilson, 2010). Therefore, analyses were conducted that compared actual failure rates based on changes in initial and subsequent PCRA assessments. [Table 6](#) outlines changes in failure rates based on first and last case plan assessment categories. The failure rates are based on the risk category for the last case plan period of the offender's supervision term; therefore, to be included in this table, the offender had to have at least two case plan periods that allowed for the scoring of the PCRA. According to the results presented in [Table 6](#), not surprisingly, offenders in the higher risk categories (moderate and high) failed at a higher rate than offenders in the lower risk categories (low and low-moderate). However, offenders whose risk rating increased while under supervision appear to fail at a higher rate than offenders who maintained their initial rating through to their last assessment. For example, low-moderate risk offenders whose risk category increased to moderate had a failure rate of 41 percent, whereas low-moderate risk offenders who remained low-moderate risk or were reassessed as low risk had a failure rate between 16 and 18 percent. Similarly, moderate-risk offenders who continued to be moderate risk had a 38 percent failure rate, while those who were reassessed as low-moderate had an 18 percent failure rate and moderate-risk offenders reassessed as high risk had a 61 percent failure rate.

Discussion

As previously stated, the purpose of this article is twofold: (1) To present the methodology and results produced in the development of the PCRA and (2) to discuss limitations of the PCRA as well as future developments. This article has provided details on the methods, measures, and sample used in the development of the PCRA. A fairly traditional model was followed in the development of the PCRA. Our efforts were supported by a relatively large dataset and fairly complete data. The sample was fairly representative of the population served and allowed for a construction and two validation samples. The overall results have demonstrated that the PCRA provides adequate predictive validity both in the short term (6–12 months) as well as in longer follow-up periods (up to 48 months).

Multivariate analysis (see [Table 1](#)) of proposed predictors revealed that 15 factors were significantly related to the outcome of interest (new arrest). Seven additional factors tested were determined to be unrelated to a prediction of new arrest once the effects of the other factors were controlled. One additional measure, being female, was found to be significantly related to a new arrest. Subsequent models, not reported here, indicated that the addition of gender to the models yielded no increase in the predictive validity of the model. In addition, non-significant differences were noted in the AUCs between males and females for each sample (i.e., construction, validation, subsequent case plan, and long-term follow-up). Therefore, we concluded that the instrument performs equally well for males and females, even though the failure rates for males might be slightly higher than for females with similar risk scores.

The creation of the risk score and categories allowed for the identification of four risk categories: low, low-moderate, moderate, and high. Approximately 80 percent of each sample was made up of low and low-moderate risk offenders. Much smaller percentages were identified in each sample as moderate and high risk (approximately 12 percent and 1 percent, respectively). Due to the distribution of risk categories being heavily skewed toward lower risk, the validity of the instrument may be brought into question. However, it should be noted that a current validated risk prediction instrument used in the federal system (RPI) yields a similarly skewed distribution. Analysis of failure rates by risk score and category using the PCRA yielded AUC-ROC values over the traditionally accepted value of .70 and an AUC value for the long-term follow-up over .78. All of the AUC-ROC values were close to or exceeding the value associated with large effect sizes. Practically speaking, the instrument provided categorizations that are associated with the group failure rates that are differentiated and meaningful for meeting the risk principle (see [Tables 4 and 5](#)).

The final analysis conducted in this study related to the dynamic nature of the PCRA. Recall from [Table 6](#) that changes in actual failure rates were associated with changes in risk category from the initial assessment to the last assessment. This finding is rather important, as it provides the opportunity to track meaningful changes in risk that occur throughout the supervision process. Moreover, [Table 6](#) confirmed that the PCRA identifies and measures dynamic risk factors that, apparently, when changed through supervision, services, or some other unmeasured process (natural desistance), lead to commensurate reductions in actual failure rates. The dynamic nature of the PCRA adds to its usefulness in developing case plans throughout the life of the supervision term.

Limitations and Future Research

Although this study was fairly comprehensive in scope and the dataset used was large and representative of the population served, there are a number of limitations and areas for future research that deserve mention. First, while the dataset was large and comprehensive, we have not investigated how scoring algorithms might be adjusted for each district. As with any measure, there is a distribution of AUC values when that test is calculated for each district. Data from 17 districts generated AUC values below .70; however, only three districts had 95 percent confidence intervals that failed to cross the .70 threshold. While this finding may have been due to small samples in some districts, subsequent analysis should focus on bringing AUC values between risk scores and re-arrests up to larger values.

A second limitation is that the data used in this research came from an administrative dataset.

While it proved useful for our initial task of creating and validating a risk assessment instrument, it will be important to conduct similar validation analyses once we have an ample sample of offenders that were actually assessed using the assessment protocol.

The third limitation involves the nature of the outcome measure being predicted. In this research we focused exclusively on the likelihood of a re-arrest and not the severity of the offense. We found it important to assess and determine the likelihoods of re-arrest as a first step in the assessment process. Because we do recognize that there is more than one dimension to an assessment in the criminal justice system, future analysis will focus on predicting the dangerousness of an offender.

Fourth, while the PCRA is apparently dynamic, with changes in risk associated with changes in actual failure rates, it may not be sensitive enough for use on a monthly or shorter schedule. Due to the high value associated with a dynamic risk assessment, it will be necessary to make the PCRA more sensitive to change, or supplement it with a more sensitive trailer assessment that increases its utility as a guide to service allocation.

Finally, because rated but not scored items outnumber scored items on the assessment, future analysis will review the impact of rated but not scored items. For example, the PCRA currently has only one scored item in the area of cognitions. As a result of current testing on 80 self-report items that relate to criminal thinking styles, the number of scored items in the area of cognitions will likely increase. Continued analyses on rated but not scored items will also increase the understanding of the impact of self-reported attitudes, as well as guide adjustments to algorithms based on district, gender, and race differences, if relevant.

Policy Implications

Notwithstanding the limitations discussed above, there are two major policy implications that stem from this research. First, the federal probation system now has a dynamic fourth-generation risk assessment for use on offenders under its jurisdiction. The instrument can be used to identify higher-risk offenders for enhanced services (see Andrews et al., 1990) and can also be used to identify targets for change to be addressed by external service providers. The second major policy implication is the apparent necessity for ongoing reassessment. Data analyzed in this study indicate that changes in levels of risk are associated with changes in actual failure rates. Therefore officers need to monitor risk in a standardized way to ensure that supervision and services are having intended impacts. If intended impacts are not being achieved, then officers will be able to modify supervision services to reduce the risk of recidivism.

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Tables

Table 1.

Multivariate Model Predicting Arrest During Initial Case Plan Period (Split Sample Construction Only)

Variable	B	SE	Wald	df	Sig	Exp(B)
Community Supervision Violation	.343	.052	43.551	1	.000	1.410
Varied Offending Pattern	.226	.049	21.416	1	.000	1.253
Institutional Adjustment	.227	.103	4.848	1	.028	1.255
Violent Offending	.320	.079	16.312	1	.000	1.378
Unemployed	.368	.045	66.248	1	.000	1.445
Poor Work Outlook	.322	.061	27.495	1	.000	1.380
Alcohol Problems	.479	.102	22.079	1	.000	1.615
Lacks Social Support	.267	.048	30.673	1	.000	1.306
Family Problems	.191	.051	14.278	1	.000	1.210
Single	.097	.054	3.175	1	.075	1.102
Not Motivated to Change	.383	.050	59.803	1	.000	1.467
Drug Problems	.710	.062	132.195	1	.000	2.033
Arrest History	.149	.021	50.543	1	.000	1.160
Age	.383	.033	136.614	1	.000	1.467

Table 1. (Cont.)***Multivariate Model Predicting Arrest During Initial Case Plan Period (Split Sample Construction Only)***

Educational Attainment	.234	.045	27.195	1	.000	1.264
Mental Health Problems	.068	.049	1.920	1	.166	1.070
Gambling Addiction	-.395	.283	1.945	1	.163	.674
Criminal Associates	-.080	.050	2.529	1	.112	.923
Weapon Concerns	-.086	.064	1.789	1	.181	.917
Financial Problems	-.070	.078	.806	1	.369	.932
Life Skills Deficiencies	-.019	.060	.103	1	.748	.981
Female	-.215	.058	13.586	1	.000	.807
Race			3.106	4	.540	
Asian	.613	.490	1.568	1	.211	1.846
Black	.638	.467	1.866	1	.172	1.892
Native American/Eskimo	.668	.475	1.977	1	.160	1.951
White	.683	.466	2.145	1	.143	1.980
Constant	-4.540	.472	92.691	1	.000	.011

Model $\Pi^2(26) = 1503.78$, $p < .000$; $-2LL = 15868.80$; Nagelkerke $R^2 = .119$

Table 2.***Descriptive Statistics***

Sample Group	N	Minimum	Maximum	Mean	Std. Deviation
Construction	51,428	0	16	6.4634	2.83052
Validation	51,643	0	16	6.4272	2.80699
Subsequent Case Plan	193,586	0	17	6.0320	2.73192

Table 3.***Distribution Across Risk Categories***

Risk Category	Sample					
	Construction		Validation		Subsequent Case Plan	
	N	%	N	%	N	%
Low	19,080	37%	19,175	37%	83,037	43%
Low-Moderate	24,751	48%	25,175	49%	90,003	47%
Moderate	7,019	14%	6,748	13%	19,244	10%
High	578	1%	545	1%	1,302	1%

Table 4.***AUC-ROC Between Risk Score and Re-arrest****

Sample	AUC	Lower 95% CI	Upper 95% CI	Significance
Construction	.709	.699	.719	.000
Validation	.712	.702	.721	.000
Subsequent Case Plan	.734	.729	.739	.000
Long-term Follow Up	.783	.778	.789	.000

*Analyses based on TSR versus probation supervision were estimated. AUC-ROC values for the probation sub-sample were .65 (construction), .64 (validation), .72 (subsequent case plan), and .76 (long-term follow-up). While AUC-ROC values for the construction and validation samples were somewhat smaller than those generated for the overall sample, the AUC-ROC values for the subsequent case plan and long-term follow-up probation sub-samples were very similar to those generated for the overall sample.

Table 5.***Cross-tabulation between Risk Categories and Re-arrest***

Risk Category	Sample			
	Construction	Validation	Subsequent Case Plan	Long-term Follow-Up*
Low	5%	5%	4%	11%
Low-Moderate	13%	13%	12%	42%
Moderate	27%	28%	27%	71%
High	39%	42%	41%	83%
χ^2	1354.76	1444.74	6761.77	4997.40

*Outcome measure is arrest for new criminal behavior only.

Table 6.*Changes in Failure Rates Based on First and Last Case Plan Assessment Categories*

Initial Case Plan Assessment Category	Last Case Plan Assessment Category			
	Low	Low-Moderate	Moderate	High
Low (n = 13,589)	4%	18%	—	—
Low-Moderate (n = 15,660)	5%	16%	41%	—
Moderate (n = 3,581)	—	18%	38%	61%
High (n = 233)	—	—	37%	53%
χ^2	237.65	396.23	162.85	10.54

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Appendix

Appendix 1.

Rated Test Items

Domain	Factor	Rating
Criminal History	Arrested Under Age 18	Yes/No
Employment	Number Of Jobs in Past 12 Months	None/One/More than One
Employment	Employed Less than 50% of the Last 24 Months	Yes/No
Substance Abuse	Disruption at Work, Home, School	Yes/No
Substance Abuse	Use When Physically Hazardous	Yes/No
Substance Abuse	Legal Problems Related to Use	Yes/No
Substance Abuse	Continued Use Despite Social/Interpersonal Problems	Yes/No
Social Networks	Lives with Spouse and/or Children	Yes/No
Social Networks	Lack of Family Support	Yes/No
Social Networks	Companions	Good Support and Influence/Occasional Association with Negative Peers/More Than Occasional Association with Negative Peers/No Friends
Attitudes	Antisocial Attitudes	Yes/No
Attitudes	General Criminal Thinking (PICTS)	Scale Scores

Appendix 1. (Cont.)***Rated Test Items***

Other	No or Unstable Home	One Address in Past 12 Months/More Than One Address in Past 12 Months or No Permanent Address
Other	Risk Influence at Home	No Criminal Risks Present/Criminal Risks at Home
Other	Financial Stressors	Adequate Income to Manage Debts/No Plan in Place to Meet Financial Debts, Expenses Exceed Income
Other	Pro Social Recreation	Engages in Prosocial Activities/Has No Interests, Does Not Engage in Them, or Recreation Presents Criminal Risk
Responsivity	Low Intelligence	Check Box
Responsivity	Physical Handicap	Check Box
Responsivity	Reading and Writing Limitations	Check Box
Responsivity	Mental Health Issues	Check Box
Responsivity	No Desire to Change/Participate in Programs	Check Box
Responsivity	Homeless	Check Box
Responsivity	Transportation	Check Box
Responsivity	Child Care	Check Box
Responsivity	Language	Check Box
Responsivity	Ethnic or Cultural	Check Box
Responsivity	History of Abuse or Neglect	Check Box
Responsivity	Interpersonal Anxiety	Check Box
Responsivity	Social Security Card, Driver's License, ID	Check Box

Appendix 2.***Cross Tabulations between Risk Factors and Re-arrest for Construction Sample***

Domain	Variable	Arrest Rate	χ^2	P
Criminal History	Prior Arrests 0 = No prior arrests 1 = 1-2 prior arrests 2 = 3-6 prior arrests 3 = 7 or more prior arrests	9% 12% 13% 20%	618.33	.000
Criminal History	Community Supervision Violations 0 = No prior CS violations 1 = 1 or more CS violations	11% 20%	423.49	.000
Criminal History	Varied Offending Pattern 0 = 1 type of offending 1 = 2 or more types of offending	14% 20%	209.81	.000
Criminal History	Institutional Adjustment 0 = No adjustment problems 1 = Adjustment problems	12% 22%	98.57	.000
Criminal History	Violent Offense 0 = No history or current violence 1 = History or current violence	15% 19%	50.405	.000
Criminal History	Age 0 = 41+ 1 = 26-40 2 = 25 or younger	11% 16% 23%	638.77	.000
Education & Employment	Highest Grade 0 = High school degree or more 1 = GED or less than HS degree	11% 18%	467.44	.000
Education & Employment	Unemployed 0 = Currently employed 1 = Currently unemployed	11% 18%	318.08	.000
Education & Employment	Good Work History 0 = Stable work history 1 = Unstable work history	8% 15%	352.17	.000
Substance Abuse	Alcohol Problems 0 = No current problems 1 = Current problems	12% 28%	264.62	.000
Substance Abuse	Drug Problems 0 = No problems 1 = Current problems	12% 29%	836.48	.000
Social Networks	Family Problems 0 = No problems 1 = Current problems	12% 18%	213.77	.000
Social Networks	Married 0 = Married 1 = Single	10% 16%	187.69	.000
Social Networks	Social Support 0 = Social support present 1 = No social support	9% 15%	361.23	.000
Attitudes	Motivated to Change 0 = Offender motivated to change 1 = Offender resistant to supervision	8% 16%	473.99	.000

Note: Number of cases ranges from 31,773 to 48,470 depending on risk factor.

Appendix 3.***Cross Tabulations between Risk Factors and Re-arrest for Validation Sample***

Domain	Variable	Arrest Rate	χ^2	P
Criminal History	Prior Arrests 0 = No prior arrests 1 = 1-2 prior arrests 2 = 3-6 prior arrests 3 = 7 or more prior arrests	9% 11% 14% 20%	612.91	.000
Criminal History	Community Supervision Violations 0 = No prior CS violations 1 = 1 or more CS violations	11% 19%	369.56	.000
Criminal History	Varied Offending Pattern 0 = 1 type of offending 1 = 2 or more types of offending	14% 20%	196.50	.000
Criminal History	Institutional Adjustment 0 = No adjustment problems 1 = Adjustment problems	12% 21%	87.241	.000
Criminal History	Violent Offense 0 = No history or current violence 1 = History or current violence	15% 19%	59.047	.000
Criminal History	Age 0 = 41+ 1 = 26-40 2 = 25 or younger	11% 16% 22%	499.76	.000
Education & Employment	Highest Grade 0 = High school degree or more 1 = GED or less than HS degree	11% 18%	502.72	.000
Education & Employment	Unemployed 0 = Currently employed 1 = Currently unemployed	11% 18%	379.277	.000
Education & Employment	Good Work History 0 = Stable work history 1 = Unstable work history	8% 15%	371.27	.000
Substance Abuse	Alcohol Problems 0 = No current problems 1 = Current problems	12% 29%	283.03	.000
Substance Abuse	Drug Problems 0 = No problems 1 = Current problems	12% 28%	701.78	.000
Social Networks	Family Problems 0 = No problems 1 = Current problems	12% 18%	197.87	.000
Social Networks	Married 0 = Married 1 = Single	11% 16%	164.99	.000
Social Networks	Social Support 0 = Social support present 1 = No social support	9% 15%	398.44	.000
Attitudes	Motivated to Change 0 = Offender motivated to change 1 = Offender resistant to supervision	8% 16%	507.97	.000

Note: Number of cases ranges from 31,607 to 48,434 depending on risk factor.

Appendix 4.***Cross Tabulations between Risk Factors and Re-arrest for Subsequent Case Plan Periods***

Domain	Variable	Arrest Rate	χ^2	P
Criminal History	Prior Arrests 0 = No prior arrests 1 = 1-2 prior arrests 2 = 3-6 prior arrests 3 = 7 or more prior arrests	6% 8% 11% 17%	3567.58	.000
Criminal History	Community Supervision Violations 0 = No prior CS violations 1 = 1 or more CS violations	10% 19%	2946.37	.000
Criminal History	Varied Offending Pattern 0 = 1 type of offending 1 = 2 or more types of offending	11% 18%	1679.04	.000
Criminal History	Institutional Adjustment 0 = No adjustment problems 1 = Adjustment problems	11% 21%	631.19	.000
Criminal History	Violent Offense 0 = No history or current violence 1 = History or current violence	11% 16%	304.23	.000
Criminal History	Age 0 = 41+ 1 = 26-40 2 = 25 or younger	8% 13% 19%	3183.72	.000
Education & Employment	Highest Grade 0 = High school degree or more 1 = GED or less than HS degree	8% 15%	2509.84	.000
Education & Employment	Unemployed 0 = currently employed 1 = currently unemployed	9% 15%	1235.60	.000
Education & Employment	Good Work History 0 = Stable work history 1 = Unstable work history	6% 12%	2083.60	.000
Substance Abuse	Alcohol Problems 0 = No current problems 1 = Current problems	11% 24%	1344.46	.000
Substance Abuse	Drug Problems 0 = No problems 1 = Current problems	9% 27%	5720.49	.000
Social Networks	Family Problems 0 = No problems 1 = Current problems	9% 15%	1254.19	.000
Social Networks	Married 0 = Married 1 = Single	8% 13%	1096.37	.000
Social Networks	Social Support 0 = Social support present 1 = No social support	9% 12%	744.26	.000
Attitudes	Motivated to Change 0 = Offender motivated to change 1 = Offender resistant to supervision	7% 13%	2039.84	.000

Note: Number of cases ranges from 152,241 to 236,866 depending on risk factor.

Appendix 5.**Scored PCRA Data Items**

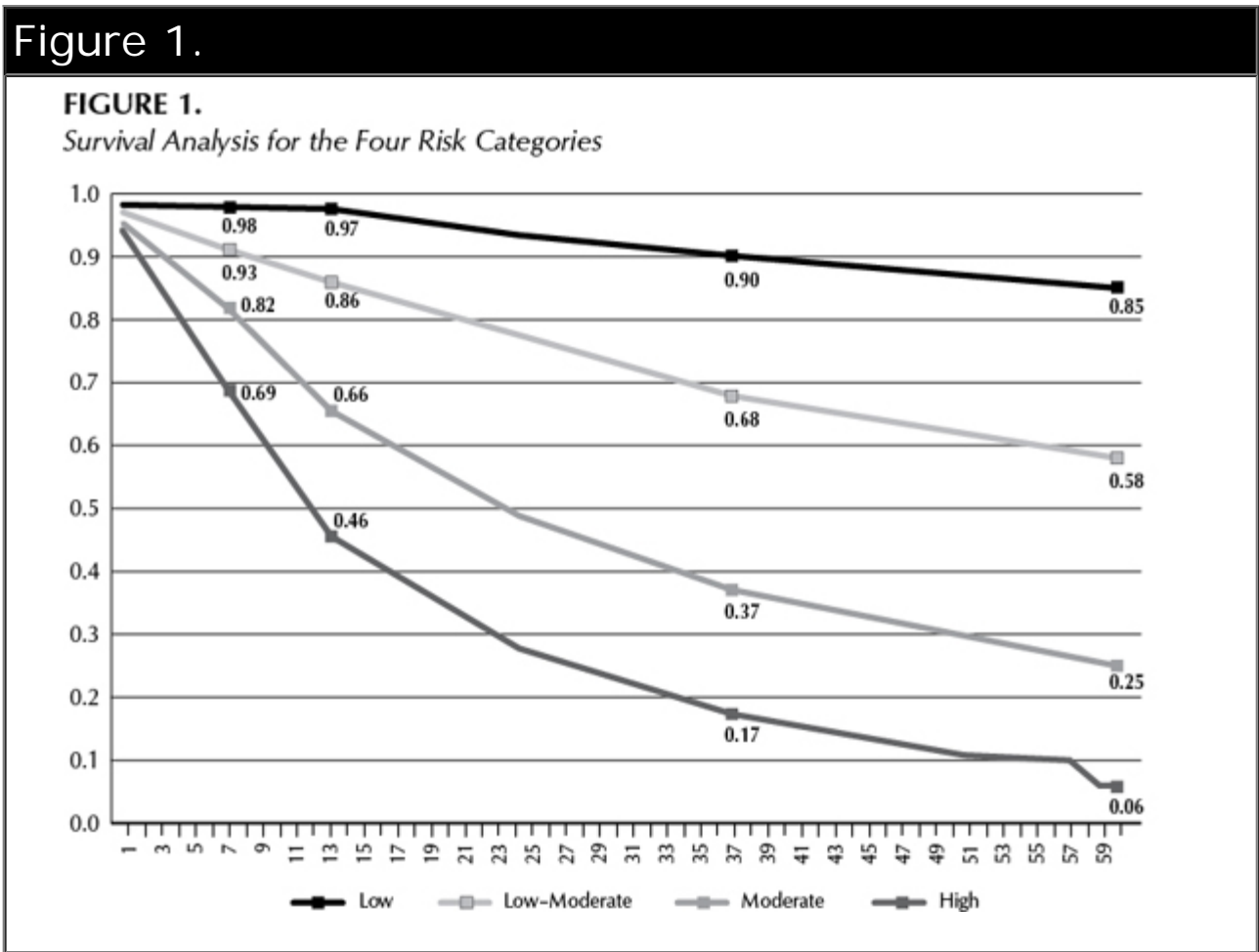
VARIABLE NAME	VARIABLE DESCRIPTION	SCORED ITEM
Date of Birth	Record offender's data of birth in MM/DD/YY format.	Captured in 1.7
# Adult Conv	Record the total number of adult convictions.	Captured in 1.2
# Other Arrests	Record the total number of other arrests.	Captured in 1.2
# Violent Arrests	Record the total number of prior arrests for violent crimes.	Captured in 1.3
# DV	Record the number of arrests for domestic violence.	Captured in 1.3
HXSONC	History of sex offending offenses without contact.	Captured in 1.3
HXSOC	History of sex offending with contact. Code Y for yes, N for no, and U for unknown.	Captured in 1.3
HXSOSR	History of sex offending statutory rape. Code Y for yes, N for no, and U for unknown.	Captured in 1.3
HXSOO	History of other sex offending. Code Y for yes, N for no, and U for unknown.	Captured in 1.3
Varied	How many different types of offenses has the offender engaged in (property, drug, sex, violent, order, other)?	Captured in 1.4
Inst Adj1	Record the number of times an offender was written up during prior terms of incarceration.	Captured in 1.6
Inst Adj2	Record the number of times the offender was officially punished for institutional infractions.	Captured in 1.6
CS Vio	During how many previous periods of supervision did the offender a) commit a new crime or b) have violations that were reported to the court or paroling authority?	Captured in 1.5
High Grade	Record the highest grade the offender completed. If received a GED, code the highest grade completed in school. GED does not equal 12.	Captured in 2.1
Employed PSR	Was the offender employed at the time of the presentence report? Code Y for yes, N for no, and U for unknown.	Captured in 2.2
Employed Arrest	Was the offender employed at the time of the arrest? Code Y for yes, N for no, and U for unknown.	Captured in 2.2
Alc Current	Does the offender have a current alcohol problem? Code Y for yes, N for no, and U for unknown.	Captured in 3.5
Drug Current	Does the offender have a current drug problem? Code Y for yes, N for no, and U for unknown.	Captured in 3.6

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The Construction and Validation of the Federal Post Conviction Risk Assessment (PCRA)

Figures

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Implementing Risk Assessment in the Federal Pretrial Services System

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IN 2009 THE ADMINISTRATIVE Office of the U.S. Courts and the Office of Federal Detention Trustee (a Justice Department agency charged with administering and controlling the costs of pretrial detention in the federal system) published Pretrial Risk Assessment in the Federal Court, which recommended that the federal pretrial services system develop and implement an actuarial risk assessment tool. Ever since then, the system has been moving towards that goal. Lowenkamp and Whetzel (2009) have already detailed the process followed and described the tool that was ultimately developed, the Pretrial Risk Assessment (PTRA). As of August 2011 the tool had been fully implemented in almost all districts; therefore, it seems an appropriate time to assess the tool in light of the available pretrial risk assessment literature, determine how implementation has proceeded in the federal system to this point, and assess the ultimate impact, if any, of the tool on the federal pretrial services system. Perhaps the most important question is whether the tool has begun to affect officer recommendations for release/detention and/or release rates in districts where it has been operational for a year or more.

Pretrial Services Risk Assessment Literature and PTRA

One of the few areas in which pretrial services research initially led the way before our counterparts in post-conviction was risk assessment, with devices utilized in several of the larger cities, including Washington, D.C. (Toborg, Yezer, Tseng, & Carpenter, June 1984) and New York (Ares, Rankin, & Sturz, 1963), long before post-conviction risk assessment devices had been introduced there. Unfortunately, while such risk assessment tools remained in use in those cities, they did not spread to other pretrial services agencies as rapidly as risk assessment tools did in post-conviction organizations. In addition, assessing risk for offenders differs significantly from assessing risk for defendants, making it impossible for post-conviction and pretrial services to share risk assessment devices. For example, pretrial services risk assessment devices focus on failure-to-appear, which is not a focus of post-conviction tools; and post-conviction risk assessment devices focus on long-term recidivism, something that has not historically been a primary concern of pretrial services. Therefore, at least theoretically, there is little crossover

between the two disciplines in the area of risk assessment.

While the literature does not show a lot of work on risk assessment in pretrial services, a comparison with the post-conviction risk assessment literature finds that this is the evidence-based practice area in pretrial services that has received the greatest research attention and there are some studies of excellent quality that cover a wide range of issues (e.g., Toborg, Yezer, Tseng & Carpenter, 1984; Goldkamp & Gottfredson, 1988; Goldkamp & Vilcica, 2009; Levin, 2006). For example, Toborg, Yezer, Tseng, and Carpenter provide an excellent discussion of selectivity bias. First, arrested defendants are detained; because of this detention, their propensity for pretrial arrest and failure-to-appear cannot be observed. Research on the first form of bias is fairly common in the literature and is discussed in most research on pretrial services risk assessment initiatives. However, rarely seen (but discussed in Toborg et al.) is the second form of selectivity bias, which affects defendants released under different scenarios: some without any restriction and others released on various bond types or with various conditions that are based on individual characteristics (Toborg, Yezer, Tseng & Carpenter, 1984:102). Toborg, Yezer, Tseng and Carpenter have done an excellent job of addressing this very important issue, which needs further discussion in the literature.

Typically, defendants who are released on supervision in the federal system are given a "laundry list" of conditions. In fact, beginning in 2009, fully 99 percent of federal defendants who were released had one or more conditions in place. There has been little to no research establishing that any one condition or any combination of conditions helps achieve the desired goals of appearing in court and not committing an offense while on pretrial release. In addition, the conditions frequently result in technical violations, which can cause the defendant to be returned to the court for additional hearings, which can result in the defendant's detention or in modification/addition to the conditions. If these conditions cannot be demonstrated to increase the likelihood that the defendant will appear in court as required and/or reduce new offenses committed by the defendant while on pretrial release, then the significant investment of pretrial release agencies and courts in these conditions and their enforcement is ineffective and unwise. In fact, preliminary research in the federal system seems to indicate that these conditions do not increase positive outcomes; instead, such conditions may increase negative outcomes (VanNostrand & Keebler, 2009:31–33). In addition, a recently completed literature review that focused on release conditions and supervision in all pretrial services entities (federal, state, county, and local) concluded that the evidence for the utility of such conditions is at best weak and in many cases nonexistent. "It must be acknowledged that research in this area is very limited and that more is needed" (VanNostrand, Rose, & Weibrecht, 2010:34). Therefore, more refined testing of the use of pretrial release conditions seems warranted.

Toborg et al.'s research, which used a team-developed risk assessment tool, produced the following very interesting findings: use of the tool led to more defendants being released on less restrictive conditions and with no increase in failure-to-appear or re-arrest rates (Toborg et al., 1984:105); the risk prediction tool that Toborg, et al developed increased release rates by 12 percent with no appreciable increase in failure-to-appear or re-arrest rates (Toborg et al., 1984:58); and, finally, the tool is more accurate for appearance in court than for safety (Toborg et al., 1984:73). Risk tools, while tremendously useful in improving agency decision making and ultimately release recommendations, have limitations. For instance, they are good at identifying groups of defendants who present various risks, but they cannot be totally accurate at the individual level (Toborg et al., 1984:111). Therefore, agencies need to convey to line staff, as the federal system has done, that the tool should not be followed blindly; in addition, they should permit officers leeway to override the tool after staffing with a supervisor or some similar methodology.

Finally, Toborg et al reported one finding that has yet to be replicated: pretrial services supervision had no effect on controlling the risk of nonappearance (Toborg et al., 1984:73). Further research is needed either to disprove or strengthen this finding due to the potential significance it carries if confirmed in other jurisdictions with other risk assessment tools. Once the new tool is fully implemented in the federal system, this finding will be tested.

Goldkamp and Gottfredson studied three urban jurisdictions and presented a seemingly simple conclusion: that judicial involvement is essential to the successful implementation of a risk assessment device (Goldkamp & Gottfredson, 1988:129). That simple conclusion also emerges

in Goldkamp's most recent research on pretrial risk assessment (Goldkamp & Vilcica, 2009:129–30). A finding that spans 22 years, appears in multiple jurisdictions, and derives from different research partners would seem to hold potential as a strong replicable result. Goldkamp and Gottfredson identified some ways to contribute to successful implementation through ongoing training, assessment of the officer's use of the tool, and annual or bi-annual certification of the officer's skills in using the tool. In addition, the Goldkamp and Gottfredson study confirmed the major findings of Toborg et al's earlier research. Unfortunately, the federal pretrial services risk assessment was not developed with judicial input. The early data emerging from its implementation in the federal system suggests that the lack of judicial input has made the tool less effective in increasing officer recommendations for release and achieving increased rates of defendants released in the federal system. However, as implementation has progressed, opportunities for judicial training and input have been identified and implemented. The input from judicial officers is likely to continue and even grow, providing opportunity for further refinement, based on judicial input, in the future.

One of the strengths of the Goldkamp and Vilcica research is that it squarely takes on one of the most enduring "urban legends" of pretrial services risk assessment research. Most pretrial services agencies, including the federal system, continue to capture data on and analyze the variable "community ties." While some of the fascination with this variable stems from its identification as an important variable in the "granddaddy" of all pretrial services research, the original Vera project, the "community ties" variable likely endures because of its tremendous "face validity." Its inclusion in the small number of long-standing important pretrial services variables is certainly not warranted by the research results of the last 20 years. However, most researchers merely ignore the variable of community ties, since the analysis does not bear out its value (see, for example, Administrative Office of the United States Courts, 1979; VanNostrand, 2003; VanNostrand & Keebler, 2009; Winterfield, Coggeshall, & Harrell, 2003). Goldkamp and Vilcica take on the lack of value of community ties for pretrial risk assessment and ultimately remove it from its lofty perch.

Goldkamp's analysis of factors influencing judicial decisions at the pretrial release decision, however, found that contrary to the intended effect of Vera-type information-based reform procedures community ties items did not play a significant role in shaping judges' actual pretrial custody decisions—and were not helpful predictors of defendant risk. (Goldkamp & Vilcica, 2009: p. 124).

In the research used to develop the PTRR, a "community ties" variable known as "Time in Area" was tested and found to have no predictive value in the PTRR model.

A seemingly "obvious" issue not found in virtually any other research on the topic of risk assessment is the importance of including judicial officers in the development, implementation, and ongoing use of a risk assessment device. Only Goldkamp and Vilcica's findings discuss this issue, not to mention endorsing the strong role it played in the Philadelphia research: "As a judicially developed and adopted policy, it stands alone in the nation in the first years of the 21st century—one might argue, in isolation—as an empirically informed approach to the problem of judicial discretion at the bail stage" (Goldkamp & Vilcica, 2009:129–30). As mentioned earlier, the federal system is currently implementing a risk assessment tool without judicial involvement, which could be impacting the acceptance and use of the tool in the federal system, although opportunities for judicial training and input have progressively increased in the course of implementation.

Given Goldkamp and Vilcica's vision of pretrial justice and their desire to improve the pretrial release process and reduce judicial discretion, it is almost shocking that they missed the importance of pretrial detention and made their tool detention neutral (Goldkamp & Vilcica, 2009:134). This is especially true since Philadelphia has operated pretrial services under federal court supervision due to jail overcrowding at various times during the 20-plus years encompassed by the guideline project in Philadelphia. Reducing unnecessary pretrial detention needs to be a core principle for pretrial services and judicial officers, given the negative consequences of pretrial detention at subsequent phases of the criminal justice system. The negative impact of detention on defendants has previously been documented.

Defendants incur significant costs when they are detained while their case is pending

(Goldkamp & Gottfredson,1985:17; Foote, 1954; Klein, 1997:292; Williams, 2003; Rankin, 1964; Tarturo & Sedelmaier, 2009:218). Research has consistently shown that a defendant's pretrial release or detention status impacts case disposition and ultimately sentence. Proponents of pretrial release argue that several factors contribute to that outcome: 1) detainees have reduced access to their attorneys, which limits the defendant's ability to fully participate in the preparation of the defense case; 2) detention exerts great pressure on the defendant to plea bargain the disposition of the case; and 3) detention creates negative perceptions of the detainee in the minds of the court/jury who convict and/or sentence the defendant. Goldkamp concluded that the effect of detention was more limited, in that its only demonstrated impact was an increased risk of receiving a sentence of incarceration when compared to released defendants.

Levin's research revealed that a defendant's odds of failing to appear in a county that uses a quantitative risk assessment are .40 times lower than the odds faced by a defendant appearing in a county that uses qualitative risk assessment (Levin, 2006:10). In addition, if the county uses some mix of quantitative and qualitative measures, defendants are still less likely to fail to appear than if they used qualitative alone (Levin, 2006:10). Finally, if the county uses some mix of quantitative and qualitative measures, defendants are also less likely to be rearrested (Levin, 2006:11).

The literature on pretrial services risk assessment clearly establishes several important premises: "objective risk assessment produces more non-cash release recommendations" (Cooprider, 2009:15); "Notwithstanding a broader definition of 'pretrial failure' and cutting field contacts in half, violation rates declined or remained stable since the implementation of objective risk assessment" (Cooprider, 2009:15); and predictive items identified in pretrial services risk assessment research change over time and therefore must be re-validated on an ongoing basis to ensure their integrity and effectiveness (e.g., VanNostrand, 2003; VanNostrand & Keebler, 2009; Siddiqi, 2002).

The need for validation of pretrial risk assessment tools is illustrated by the following example of an established risk assessment finding that is likely to change. Risk prediction research in the city of New York for the past 20 years has established with relative consistency the predictive value of having a telephone in the residence of the defendant. Given the move in the past decade from the dominance of landline technology to increasing reliance on cell phone technology, it seems unlikely that future research will continue to find great predictive value for a landline phone in the defendant's residence (Siddiqi, 2002:2). Fortunately for citizens in New York City, the agency providing pretrial services has an excellent research operation that re-validates its risk prediction tool every three to five years as warranted. Ongoing re-validation is an essential step for all pretrial risk assessments and it will be an ongoing component of the federal risk assessment program.

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Federal Risk Assessment

One of the major recommendations of the Office of Federal Detention Trustee research is that the pretrial services system should develop and implement an actuarial risk assessment tool (VanNostrand & Keebler, 2009). The Pretrial Services Risk Assessment tool was constructed using the same data employed in the Office of Federal Detention Trustee research. The Office of Probation and Pretrial Services hired a staff person proficient in the development of actuarial devices and ultimately developed the tool internally. The result is an objective, actuarial instrument that provides a consistent and valid method of predicting risk of failure-to-appear, new criminal arrest, and technical violations that lead to revocation while on pretrial release. The instrument contains 11 scored and 9 unscored items. The unscored items are rated as either A or B and do not contribute to the current overall risk score. However, they will be analyzed for future revisions aimed at improving the predictive value of the tool. The scored items are given a number of points (0, 1, or 2), which are then added up to produce an overall score. When administered correctly, the Pretrial Services Risk Assessment provides a score that allows for classification into a risk category. Those risk categories are then associated with rates of failure-to-appear, new criminal arrest, and technical violations leading to revocation (See [Table A](#)).

When a defendant or material witness is arrested or summoned to appear before the court for an initial appearance, the magistrate judge typically requires a pretrial services report based on the investigation conducted by the pretrial services officer. The officer interviews the defendant to gather information for the report, which contains: defendant case information, including residence; family ties; employment history; financial resources; health (including mental health and substance abuse histories); and criminal history. Based on this information, the officer will provide the court with an assessment of whether or not the defendant is likely to appear for court proceedings in the future and whether he or she presents a danger to the community. Finally, the last section of the report provides the officer's recommendation to the court for the release or detention of the defendant. Once an officer has been trained on the new risk prediction tool, that recommendation should routinely be based on the Pretrial Services Risk Assessment, although the officer can depart from the tool's recommendation after staffing the results with his or her supervisor.

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Implementation

Once developed, the Pretrial Services Risk Assessment tool was piloted in several districts and formal implementation of the tool began in January 2010. As of June 2011, there were 72 districts "live," using the tool on "all" cases; 87 districts trained and certified in using the Pretrial Services Risk Assessment tool; and 6 districts yet to be trained.¹ In terms of numbers of officers, as of June 1,742 pretrial services officers had been trained and 1,338 certified to use the tool effectively. National implementation was completed in almost all 93 districts by August 2011.

The certification process should also provide a measure of the effectiveness of the tool and the quality of the training; however, all of the necessary data elements are not available in a format that allows them to be extracted and analyzed. The certification process requires the user to successfully complete two of three risk assessment tool scenarios. At this writing no officer has failed to be certified through that process; however, data is not available on whether all officers passed after completing just the two scenarios. Were that the case, it would indicate successful training and the tool's effectiveness. While trainers can be encouraged that no trained officers have failed to be certified, conclusions beyond that are not warranted without the actual data.

The pretrial risk assessment was first implemented in two pilot districts (Nebraska and North Carolina Western), where forms, policies, and procedures were also implemented and tested. The pilot focused primarily on issues such as ease of use to insure that the national implementation went forward with as few complications as possible. That pilot led to such changes to the tool as clarification of definitions, modification of the tool form, etc. However, those changes were for the most part routine and implementation progressed without major problems.

The only remaining concern in the implementation is the pace of districts using the tool on all cases. The federal system averages about 26,000 pretrial investigations and reports per quarter. Unfortunately, the PTRAs are averaging about 4,000 per quarter, leaving 22,000 reports without PTRAs scores. That pace must improve significantly and quickly. OPPS has begun tracking investigations/reports and PTRAs scores by district to enable us to quickly identify and address districts that are not producing a PTRAs for every report submitted.

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Initial Results

The implementation of the tool has generated great debate over the finding (represented in the scores of "1" for defendants charged with violent offenses) that violent defendants in fact perform better than most other defendants in terms of re-arrest, failure-to-appear, and technical violations leading to revocation of pretrial release. However, the results found in the federal study are consistent with other similar findings: "defendants charged with more serious offenses and violent have not posed a high risk of failure pending trial in past research" (Austin, Krisberg & Litsky, 1984:30; VanNostrand & Keebler, 2009:21; Toborg et al., 1984:56). Pretrial services

officers can be quick to convert long rap sheets into detention recommendations, citing public safety; however, in many cases the evidence does not support that conclusion.

Early results from the first three months of implementation in the two pilot districts (Nebraska and North Carolina Western) showed that the tool increased officer recommendations in favor of release, which was a desired goal of the risk assessment tool. The early pilot results showed no impact from the tool on actual release rates. In the first year of operation, after excluding immigration cases (since the vast majority of those defendants are detained), for the January 1, 2010 through December 31, 2010 timeframe the Western District of North Carolina increased recommendations for release 13.5 percent and increased defendants actually released 6.1 percent. In the first year of operation, again excluding immigration cases and focusing on the one-year period from January 1, 2010, through December 31, 2010, the District of Nebraska increased recommendations for release 2.0 percent and increased defendants actually released 1.4 percent. These are significant trends for the pilot districts and we can hope that those trends will continue nationwide as use of the tool becomes more widespread and ultimately universal.

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Future Questions

The largest issue facing the federal pretrial services system is unnecessary pretrial detention. As [Table B](#) shows, significant percentages of low-risk defendants (PTR A 1 & PTR A 2) have been detained over the past five years and in all likelihood will continue to be detained unless two things occur: pretrial services officers prepare strong, factual, and accurate pretrial services reports that contain strong release recommendations and (where appropriate) release packages designed to protect the community and ensure pretrial justice for the defendant, and 2) United States magistrate judges assume a higher level of risk in selecting defendants for release than they been willing to assume in the past five years. For magistrate judges, such a change in practice would itself be risky, since they must apply the Bail Reform of 1986 to the more than 100,000 defendants who appear before them each year. Such openness to pretrial release is not for the faint of heart. Luckily the position is staffed by some of the most talented and dedicated public servants to ever serve in the federal justice system.

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Implementing Risk Assessment in the Federal Pretrial Services System

Tables

[Table A](#)
[Table B](#)

Table A.

Likelihood of outcomes based on event occurring during pretrial period.

Risk Category	N	%	Risk Score	FTA	NCA	FTA/NCA	TV	FTA/NCA/TV
Category 1	52,677	29	0–4	1%	1%	2%	1%	3%
Category 2	52,653	29	5–6	3%	3%	5%	4%	9%
Category 3	49,920	27	7–8	4%	5%	10%	9%	18%
Category 4	21,779	12	9–10	6%	7%	15%	15%	28%
Category 5	4,710	3	11+	6%	10%	20%	19%	35%

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Table B.*Detention Rates by Risk Category for the Last Five Years*

	PTRA 1	PTRA 2	PTRA 3	PTRA 4	PTRA 5
FY06	16.7%	37.0%	55.2%	73.6%	86.9%
FY07	17.7%	37.3%	55.8%	73.1%	86.4%
FY08	19.4%	37.4%	54.8%	72.3%	85.0%
FY09	18.8%	39.6%	56.2%	70.4%	83.1%
FY10	18.5%	38.6%	55.0%	69.0%	81.6%
FY06–10	18.2%	38.0%	55.4%	71.8%	84.8%

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The Development of the Evidence-Based Practice Blue Print and Where We Are Now

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THE OFFICE OF PROBATION and Pretrial Services (OPPS) of the Administrative Office of the U.S. Courts (AO), in keeping with guidance from the Criminal Law Committee of the Judicial Conference, has worked to support and guide the adoption of evidence-based practices in the probation and pretrial services system. The adoption of an evidence-based philosophy requires the use of assessment tools; the development of supervision and programming options that are informed by evidence; the use of research; and the development of staff skills to support programming and service delivery. The supervision and programming principles derived from research, when implemented well, lead to a more efficient and effective system, maximizing the reduction in recidivism.

In August 2009, OPPS formed the Evidence-Based Practice (EBP) Working Group to assist OPPS in developing a plan for the strategic implementation of evidence-based principles in the federal probation and pretrial services system. The working group embodies a team approach, with members representing the probation and pretrial services officers from various districts, OPPS, and the Federal Judicial Center (FJC).

The working group first met for three days in October 2009. Before the meeting, group members were asked to review literature and research that would be used to help guide our conversations in a way that would maximize the value of our time together. Our initial meeting included discussion and lively debate on various topics, including but not limited to: a historical context of the movement toward evidence-based practice in the federal system; the principles of risk, need, responsivity, fidelity and measurement; use of an actuarial risk assessment instrument; supervision skills; case planning; and implementation. Our review of the literature focused on: (1) our general impressions; (2) information gleaned from the various articles; and (3) ways to make interaction with defendants and offenders purposeful, intentional, and productive.

Throughout the course of the meeting, several things became evident and ultimately led us to identify three primary goals:

- *Goal 1: Educate all and provide a common foundation and understanding of EBP.* Unlike a local, county, or state system where things may be easier to implement uniformly and/or control, we are 94 federal districts with our own unique issues and cultures. We have varying levels of interest and varying levels of readiness. Due to the varying levels of readiness, we identified the need to establish a common foundation of knowledge as a primary goal.

Goal 2: *Implementing an Actuarial Risk Assessment*. Based on the research, the working group concluded that the use of an actuarial risk/needs assessment was absolutely necessary, and needed to be the foundation to build upon. After much discussion, the working group unanimously endorsed the use of the Post Conviction Risk Assessment (PCRA) for a variety of reasons including: 1) it was developed using data from our federal population 2) it provided continuity among the districts; and 3) unlike an off-the-shelf item, it was specifically designed to fit our needs.

- Goal 3: *Teaching officers supervision skills that will have the greatest effect on reducing recidivism*. Research tells us that the skills used by officers during their working alliance with offenders are a critical component to lasting change. The working group felt that it is essential for officers to have this skill set.

The working group also believed that transparency would be important as the system moved toward becoming outcome based. We thought that openness and inclusion of all federal probation and pretrial services districts was a critical component. In order to extend as much information as possible beyond the working group, we agreed to send out our information in the weekly memos that are issued from the Office of Probation and Pretrial Services to district chiefs as well as through other avenues available to us, such as *News & Views*, the internal newsletter for federal probation and pretrial services; Chiefs Conferences; the American Probation and Parole Association (APPA); Chief and Deputy Chief Administrative Meetings; Chiefs Advisory Group meetings; various trainings and conferences; and our system's EBP website.

Recognizing the enormity of our mission and the system-altering shift we were suggesting, the working group concluded it was necessary to put forth a document that provided chiefs and districts with a "Blue Print" to incorporate evidence-based practices in their districts, with the goal of changing offender behavior and reducing recidivism. We also believed it was important to hold a symposium for all chiefs to bring everyone together to discuss this important topic. Shortly after our initial meeting concluded, the Chiefs Advisory Group was given a summary of this meeting and advised of our plan to create a "Blue Print" and to plan a Chiefs Symposium. The Chiefs Advisory Group was very supportive, and endorsed the idea of the symposium.

As co-chairs of the working group, we embarked on creating a draft "Blue Print" that was based upon the relevant research and encompassed all of the information the working group discussed, reviewed, and debated during our meetings. The National Institute of Corrections (NIC), in concert with the Crime & Justice Institute (CJI), developed *An Integrated Model* for the effective implementation of evidence-based practices that combines Evidence-based Principles; Organizational Development; and Collaboration. The "Blue Print" embraces this integrated model with an approach that takes into account the different levels of readiness in the federal probation and pretrial services districts. The plan supports both interdependence and local innovation. The eight principles for effective interventions outlined by the NIC/CJI have been used as a starting point and foundation for the federal system to build upon. The strategic plan utilizes the conceptual framework of the eight, while incorporating others that have been supported by empirical data to identify five core principles of effective intervention for our system. Initiating and maintaining offender interventions and supervision practices consistent with these five principles will maximize our system's ability to reduce recidivism rates. The five principles are: Risk, Need, Responsivity, Fidelity, and Measurement.

Our initial draft of the blueprint was vetted through a subcommittee of the working group before eventually being vetted through the entire working group. On December 11, 2009, the working group approved a draft document that was posted on the federal judiciary's internal website (J-Net) for comments from the field. We then focused on the plan and agenda for the symposium. In February 2010, a two-day Chief's Symposium on Evidence-Based Practice took place in Houston, TX.

Since the development of the blueprint and the Chief's Symposium, significant progress has been made toward achieving the goals identified in the strategic plan.

- Goal 1: *Ensure a common foundation of knowledge and understanding of EBP and research on risk and reducing recidivism by providing EBP 101 to all districts*.

Working collaboratively with OPPS and the Administrative Office of the U.S. Court's Office of Public Affairs, the working group helped develop EBP 101 training for the field. The training, which was held live in the District of Maine, was taped and has been available to all districts through the federal judiciary's intranet since October 2010. Districts conducting the training with the use of the viewer's guide have reported much greater success with training and implementation of the new Post Conviction Risk Assessment (PCRA). Feedback suggests that districts find the practical discussion very useful in addition to the lecture portion that discusses the science behind the principles.

- Goal 2: *Ensure the national use of the Post-Conviction Risk Assessment by September 2011 with the rollout of PACTS Gen 3.*

Although we have no control over the rollout of PACTS Gen 3, the newest generation of our system's Probation and Pretrial Services Automated Case Tracking System, we have successfully completed 13 PCRA training sessions and as of this writing in the summer of 2011, have 3 remaining. By September 2011, all current supervision officers will have completed the training. Along the way, there have been minor adjustments to the training based on feedback received from attendees, information gleaned from the Pre-PCRA Conference Calls, and districts' completion of EBP 101. Trainers have become increasingly comfortable with the material and process, and feedback from the training sessions has been positive.

- Goal 3: *Ensure that officers are providing effective interventions in their direct contact with offenders with Core Correctional Skill Building.*


Over the last year OPPS has trained 155 officers in STARR (Strategic Techniques Aimed at Reducing Re-Arrest). As a system, we are beginning to build a contingency of STARR coaches, which is a critical part of the process. The EBP Working Group and OPPS are continuing their efforts to develop models of delivery for STARR training. Interested districts need to be able to support implementation efforts by using the PCRA and developing local coaching expertise.

In concert with the Office of Probation and Pretrial Services and the EBP Working Group, the Federal Judicial Center committed to take on the domains of organizational development and collaboration set out in the NIC *Integrated Model*, to provide education and consulting services to probation and pretrial managers, district and magistrate judge, and federal defenders. The following programs have been developed or reengineered to meet this goal:

- Facilitating Offender Reentry to Reduce Recidivism: A Workshop for District Teams
- Quality Improvement Seminar for Federal Reentry and Post-Conviction Drug Courts
- Leading Organizational Transitions Training for Trainers
- Customized Consultation on EBP and Reentry Projects
- Executive Team Training
- New Chief Training
- New and Experienced Deputy Chief Training
- New and Experienced Supervisor Training

As co-chairs of this very active working group, we are proud of the commitment, motivation, and dedication the members of our group have demonstrated. We continue to work diligently to meet our goals and to provide the field with the most current research and information relevant to the incorporation of evidence-based practices in the United States Probation and Pretrial Services System.

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Judge-Involved Supervision Programs in the Federal Courts: Summary of Findings From the Survey of Chief United States Probation Officers

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IN THE FALL OF 2010, the Federal Judicial Center (Center) surveyed chief United States probation officers to gather information about the status of federal post-conviction supervision programs that are modeled on state and local drug and reentry courts. The survey was undertaken at the request of the Judicial Conference Committee on Criminal Law as part of a larger study of reentry programs in the federal system.¹ This report summarizes the survey

results in the areas of program goals, design, resources, and reach and discusses the role and resource implications of various design features.

The survey proceeded in two stages. On October 4, 2010, the 93 probation chiefs were polled on whether their districts had or were planning judge-involved supervision programs. Districts known from previous surveys or trainings to have programs were asked if the program was still operating and, if so, to confirm the start date.² Others were asked if they had or were planning a program described as follows:

The types of programs in which the Committee is interested are those that employ the authority of the court to impose graduated sanctions and positive reinforcements in a less formal team approach to supervising targeted offenders. The team involves a judge and typically representatives of the probation office, U.S. Attorney's office, and public defender or other defense bar representative. Service providers may also play a role as either members of or advisors to the team.³

This poll identified 41 districts that were (or would be by end of year 2010) operating 45 judge-involved supervision programs. On October 28, 2010, the Center sent a detailed survey to the chief United States probation officers in 36 districts that host 39 of these programs. (Courts participating in an experimental segment of the larger study of reentry programs⁴ and programs in operation for less than six months were excluded.) All surveys were returned before the end of November.

Program Development and Training

Over three-quarters of the federal judge-involved supervision programs were developed at the request of the court. This is a relatively new movement, with the majority of programs starting within the last two years. Almost all of the programs drew from other existing federal programs: team members in all but two courts travelled during the planning stage to observe at least one other district's program in action.

One-third of the program teams participated in a Center reentry team training program that emphasizes the collaborative and organizational elements of team supervision. Other prominent sources of information and training were the National Association of Drug Court Professionals—with at least one team member in 62 percent of the programs attending one or more of its annual training sessions; and the National Drug Court Institute, whose staff visited just under one-quarter of the program districts during their program development process.

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Type of Program and Eligibility Criteria

Despite the cross-fertilization of programs across districts, no two programs are identical. There are many sources of these differences, but most important from a design and research perspective is the program's goal as defined by the primary problem it is to address. Although the term "reentry" has been used widely in the judge-involved supervision context, the majority of the 39 surveyed programs target substance abuse rather than prisoner reentry.

Typology by Program Goals

In the post-conviction context, reentry is defined as "the process of leaving prison and returning to society."⁵ Reentry programs are therefore exclusively for ex-prisoners and are designed to address the whole range of issues critical to a prisoner's successful reintegration into the community. They are aimed at higher-risk offenders most in need of assistance, and target the services and oversight these higher-risk offenders receive based on a thorough, individualized assessment of their criminogenic risks and needs.

There are five federal judge-involved reentry programs that target higher-risk supervised releasees,⁶ regardless of their substance abuse history or any other specific problem. Three of these five programs are limited to offenders newly received for supervision—a critical period in the prison-to-community transition. The other programs are either open only to offenders with a

particular type of problem and/or accept probationers (who are not returning from prison) as well as supervised releases.

- Three reentry-drug focused programs target offenders who are returning from prison to the community, but only if they have a documented history of substance abuse.
- The majority of the programs—20—follow a general “drug court” model, available to probationers as well as supervised releasees as long as they have a documented history of substance abuse. (One of these operates as an alternative to revocation and targets only substance abusers who are charged with a violation.)
- Three programs target probationers or supervised releasees who have problems other than substance abuse. One targets gangs, another mental health, and a third Native Americans who lack coping skills.
- The remaining seven (7) programs are available to any higher-risk probationer or supervised release who meets the risk criteria set for the program.

It is not surprising that so many of the programs focus on substance abuse given the reported success of drug courts at the state and local level, and the availability of training from drug court professionals. There were, however, no significant differences across program types in the frequency with which they sought training from the National Association of Drug Court Professionals or the National Drug Court Institute during program development.⁷

Correlates of Program Types

Looking at program eligibility criteria beyond the basic reentry and problem focus that define the different program types, there are only two that differentiated significantly among programs. As might be expected, programs designed to address substance abuse or another specific type of problem are significantly less likely than others to target high-risk offenders *per se*, and the programs focused on substance abuse are more likely to accept offenders already under supervision in addition to the new arrivals.

Assessing Risk

Across program types, 44 percent of the programs target high-risk and 25 percent target moderate-risk offenders. The Risk Prediction Index (RPI)⁸ score is used to determine the degree of risk in all but two of these programs. RPI scores for program eligibility in the 27 programs that target high- or moderate-risk offenders range from 3–6 at the low end to 7–9 at the high end, with a span of 6–9 the most common RPI risk criteria, adopted by seven programs.

In addition to risk level criteria, some programs also have offense type eligibility requirements to address the *nature* of a potential participant’s risk. All types of offenders except sex offenders are eligible or eligible under certain circumstances to participate in the majority of programs, and 28 percent of the programs do not automatically exclude sex offenders. The two program types that target substance abuse have a higher tendency to automatically exclude violent offenders, illegal aliens, and those with serious mental health problems.⁹

The actuarial risk levels adopted by the programs, and their inclusion of many very serious offenders, indicate that most aim their intensive programs at offenders at the higher levels of need and risk. On the other hand, most programs also predicate participation on some evidence that an offender is willing to change. All of the programs but two (one a reentry program, the other the Native American program) are voluntary; in 77 percent, the participant must have verbalized a readiness to change.

Other Eligibility Limitations

For practical reasons associated with the length and requirements of a program, the eligibility rules of a majority of the programs have a minimum term of supervision or time remaining under supervision (ranging from 12 to 36 months, with 24 months the most common) and include geographical constraints that require participants to live in the jurisdiction where the court convenes and/or in an area where appropriate services are available.

Selection Process

The probation office is involved in the initial screening for participants in all programs, and solely responsible for making the preliminary recommendation in 28 (72 percent). Once screened as eligible, the final decision to accept or offer participation to an offender is most commonly made by team consensus, but five programs rely on team majority and in eight programs the program judge or the probation office makes the final selection.

Incentives for Program Participation

The 37 programs that are voluntary vary significantly in the percentage of offenders who agree to participate, from a reported low of 3 percent to a reported high of 100 percent. The median across programs is 80 percent. The high volunteer rate in a number of programs is likely influenced by officer pre-screening of offenders on issues related to their likelihood of volunteering, e.g., assessing willingness to change *before* offering the program.

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Reduction in Supervision Term

The primary incentive offered for participation is a reduction in the term of supervision for offenders who graduate from the program.¹⁰ Most commonly—in over 80 percent of the programs, the reduction is a year off, but there are some variations. In one program, the reduction varies depending on the length of the supervision term, e.g., 1 year off a 3-year term, 18 months off a 4-year term, 2 years off a 5-year term. In others, supervision is terminated regardless of the length of the remaining supervision term, either when the offender graduates from the program (1 program) or after 12 months of successful post-graduation traditional supervision (4 programs). In another program, each team member makes a recommendation of from one year off to immediate discharge after 12 months of successful post-graduation traditional supervision.

There are also variations in the certainty of the reward. One aspect of certainty is whether offenders are told up front that, if they are successful, their supervision term *will* be reduced (55 percent of the programs) or that the reduction will be *recommended* to the court (45 percent of the programs). This feature of the reward is related to whether or not the program is headed by an active district judge, reflecting the reality that, in most circumstances, magistrate judges will be recommending the early termination of supervision to the district court judge with jurisdiction over the case.

A second element of certainty is the vesting of the reduction. In 55 percent of the programs, the reduction vests upon a successful offender's graduation, but

- in 26 percent there are other “good behavior” requirements (e.g., additional months of sobriety or successful supervision) that must be satisfied after graduation, and
- in 18 percent the reduction is granted at graduation but does not vest, i.e., it can be rescinded for subsequent noncompliance.

Vesting at the time of graduation is no more likely in programs in which offenders are told up front that they will get the reduction than in those in which the promise is for a recommendation; and neither of the certainty elements correlates with reported volunteer rates.¹¹

Less Adversarial Procedures

All but one of the programs are structured to use graduated sanctions under less adversarial procedures to address offender noncompliance of varying degrees.¹² These programs require participants to consent to the imposition of specified sanctions by the program judge under the less formal program process. This allows a broader range of sanctions—up to and including short jail time¹³—to be implemented without delay while maintaining the offender in the program and outside of normal violation procedures.¹⁴ Noncompliance involving violations of at least moderate severity are handled under less formal program procedures in 79 percent of the programs, including 18 percent that handle high severity violations within the program.

Just over one-third of the programs also utilize less formal hearings conducted within the program to address whether a charged violation occurred if disputed by the offender. Of the 25

programs that instead refer contested noncompliance issues for consideration under regular violation procedures, three-quarters either maintain the offender in the program or permit return regardless of the outcome.

Most programs maintain commitment to the eventual reintegrative goal even when revocation is necessary, with 79 percent permitting—and one requiring—a revoked offender to return to the program upon re-release.

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Program Structure

Length

Absent noncompliance, the amount of time from program start to graduation ranges across programs from 5 to 18 months, with 12 months—the “best case” duration of 33 programs—by far the most common. In keeping with the commitment to success, all programs permit offenders who have some difficulty meeting supervision goals but remain engaged to take longer—usually up to 18 months—to meet graduation requirements.

Phases

The majority of programs have just one pre-graduation phase, during which offenders meet regularly with the team weekly (1 program), bi-weekly (4 programs), monthly (15 programs), or quarterly (1 program); but 10 of these programs have a post-graduation phase requiring that offenders complete an additional 12 months of successful traditional supervision after graduation to earn the reduction in their supervision term.

There are 17 programs that have from two to four pre-graduation phases that step offenders through decreasing levels of intervention and oversight (e.g., program team sessions, reporting to the probation officer, drug testing) as the participants reach increasingly demanding benchmarks of success (e.g., finding a job, attending program and treatment sessions as required, remaining drug-free for specified periods of time). Of the 17 programs with pre-graduation phases, all but three require offenders to meet with the program team weekly or bi-weekly during the first phase, and reduce to monthly sessions by the last phase.

Interim Rewards

All but two programs offer interim rewards before graduation, most commonly public acknowledgement of success and written acknowledgement of achievement. Over half—56 percent—of the programs also give token gifts, and one-third offer phase advancement or other reduced reporting requirements as offenders meet interim goals throughout the program. These are used as tools to shape pro-social behavior and to encourage active participation and program completion.

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Team Composition

Collaborative teamwork is a key element of the drug court movement that gave impetus to judge-involved supervision programs. All of the surveyed programs operate with a team, comprising—at a minimum—a program judge and federal probation office staff. Three programs have no other team members, whereas ten of the surveyed programs feature a full team comprising a prosecutor, defense counsel, and service provider in addition to the judge and probation office staff who participate in *all* program tasks. These tasks include selecting program participants, staffing cases with the team before court sessions with offenders, attending court sessions with offenders, and helping to select appropriate rewards for offender achievements and sanctions for offender noncompliance.

Service providers are far less likely than either of the attorneys to play any of the key program roles—particularly selecting participants. When the programs were grouped by whether or not they targeted substance abuse, those that did were significantly more likely to include a service provider as a team member and to have that service provider perform all program tasks. This highlights that the role, if any, of a service provider on the team—and the type of provider

included—reflects as it should the nature of the population being served.

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Program Responsibilities and Traditional Roles

Judge-involved supervision programs are designed to provide for collaborative, intensive team supervision and therefore add responsibilities to the traditional roles played by the judges, probation office staff, attorneys, and service providers involved. Some of these responsibilities are natural extensions of traditional roles, while others require new skills and ways of thinking. All require additional time and attention.

Judges

Most judge-involved supervision programs are specifically designed to move judges away from their independent adjudicative role to one in which they collaborate with criminal justice and community service professionals in a less formal team approach to monitoring and motivating offenders' pro-social behavior and personal growth. Program judges undertake these responsibilities in addition to their regular duties, with none receiving a reduction in case assignments.

In the 39 programs surveyed, 64 judges were involved routinely as the program judge—25 active district judges, 6 senior district judges and 33 magistrate judges.¹⁵ An additional 23 judges participated occasionally as backup program judges.

Depending on the program, program judges schedule sessions with offenders weekly (18 percent), bi-weekly (36 percent) or monthly (46 percent). The sessions are scheduled to last anywhere from 30 minutes to 3 hours, with most programs setting aside an hour. From 3 to 30 offenders participate in each session, with a median of 10 participants across programs.

Collaborative Decision-Making

Most program judges are part of a collaborative decision-making structure. In all but two of the programs, the judge convenes a case conference among team members prior to each court session to discuss offenders' progress and appropriate rewards and sanctions. Depending on the program, these sessions are scheduled from 15 minutes to 2 hours, with most programs setting aside an hour.

A consensus process is used in the majority of programs to select appropriate rewards, but the sanctioning decision in the majority of programs is left to the judge with input from the team. This style of decision-making provides for collaborative input, but recognizes that both program requirements and broader federal supervision policy require an appropriate, proportional response to *each* act of offender noncompliance. Where there is disagreement among team members as to what is appropriate, someone has to decide if there was noncompliance and, if so, the appropriate sanction. These decisions fall within the traditional role of the judge; no other team member has the authority to impose the full range of program sanctions.

Informality

Despite the less formal structure of the programs, almost three-quarters of the 64 program judges conduct the offender sessions robed, and 30 of these are also seated on the bench in the traditional court setting. Other judges mix elements of formality, wearing robes but sitting at a conference table with offenders and other team members, while only five (5) sit at a conference table with the others in street clothes rather than judge's robes—the least formal configuration.¹⁶

Probation Office Staff Officers

The role of probation officers in judge-involved supervision programs fits squarely within their traditional and statutory responsibilities (18 U.S.C. § 3603). These duties include keeping the court informed of the conduct and condition of a person under supervision and using “all suitable methods, not inconsistent with the conditions specified by the court” to aid a person under supervision and “bring about improvements in his conduct and condition.” Further, current supervision policies are based on the same principles that undergird judge-involved

supervision programs: targeting supervision resources at higher-risk offenders, targeting the services these higher-risk offenders receive to their criminogenic risks/needs, and transitioning to less structure throughout the period of supervision.

The judge-involved supervision programs add to what would be expected from a regular supervision plan the requirement that the offender report to the program team at regular, specified intervals. In addition, unlike the general guidance provided by supervision policies, many programs set specific contact levels for offender reporting to the probation office, many of which start quite high (weekly or bi-weekly) and decrease over time. These specific requirements may or may not be different from what would have been required absent the program, but are likely to be more intensive for officer and offender alike. The collaborative team approach also adds to the officer's role much of the responsibility for coordinating, if not the team itself, then the information that is reported to the team on a regular basis.

In the 39 programs surveyed, 101 probation officers—64 line officers and 37 specialists—supervise program offenders, with a range of from 1 to 8 officers across programs. Two-thirds of the programs have either one officer (11 programs) or two officers (15 programs) involved. Most (90 percent) of these officers are not dedicated to the program but also supervise other offenders.

Perhaps because of the prevalence of mixed caseloads, three-quarters of the programs do not limit the number of program offenders or total (program and non-program) offenders that may be supervised by an officer involved in the program at any given time. In the few programs that set caseload limits, the most common was a limit of 20 program offenders (with a range of from 5 to 25 across 8 programs) and a total caseload limited to 35–40 offenders.

Questions about the size and structure of officers' caseloads must be assessed carefully to be sure that officers have adequate time to carry out program tasks, fieldwork demands, and the supervision of non-program offenders who do not have such a high profile with the court. This is particularly important if the program excludes the riskiest offenders, who will require an equally intense, if perhaps differently focused, plan of action.

Managers, Supervisors, and Support Staff

In addition to the officers who provide supervision, other probation personnel often serve as team members or provide support to the team. Office managers (the chief, deputy chief, and/or assistant deputy chief) routinely attend court sessions with offenders and/or the planning conference in 17 of the programs, and supervisors attend in 23. Other staff, including backup officers, specialists, and administrative personnel, routinely participate in three programs each. This is in keeping with the traditional role of managers, supervisors, specialists, and others to support the work of officers, but in a different and more public context.

Counsel

A primary goal of federal supervision in general and judge-involved supervision programs in particular is to facilitate offenders' success in maintaining a law-abiding lifestyle as contributing members of the community both during the period of supervision and beyond. This does not contradict prosecutorial public safety goals or defense goals to promote clients' interests, but is a shift from the customary prosecutorial focus on pursuing public safety by conviction and punishment, and the defense focus on serving their clients through advocacy and protection of rights. Further, the direct non-adversarial contact among team members and with offenders is a new role for counsel, as is the expectation that they are to help shape a program participant's behavior by administering rewards and graduated sanctions—rather than traditional legal consequences alone—to promote new ways of thinking and positive behavioral outcomes.

U.S. Attorneys

Representatives from the U.S. Attorney's Office played some role in 35 of the 39 programs surveyed and were full team partners playing each key role in 24. Few programs expect U.S. attorneys also to perform traditional investigative or evidentiary presentation tasks in their role as a team member. Only three programs expect them to investigate allegations of noncompliance, and five expect them to assist in the presentation of evidence at informal program court sessions to address noncompliance.

Defense Counsel

Defense counsel—usually representatives from the Federal Public Defender’s Office—played some role in 36 of the 39 programs and were full team partners in 23. The programs are split as to the extent to which defense counsel are also called upon to play their traditional roles.

- In 56 percent of the programs, the defender representative advises offenders who have been offered a slot in the program as to the pros and cons of participation; in 44 percent they do not.
- The same 56 percent majority (although not the same programs) expect the defender to represent program offenders charged with noncompliance during either the informal program sanctioning process or all (formal and informal) phases of the violation process, while in 44 percent of the programs, there is no attorney-client relationship between program offenders and the defense representative on the team. One program started out with the defender as offender representative, but moved to having no attorney-client relationship.

These varied approaches to the role of defense counsel highlight the need for each program to address how to handle the potential conflict that can arise when the same attorney is both a team member—with responsibilities to the team—and also someone with responsibilities to clients defined by professional ethics.

Service Providers

The traditional role of community service providers is to provide service, prepare reports for the probation officer on offenders’ status and response to treatment, and recommend appropriate modifications to treatment plans. These tasks continue in any judge-involved supervision program, but the reports and recommendations would be more frequent to accommodate the program’s session schedule.

Providers who are team members take on additional tasks of participating in face-to-face discussions with the team and the offender to, as needed, review the status of a particular offender or offer a broader perspective outside the criminal justice system and/or perhaps even facilitate the team process itself. It is particularly important to clarify the role(s) a service provider is expected to play in programs that do not target one specific type of problem.

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Resource Commitment

Time commitment to the program will depend, in part, on the number and composition of the supervision teams, the frequency and length of the court sessions with offenders and who attends, and whether the team holds pre-session preparatory conferences before the court sessions and, if so, how much time is set aside.¹⁷

We combined program information with team composition information to estimate the amount of time that a single team¹⁸ devotes to conducting and meeting to prepare for sessions with offenders during the year. The number of routine attendees at the court session was multiplied by the time usually scheduled for these sessions,¹⁹ and the result then multiplied by the number of sessions scheduled during the year, i.e., 52 if held weekly, 26 if bi-weekly, and 12 if monthly. The attendee count includes one judge and one probation officer plus any prosecutors, defense counsel, service providers,²⁰ and other probation office staff reported as routinely attending these sessions. We repeated the calculations for the preparatory meetings and added the two for an estimated total time commitment.

Time by Task and Participant

The range in the estimated time required by each team per year for basic program tasks varies across program from a low of 39 hours to a high of 936 hours, with the totals resulting from various combinations of program design decisions.

The low-end annual team time commitment, estimated at 39 hours, is for a program in which

the judge, probation officer, and supervisory probation officer meet every other week for 30 minutes with an average of 12 offenders. There is no preparatory team conference. The estimated per team judge time commitment is 1.1 hours per month.

Two programs share the high-end 936-hour annual time commitment. One is a program in which an expanded team (full team plus a probation supervisor) meets weekly for two hours with, on average, 12 offenders. Each session is preceded by a one-hour preparatory conference. The per team judge time commitment is 13 hours per month. The second is a program that features weekly one-hour sessions with, on average, five (5) offenders and is preceded by a one-hour preparatory conference. The high time commitment stems primarily from the involvement of up to four (4) additional probation office staff in both the court session and preparatory conference.

Average Time Across Programs

The average estimated total time across all programs is 321 hours annually (median = 260 hours annually). Judges average approximately 53 hours a year, or 4.4 hours per month (median = 39 hours annually, or 3.2 hours per month). The probation time is the greatest because multiple staff often attend the court sessions (31 programs) and/or the preparatory conferences (28 programs).

Neither average estimated total time nor judge time were related to program type, but programs in which active district judges serve as program judges committed significantly less time than others.

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Program Reach and Graduation Rates

At the time of the survey, a total of 1,413 offenders had participated in the 39 programs. The range across programs was from 4 to 160, depending on the length of time the program had been in operation and the number of participants at any one time. The range in the number of offenders who participate (or, for newer programs, are expected to participate) at any given time is from 5 to 55 (median of 10 participants), affected primarily by the number of judges—and therefore teams—involved in the program.

Of the 1,413 participants, 839 were no longer in the program, having either graduated, quit the program, terminated unsuccessfully, or been administratively discharged (e.g., became ill, transferred out of district). Of these former participants, 422 graduated—but not all programs had been operating long enough at the time of the survey to have had a graduation. Based on the 32 programs that were operating long enough to have had at least one graduation (821 former participants in all), the overall graduation rate was 51.4 percent. Across these programs, the rate ranged from 0 to 88 percent, with a median of 40.5 percent.

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Implications for Further Research

This examination of judge-involved supervision programs indicates a wide range of goals, philosophies, and design features that affect the public resources a program requires and the level of intervention with offender participants. The next step is to get a better understanding of how various program features are related to program success. Do participants in some programs adjust better than those in other programs? If so, is this due to characteristics of the offenders who are in the program or to characteristics of the program itself—or to some combination of the two?

To begin to answer these questions with respect to existing programs, we would need to examine the relationship between supervision outcomes (e.g., re-arrests, termination status) and information from the survey about key program design features (e.g., program type, team composition, time commitment and decision-making style), while controlling for offender characteristics known to affect supervision outcomes (e.g., RPI score, nature of substance abuse, employment status).

The Center is currently working with the Office of Probation and Pretrial Services to assess the feasibility of combining survey data with information from the Probation and Pretrial Services Automated Case Tracking System (PACTS) to explore these relationships.

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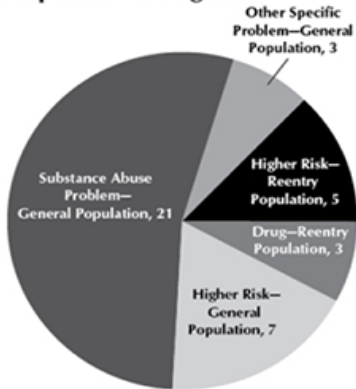
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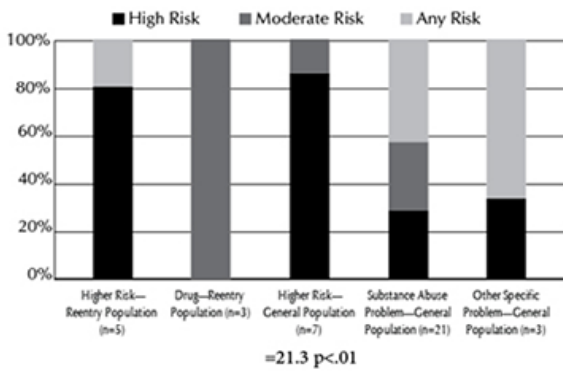
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Population Targeted by Federal Judge-Involved Supervision Programs

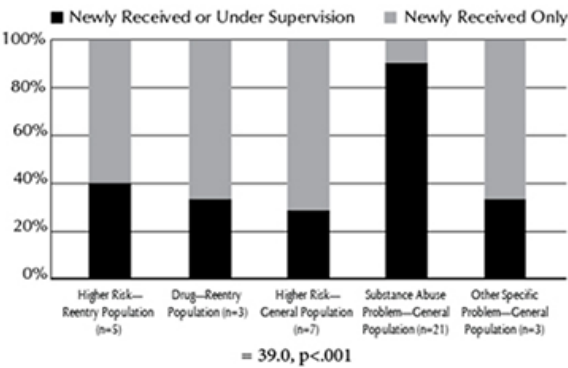


Relationship Between Type Of Program And Other Eligibility Requirements*

Q 9: What general level of offender risk is targeted by your program?***



Q 4: Does your program's target population include:†



* The graph displays the percentage of all programs of a particular type that target high, moderate or "any" risk and the percentage of programs that do or do not target offenders newly received for supervision. Given the small number of programs in each category, the percentages per se are clearly not stable, but are displayed for ease of comparison across type of program to indicate the source of the significant relationship.

** Respondents were also given a choice of "Low Risk" but no one selected this answer.

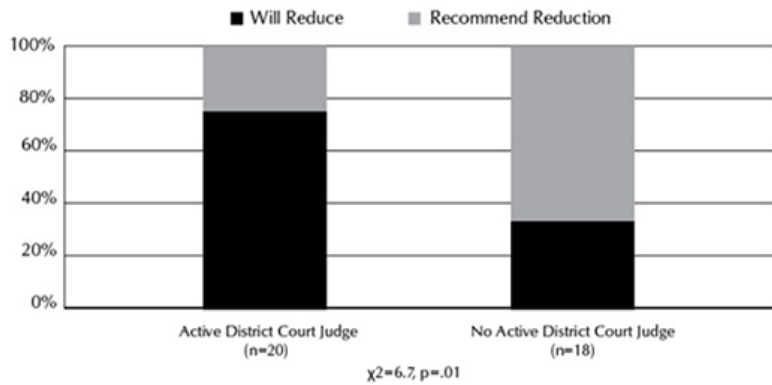
† The survey asked in a series of yes/no questions if the program targeted "Offenders Newly Received For Supervision," "Offenders Under Supervision Charged with a Violation," and/or "Offenders Under Supervision (regardless of violation status)." The graph combines the two "Under Supervision" categories.

Participant Selection and Incentives to Participate

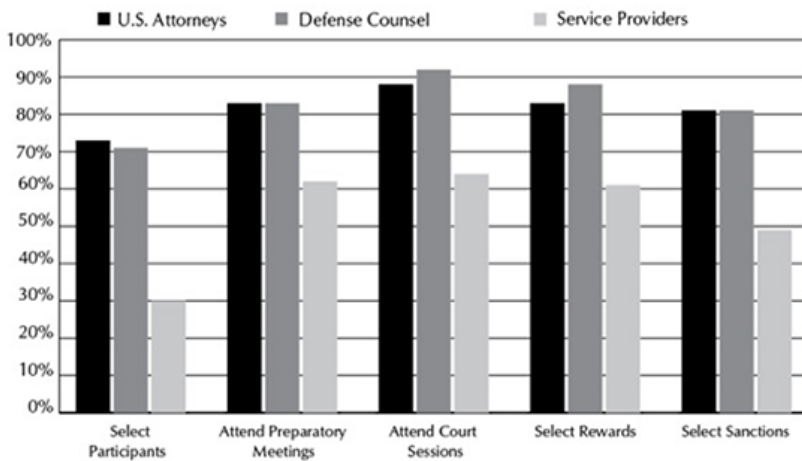
Q17: Are final decisions to select program participants or, if voluntary, to offer the program to offenders made by:



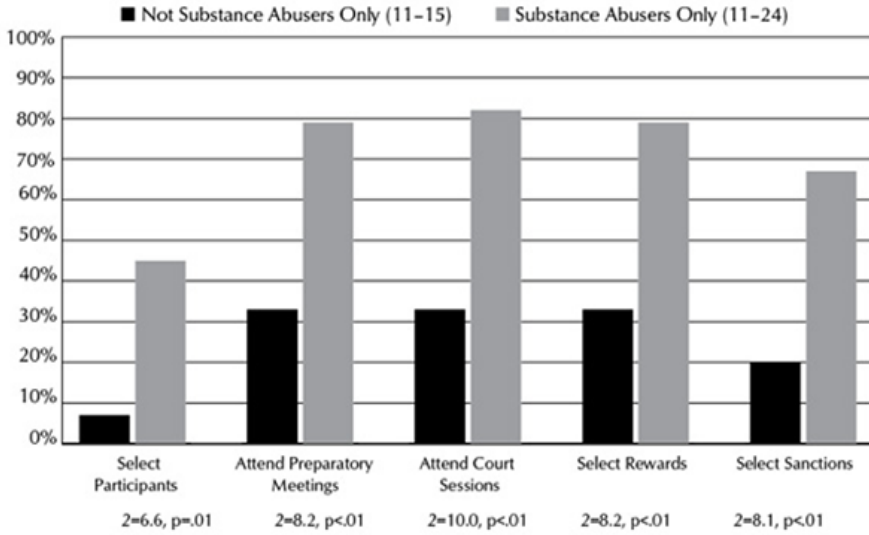
Q 54: Are offenders told when deciding about participating in the program that, upon program graduation, his/her sentence will be reduced or that there will be a recommendation that the sentence be reduced?



Percent of Programs in Which Counsel and Service Providers Play Various Roles

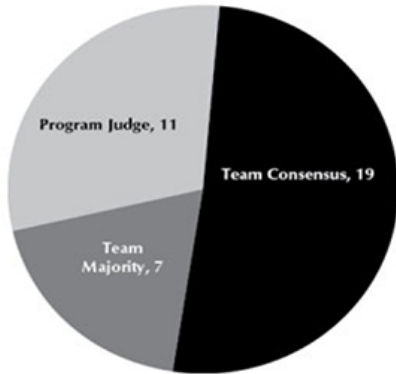


Percentage of Programs in Which Service Providers Perform Program Tasks, by Target Population

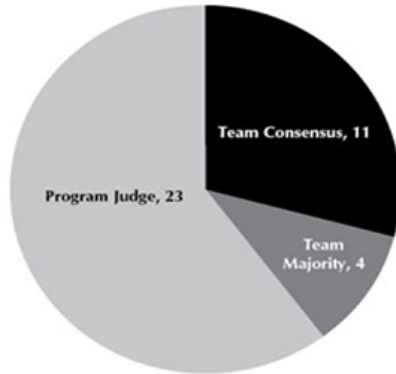


Decision-Making Style

Q 58: Are decisions about appropriate interim rewards made by:



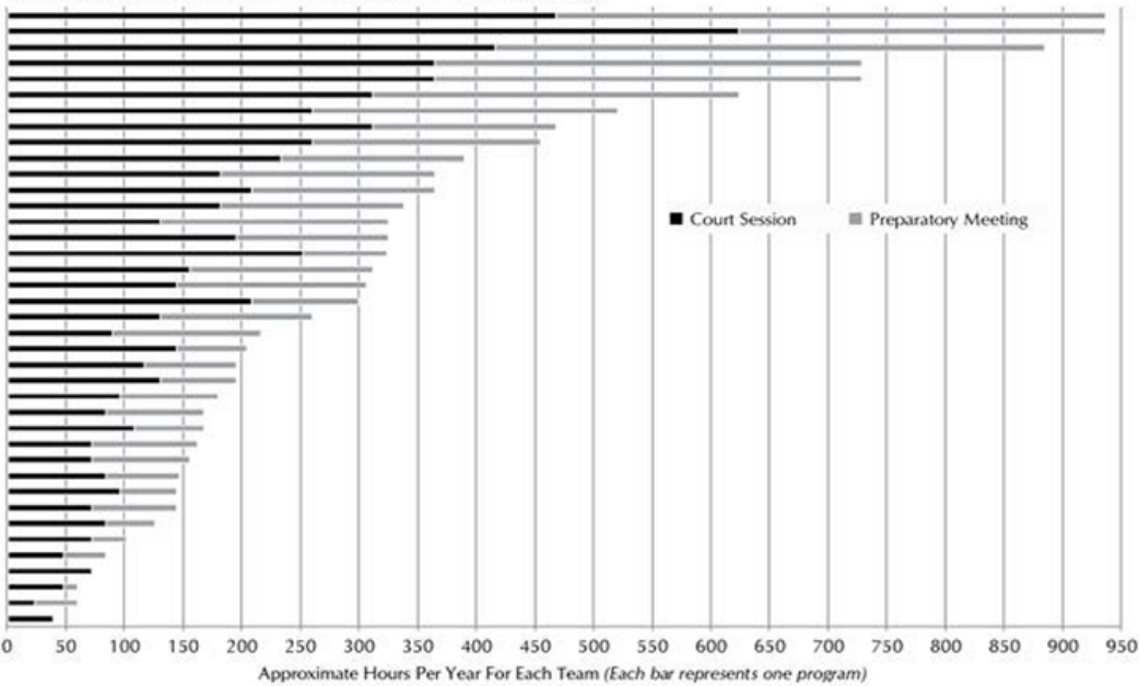
Q 61: Are decisions about appropriate sanctions within the program made by:



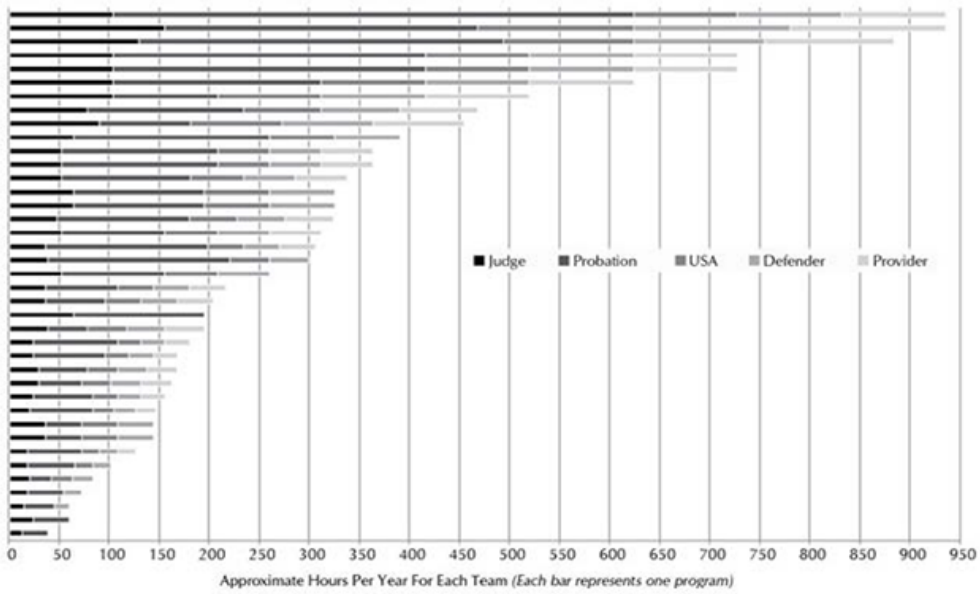
Q 46: Is a defender team member expected to represent program offenders alleged to have violated program rules or conditions of supervision?



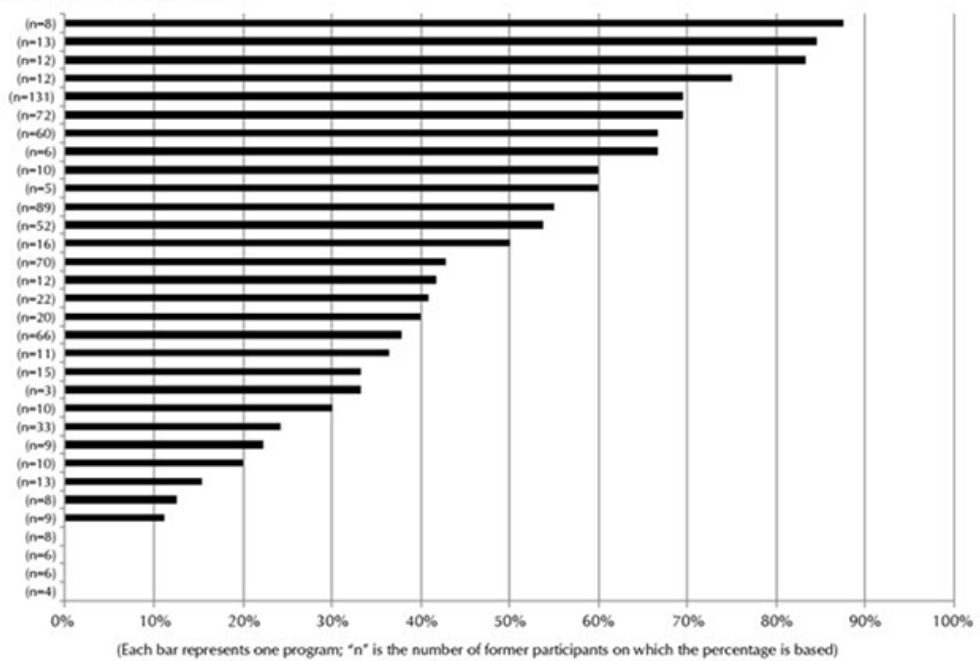
Estimated Annual Total Time Commitment by Task



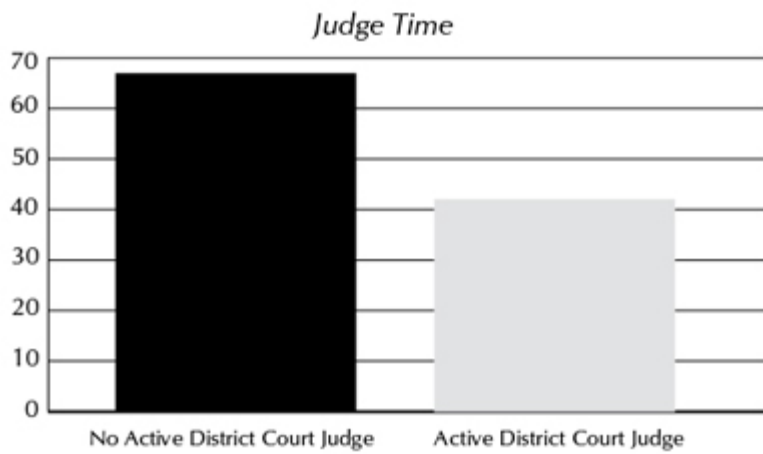
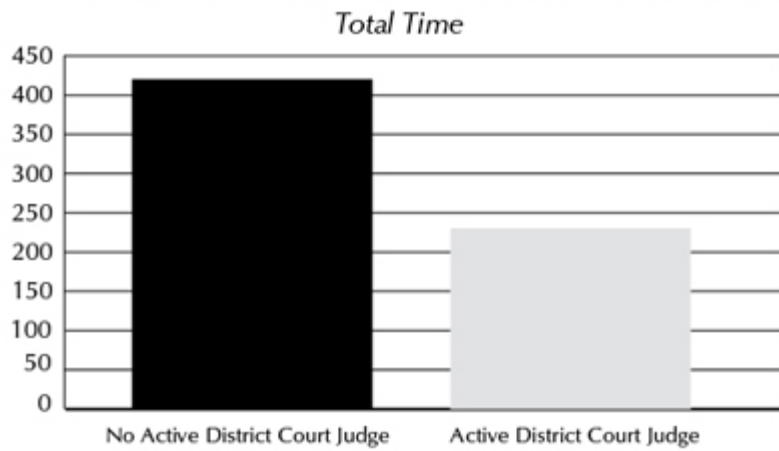
Estimated Annual Total Time Commitment by Team Member



Graduation Rates for Those 32 Programs in Operation Long Enough to Have Had at Least One Graduation



Average Estimated Annual Hours Committed to Court Sessions with Offenders and Preparatory Conferences, by Type of Program Judge



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Tables

Team Member	# of Programs in which team member played any role	Average Number of Hours Spent Annually on Program Sessions / Meetings	Median Number of Hours Spent Annually on Program Sessions / Meetings
Judges	39	53	39
Probation Staff	39	127	104
U.S. Attorney's Office	35	50	48
Defense Counsel	36	51	43.5
Service Provider	26	40	50

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Applying Implementation Research to Improve Community Corrections: Making Sure That "New" Thing Sticks!

Melissa Alexander

Chief U.S. Probation Officer, Middle District of North Carolina

[The Science of Implementation](#)

[Why is It so Hard to Implement?](#)

[What Doesn't Work for Implementation](#)

[Effective Implementation: Using Drivers and Stages](#)

OVER THE PAST SEVERAL years the idea of evidence-based practice (EBP) has exploded within community corrections, and in the federal probation and pretrial services system in particular. For most, the idea of evidence-based practice focuses on using evidence to determine effective programs and practices for defendants and offenders. However, evidence-based practice is really a more expansive concept: it is the idea of using evidence (research) in all operations. This article focuses on using the concept of EBP in the implementation of any program, practice, or change within a system. In other words, what does the research tell us about how to effectively implement change?

The Science of Implementation

Many may be surprised to learn that there is a significant literature documenting implementation strategies and their effectiveness. In fact, there is a comprehensive synthesis of the literature on implementation (Fixsen, Naoom, Blase, Friedman, and Wallace, 2005) that provides guidance to those hoping to effectively implement change in their organization. First, it must be recognized that implementation is a process that will take several years to accomplish. How do you know when you have achieved implementation? The National Implementation Research Network (NIRN), part of the University of North Carolina at Chapel Hill (<http://www.fpg.unc.edu/~nirn/default.cfm>), suggests that new ways of working are fully implemented when 50 percent of staff meet performance criteria for a specific skill, and the program or practice has reached scale when 60 percent of the population who could benefit are actually receiving the service (Van Dyke, 2011, personal communication). Of the many interventions that have come into the federal system over the past several years (risk assessment, cognitive-behavioral interventions, workforce development programs, reentry courts, etc.), only a scant few would meet the NIRN criteria for being fully implemented and "scaled up."

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Why is It so Hard to Implement?

Effective implementation requires at least three components: fidelity, sufficient scale, and sustainability. First, the program/practice must be implemented with fidelity. In other words, are you doing it right? The answer to this question may seem relatively straightforward for some

issues (such as scoring a risk assessment correctly) but may be quite complex for others, such as cognitive-behavioral interventions (CBI). To truly measure the fidelity of something like CBI, you have to listen to the conversation, either in person or via audio/videotape, and code whether the officer/contract vendor is following the components of CBI. Few districts currently have the capacity for that level of measurement. Even if a district can determine that a program or service is being administered with fidelity, it is often only a few officers who do it, or a few contract vendors that provide the service, thus making it difficult to provide the program or service to at least 60 percent who would benefit from the service. Finally, it is difficult to sustain programs or services due to staff turnover, changes in contracts, decreased interest, or other factors. All of these issues merge to make effective implementation a difficult endeavor.

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What Doesn't Work for Implementation?

As with the literature on offender programming, so in the area of implementation there is more information on what doesn't work than on what does. Typically, changes in the correctional system seem to be mandated (by the Administrative Office, judges, chief probation officers), and research demonstrates that mandating change in and of itself is ineffective. What else is ineffective? Two of the most common practices in our system: providing information and training! Research consistently shows, throughout a multitude of human service industries, that these two components without the additional supports outlined below will not lead to any significant, sustained changes in programs or services (Fixsen, Naoom, Blase, Friedman, and Wallace, 2005).

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Effective Implementation: Using Drivers and Stages

In order to increase the likelihood of effectively implementing a new program or practice, the implementation must be comprehensive and well thought out. Fortunately, NIRN has also provided a significant amount of resources to assist this endeavor. NIRN describes two major components that lead to effective implementation: Drivers and Stages.

Drivers are specific components that interact with one another to promote change. The three main categories of drivers are Staff Competency, Organizational Supports, and Leadership.

1. **Staff Competency:** Competency can be achieved through a combination of selection, training, and coaching.
 - a. **Selection:** Are you able to select individuals more likely to embrace and become proficient in the intervention? One must start thinking about what criteria are used in interviewing, selecting, and promoting officers. While it may be possible to begin hiring only those officers who have the skill you are looking for, it is likely that your criteria will change over the years. Additionally, once staff are hired it is often difficult, if not impossible, to terminate them, except in extreme circumstances. Thus, it may be more important to begin evaluating applicants for "coachability"—are they willing to receive feedback, and able to incorporate that feedback and do something different? In our district we began interviewing officer candidates for coachability by asking about specific activities they had done recently to improve their skills, and their thoughts on audiotaping contacts for coaching and feedback. Such questions helped gauge candidates' willingness to continue learning new ways of working.
 - b. **Training and Coaching:** Research in a number of fields has consistently demonstrated that training will not lead to skill retention and regular use of the new skill on the job unless such training is followed by on-the-job coaching and feedback. For example, a study of teachers demonstrated that no teachers changed their behavior in the classroom following a training program that included lecture and demonstration by the trainer, and only 5 percent did so if they had to demonstrate the skill themselves in the training. In contrast, 95 percent of teachers used the new skill in their classroom if the training was followed by coaching and

feedback in the classroom (Joyce and Showers, 2002). Similarly, research on Motivational Interviewing (MI) shows that most do not reach proficiency in MI if they do not receive follow-up coaching (Miller & Mount 2001). A study of MI with federal probation officers indicated that coaching by an expert trainer (versus coaching by a peer) was significantly associated with officers becoming more proficient in MI as measured by the Motivational Treatment Integrity (MITI) coding system (Lowenkamp, 2011, personal communication).

2. Organizational Supports:

- a. **Decision Data Support Systems:** Data must be readily available to measure what you are doing. More important, the data must be reviewed regularly, and decisions must be made based on the data. For example, many districts have begun using a report that delineates the number of contacts by risk (RPI score, see [Figure 1](#)). This report gives valuable feedback about how officers are spending their time and resources by risk level. This process of giving districts and officers feedback should encourage the evidence-based practice of seeing high-risk offenders more than low-risk offenders. In our district, we began by sharing the report with all officers and supervisors monthly. After seeing no change in contacts for a few months, we began requiring officers to include the RPI score on their field sheets, thereby increasing their awareness of the risk level of the offenders, and allowing supervisors a quick review of how officers were spending field time. Since that time, we have seen a significant change in contact levels; those scoring RPIs of 8–9 are now being seen more than twice as often as those scoring 0–1 (see [Figure 2](#)).
 - b. **Facilitative Administration:** District leadership must do all it can to ensure that barriers to implementation are minimized. For example, do field contact policies support focusing on high-risk clients, or are officers expected to see all clients within a geographic area, regardless of risk level? Policies and procedures must be aligned with the new program or service, and feedback from the "front line" needs to be solicited and changes made to address issues that are raised. For example, in our district we regularly utilize anonymous surveys to solicit feedback from officers, and also have a Line Officer Committee whose sole purpose is to provide feedback and ideas to management.
 - c. **Systems Intervention:** Districts must also work with collateral systems to ensure that they are on board with changes and support implementation efforts. For instance, educating the court, the U.S. Attorney's Office, and the Federal Public Defender's Office is essential in order to avoid any barriers to implementation or to address barriers quickly (see Chapter 6 of the Crime and Justice Institute's *Implementing Evidence-Based Policy and Practice in Community Corrections*, 2nd edition).
3. **Leadership:** Strong, visible support is essential to conveying the message that the new program/practice is important and necessary. Chief Probation Officer Tom Tarr (New Hampshire) has modeled such leadership in his district's implementation of the Strategic Training Aimed at Reducing Rearrest (STARR) program. Both he and his deputy chief have participated in every coaching call with their officers and continuously ensure that their officers have the tools and resources necessary to fully implement STARR, such as bringing in ex-offenders to role play and providing additional training through local universities.

Stages describes the various processes organizations must go through to ensure effective implementation. They include Exploration, Installation, Initial Implementation, and Full Implementation. One of the first issues to acknowledge is the amount of time it will take to reach full implementation. Research consistently shows that implementation takes two to four years to complete (Fixsen, Naoom, Blase, Friedman, and Wallace, 2005). Issues to be addressed at each stage are outlined below.

- **Exploration stage:** Management and staff must be given the time and opportunity to fully explore the options available that will best fit the district's needs. At times this can be challenging, especially if the program/practice is a mandate that cannot be changed

(such as the use of the Post Conviction Risk Assessment, PCRA). However, even in such situations it is important to talk through issues, as it allows staff time to "get ready" for change. Many are familiar with Prochaska and DiClemente's Stages of Change (Prochaska et al., 1985) which suggests that individuals may be at different points of willingness to change, from those in Precontemplation (don't see a need for change) to Action (those ready to change now). Prochaska, Prochaska, and Levesque (2001) suggest that a significant portion of individuals in an organization (up to 80 percent) may not be ready to change. The Exploration stage helps staff get "ready" for change by guiding discussion of what the change will mean for all involved. One useful tool to consider using is included in [Figure 3](#), developed by NIRN. The tool helps staff discuss six broad areas that need to be considered when evaluating a new program or practice:

1. The needs of the organization
 2. How the program/practice "fits" with other organizational issues
 3. What resources exist and will be needed
 4. The evidence for the program/practice
 5. Others' experience with implementation
 6. The organization's ability to implement the program/practice
- **Installation stage:** During installation the district should begin preparing for implementation, which includes planning training, anticipating policy changes, setting up measurement tools, and identifying the broader district issues that may need to be addressed. For example, the new risk assessment is significantly longer than the current one in use, indicating a need to consider how the increased time will be handled. Our district looked at multiple ways to increase available time for the officer, including more use of administrative or low-risk caseloads and revamping our intake procedure to make it more efficient. We also trained the supervisors on the tool first, and required them to complete at least two assessments, so they would fully understand the time and scoring issues involved with the new tool. Doing so allowed them to think through all the potential issues that might arise when we trained officers. We also experienced an unexpected benefit: several supervisors realized the new assessment was neither as difficult nor as time consuming as they expected, so they began talking it up to officers and informally exposing officers to the tool, such as explaining an item and potential scoring when staffing a case. They became "champions" for the tool before it was implemented! We also decided to delay our training of officers due to workload issues, which resulted in another benefit—we had a small group of officers who wanted to go ahead and train on the initially scheduled dates, who then also became champions as they realized that it was easier than they expected. The innovation diffusion literature calls these people the "early adopters" (Rogers, 1962) and suggests that these adopters can significantly influence others to become involved in the innovation. These early adopters are also able to assist in streamlining implementation, by identifying potential scoring issues and helping resolve those issues (such as clarifying score rules) before the training of all staff occurred. Working out such "bugs" helps ease the implementation for later adopters.
 - **Initial Implementation:** This is where the work begins! Training starts and officers need to begin actually doing something different. Oftentimes, this is where the process can get stalled, as staff struggle with a new way of doing business. I've termed this time the "messy middle," and officers have described to me feeling anxious about their skills and feeling uncertain about what to do; they find themselves questioning all they do, and may at times feel paralyzed. Leadership is key during this difficult part of change. Leaders must reinforce that the new program/practice is worth doing, that the progress they are making is good (even though it may feel slow), and that you as a leader do not expect them to be competent in new skills yet. Leaders must realize that new skills take time and practice, and set realistic goals for skill attainment. For example, we first began teaching officers cognitive behavioral interventions (CBI) in October of 2010. By May 2011 many of our officers were routinely trying to use the intervention skill, and some are quite good at it. But they are not all fully competent in CBI, nor do I expect them to be. By acknowledging this and encouraging officers to continue to try, we build not only

skill level, but confidence to continue trying something new.

- Full Implementation—Reaching this stage is a long process. How will you know when you are there? In addition to the definition given earlier (50 percent of staff are doing it well, and 60 percent of clients are receiving the program/practice), ask yourself these questions:
 - Are the components integrated and fully functioning?
 - Is the program/practice being skillfully done by front line staff and supervisors?
 - Are changes in policy reflected in actual practice?
 - Would we be comfortable being evaluated on outcomes based on our new practice?

After seeing all that effective implementation entails, you might be wondering who will do all this work. This is where an implementation team comes in. Districts should be thoughtful in determining the members of a team; the team needs to understand not only the program/practice to be implemented, but also the research on effective implementation. Unfortunately, most of our staff do not know this research. In order to overcome this obstacle, our district arranged for NIRN to be involved in our first implementation team meeting for implementation of the risk assessment tool. We asked team members to read some basic information from NIRN before the meeting, then had NIRN staff consult as the team talked through issues. The NIRN staff member was able to point out to the team when their plans were consistent with the research on effective implementation and suggest alternatives when what they suggested was not in line with the research.¹ We then tasked the team with planning for needed structural/functional changes, devising a plan for coaching, officer support, and measurement of fidelity, and becoming the conduit for communication issues/barriers to the management team. The implementation team has continuously revised the implementation plan in response to feedback.

After all this work, and once you've achieved full implementation, you're finished, right? Wrong! The hallmark of EBP is that you continuously assess, evaluate, and improve what you do. Some call these "improvement cycles." The message is the same—you should never be "satisfied" with where you are, but instead should be looking to continuously improve your organization's efficiency and effectiveness. In fact, research from the Washington State Institute for Public Policy (<http://www.wsipp.wa.gov/>) and others consistently shows that not doing interventions well will lead to no changes in recidivism, and potentially increases recidivism. Improvement cycles force the organization to continuously improve by actively studying the change and making adjustments as needed.

In summary, implementing any change can easily fail unless districts follow evidence-based practices for effective implementation. By understanding the drivers and stages of implementation, districts can ensure that the infrastructure is in place to support implementation and match organizational activities to guide the change process. Only in following the research can a district strategically implement changes that will endure for the long term.

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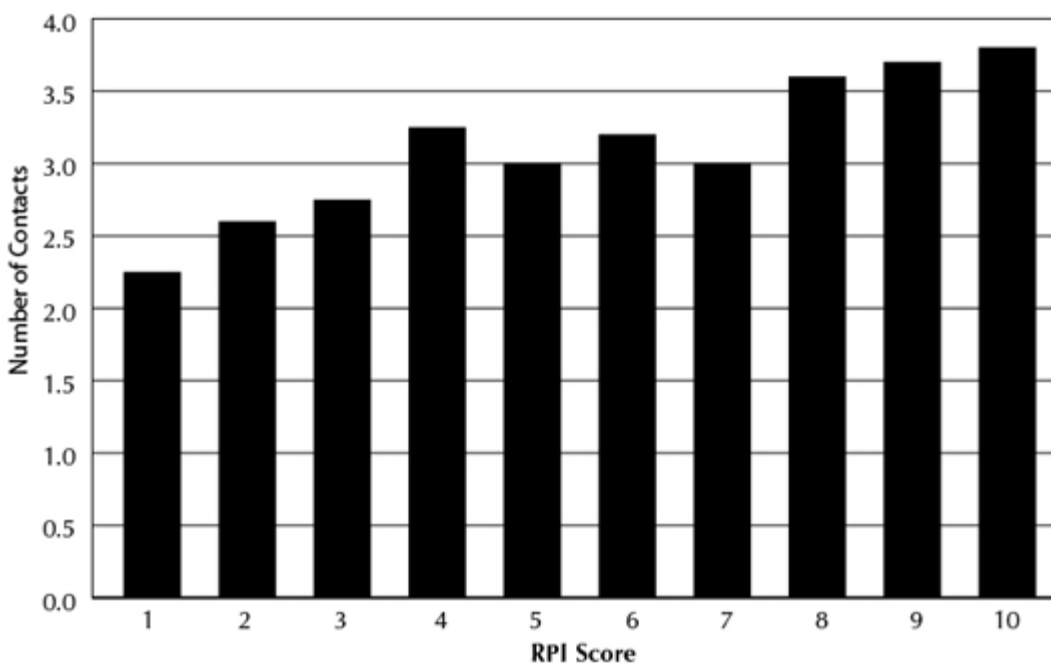
[Figure 2](#)

[Figure 3](#)

Figure 1.

Figure 1.

Average contacts by RPI Score Prior to Management Emphasis and Intervention.



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Figure 2.

Figure 2.

Average contacts by RPI Score Following Management Emphasis and Intervention.

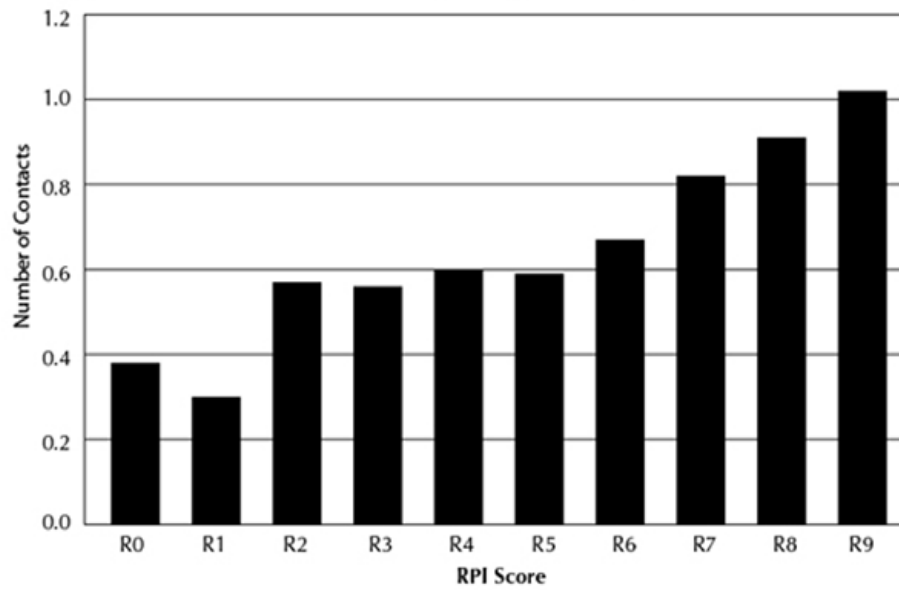
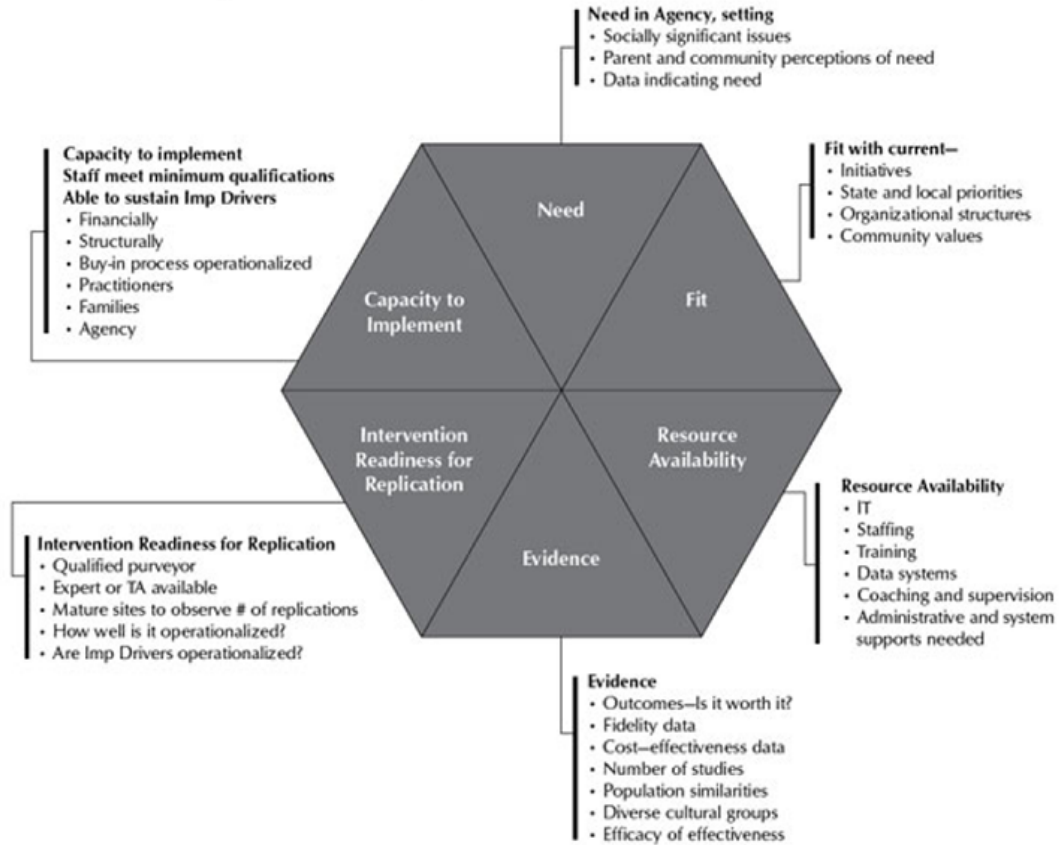


Figure 3.

Figure 3.
Discussion Tool for Assessing Evidence-based Programs and Practices



EBP:	5 Point Ratings Scale: High = 5; Medium = 3; Low = 1. Midpoints can be used and scored as a 2 or 4.		
	High	Medium	Low
Need			
Fit			
Resources Availability			
Evidence			
Readiness and Replication			
Capacity to Implement			
			Total Score:

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Training to See Risk: Measuring the Accuracy of Clinical and Actuarial Risk Assessments among Federal Probation Officers

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Christopher T. Lowenkamp

Administrative Office of the United States Courts

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[Discussion](#)

THE PREDICTION OF RISK is ubiquitous in modern society (Beck, 1992). Physicians consider risk when treating patients, financiers consider risk when making investments, and psychologists consider risk when working with clients. Within the criminal justice system, predictions of risk guide discretion at all points (Gottfredson & Tonry, 1987). When police officers choose between formal citations and verbal warnings, they evaluate risk; when judges impose sentences upon defendants, *they* evaluate risk; and when community corrections officers monitor the conditions of pretrial defendants, parolees, and probationers, they, too, evaluate risk.

Over time, research suggests, professionals within the justice community develop the ability to distinguish high-risk offenders from those who present little risk of reoffending (Fong, et al., 1990; Mossman, 1994). They do so by drawing upon their own personal experiences, using heuristics and other mental shortcuts to simplify complex calculations (Nisbett & Ross, 1980). But this kind of professional (or clinical) judgment is limited to the experience of the decision maker and is subject to a host of faults: unreliable evaluations, discretionary decisions based upon biases and stereotypes, and politicized administration (Walker, 1993). An alternative approach is to use statistically-derived instruments to predict actuarial risks of violence, dangerousness, reoffending, rearrest, or reconviction.

The statistical prediction of recidivism risk has an 80-year history, and can be traced at least as far back as the 1928 parole prediction instrument developed by Ernest Burgess (Burgess, 1928). Early attempts to use actuarial risk assessment in the justice system were often controversial, particularly given high rates of false positives (Selective Incapacitation, 1982). Evaluators identifying subjects as dangerous were wrong twice as often as they were right (Monahan, 1981). Nevertheless, despite these flaws, research suggested that actuarial prediction outperformed the clinical judgment of even trained professionals across an array of disciplines (e.g., Meehl, 1954). The superiority of actuarial assessment over unstructured clinical judgment is a finding that has been replicated by many researchers (Grove & Meehl, 1996; Harris, 2006). One meta-analysis of 136 studies concluded that statistical predictions were 10 percent more accurate than clinical judgments and were dramatically more accurate one third of the time

(Grove, et al., 2000). The accuracy of assessment instruments also appears to have improved (Hilton, et al., 2006). A more recent meta-analysis of 67 studies concluded that actuarial assessment generally is 13 percent more accurate than clinical judgment and is 17 percent more accurate in predictions of future violent or criminal behavior (Ægisdóttir, et al., 2006).

Today, the academic debate is no longer about whether actuarial assessments out-predict clinical judgments; *that* debate is long since over (Monahan, et al., 2001). Even the skeptics of actuarial risk prediction now acknowledge a consensus that actuarial judgments consistently outperform clinical ones (Harcourt, 2007; Litwack, 2001). Instead, the current debate is about whether there is any place in risk assessment for *clinical* judgment (Hanson, 2009). Some researchers argue for a synthetic approach, combining actuarial and clinical techniques (e.g., Gottfredson & Moriarty, 2006; Sjöstedt & Grann, 2002; Sreenivasan, et al., 2000). After all, for all its strengths, actuarial prediction is not particularly good at accounting for exceptional circumstances, predicting rare events, or predicting risk for young people (for whom there is less historical information available) (Bullock, 2011). Other researchers, however, argue for an actuarial-only approach (e.g., Grove & Meehl, 1996; Quinsey, et al., 1998). They claim that the introduction of clinical judgment only reduces the accuracy of the instrument. And after all, “[e]ven if actuarial methods merely equal the accuracy of clinical approaches, they may save considerable time and expense” (Dawes, et al., 1989: 1673).

Numerous commercial risk assessment instruments are available, all predicting recidivism about equally, all more accurate than unstructured clinical judgment (Yang, et al, 2010). Many jurisdictions use commercial instruments such as the PCL-R, CAIS, COMPAS, or the LSI-R. Other jurisdictions have adapted off-the-shelf instruments to fit their specific needs or have developed their own in-house assessment tools. Used effectively, these assessment tools allow probation officers to accurately assess risk, a requisite first step in employing evidence-based practices (Harris, 2006; VanBenschoten, 2008).

Yet despite the lengthy history of statistical risk assessment and despite a substantial body of research demonstrating that actuarial predictions outperform unstructured clinical judgment, probation officers—both in the United States and abroad—have exhibited skepticism, ambivalence, and outright hostility toward actuarial assessment devices. Irish probation officers have cultivated an attitude of “resistance” to assessment instruments (Fitzgibbon, et al., 2010). In England, Horsefield suggested that, using their clinical judgment, “it is not difficult for probation service staff to identify who is likely to commit further offences” (2003: 377), and argued that the *real* value of using actuarial risk instruments lies in justifying the operations within the probation service, competing for resources, and regulating staff behavior. In the United States, Schneider and her colleagues (1996) reported similar attitudes among Oklahoma probation officers. Officers held negative-to-neutral views about risk instruments (e.g., only 15 percent thought risk instruments are more accurate than officer judgment) but thought actuarial tools *were* useful in justifying supervision levels to the public and legislature. Lynch (1998) reported that California parole officers deliberately subverted directives issued by their actuarial risk managers. But even managers appear to express reservations about the value of risk assessment instruments. In a 2003 national survey of community corrections agencies, 61 percent of respondents described themselves as satisfied or very satisfied with the risk instruments used in their departments, but a full 39 percent described themselves as neutral, uncertain, or dissatisfied (Clem, 2003: 22).

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Background and Research Question

The tension between professional judgment and actuarial risk assessment affects the federal probation and pretrial services system as well. Risk assessment is not new to the federal courts. The district court for the District of Columbia began using a risk prediction scale, the “U.S.D.C. 75,” in 1970 (Hemple, et al., 1976). This instrument was renamed the Risk Prediction Scale 80 (RPS 80) and adopted for use throughout the probation system in January of 1981 (Eaglin & Lombard, 1981). In September of 1997, the RPS 80 was replaced by the Risk Prediction Index (RPI), an eight-question, second-generation risk assessment tool (Lombard & Hooper, 1998). But many probation officers did not use the RPI scores they calculated (VanBenschoten, 2008), and did not always link supervision practices to risk levels (Lowenkamp, et al., 2006).

Responding to the Criminal Law Committee's endorsement of evidence-based practices in the supervision of defendants and offenders (Judicial Conference, 2006), probation staff at the Administrative Office of the U.S. Courts have developed a new, fourth-generation risk assessment instrument, the Federal Post Conviction Risk Assessment (PCRA). The PCRA was validated on a large sample of federal probation cases (see article in this issue by James Johnson et al.).

We were interested in whether use of the PCRA would improve the ability of federal probation officers to accurately assess risk. On the one hand, 50 years of research suggests that actuarial prediction consistently outperforms unstructured professional judgment (e.g., Ægisdóttir, et al., 2006; Grove & Meehl, 1996; Grove, et al., 2000; Monahan, et al., 2001); on the other hand, federal probation officers are considered to be the "crème de la crème" of community corrections officers (Buddress, 1997: 6). They are well educated, well trained, and often come to the federal system with substantial practical experience. Would the use of the PCRA allow even federal officers to improve their ability to assess risk?

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Methods

The question of whether the use of the PCRA would improve the risk assessment skills of federal probation officers was investigated during four regional training meetings convened during 2010 and 2011. Federal probation officers from districts in the greater Washington, DC metropolitan region gathered in Washington, DC to participate in PCRA training; officers from districts in the eastern United States gathered in Charlotte, NC; officers from districts in the middle of the country gathered in Detroit, MI; and officers from districts in the western United States, including Pacific islands, gathered in Salt Lake City, UT. Approximately 150–350 officers attended each of the training meetings.

Prior to the training session each officer was asked to complete an eight-hour online training program that reviewed the fundamentals of risk, need, and responsivity (Andrews, et al., 1990). At each session, trainers explained to the participating officers that they would be asked to assess an offender's risk based on a videotaped mock intake interview and supplementary written documentation. Specifically, they were told that they would be asked to place the offender in the case vignette in one of four risk categories (low, low/moderate, moderate, or high) and to identify the offender's three most important criminogenic needs (in rank order). The description of the risk levels was not defined; thus the officers needed to define for themselves what each risk level meant. Although the probation officers were in a large group setting, the trainers emphasized that officers were not to discuss their rankings of risk or identification of criminogenic needs until they submitted their data collection form.

The case vignette consisted of a 24-minute mock intake interview (based upon an actual case, with identifiers and key case details modified in order to protect the offender's anonymity). The probation officer in the vignette asked the offender—a man in his fifties with a long history of methamphetamine addiction and firearms charges—a series of questions about the offender's criminal behavior, employment, social networks, cognitions, substance abuse, time in custody, and current accommodations. Supplemental written materials included a presentence report and release paperwork from the Federal Bureau of Prisons.

The offender in the vignette was working and lived in a stable residence. He participated in treatment, remained free of drug use, and could articulate a relapse prevention plan. He did not associate with anti-social peers and was in the process of developing a pro-social network. The correct score, according to the PCRA, was low/moderate risk. Specifically, the numerical score was 6 (PCRA scores range between 0 and 18).

After the video concluded, officers were given as much time as needed to identify the risk level and three top criminogenic needs. Officers typically took between five and ten minutes to review the supplementary material and submit a complete data collection form. They were not provided with the correct score after this first exercise.

On the second day of the training, after learning the scoring rules of the PCRA and practicing

on several scenarios, probation officers viewed the training vignette for a second time. Instead of using their professional judgment to identify the offender's risk level and criminogenic needs, they were asked to use the PCRA and identify a risk score. The officers were shown the same video and were provided with the same written supplementary materials. Once again, they were asked to score the case independently and to provide their answers to the trainers. These actuarial (PCRA) risk assessments were collected and compared with the risk assessments made with clinical judgments.

Risk category (low, low/moderate, moderate, or high) is an ordinal variable. As such, typical measures of central tendency and measures of dispersion do not apply. We were, however, interested in whether officers can accurately assign the offender into the correct risk category unaided by actuarial risk assessment and if the PCRA increases the reliability of the assessment of risk and thereby risk classification. To evaluate the effect of the PCRA on reliability of risk assessments, we used the consensus measure (Tastle, et al., 2005) to measure dispersion. The consensus measure is a measure that ranges in value from 0 to 1, with 1 representing complete agreement among those that ranked an item (in our case risk category) regardless of the category chosen. A value of 0 on the consensus measure (complete dissention) would be the result when two equal groups of participants rank a case at the far ends of the scale. This characteristic of the consensus measure is important, as it allowed us to determine whether the officers' categorization of risk was consistent, regardless of whether or not their assessments agreed with the results of the PCRA.

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Results

A total of 1,087 officers identified a risk category for the case vignette when asked to do so without administering the PCRA. A total of 1,049 officers provided a risk categorization for the case vignette using the PCRA. The distributions of these ratings are presented in the following two figures.

[Figure 1](#) displays the frequencies (percentages are in parentheses) of risk categories identified by the officers using clinical judgment (without the use of the PCRA). As indicated in [Figure 1](#), it is clear that the largest identified category of risk for the case vignette is moderate risk. Just over 50 percent of the officers indicated, based on the information provided, that the offender was moderate risk. Thirty percent of the officers identified the offender's risk level as low/moderate, while 17 percent identified the risk level as high. A much smaller percentage (2 percent) identified the offender's risk level as low. Given this distribution of scores, a calculation of the consensus measure (Cns) yielded a value of 0.66.

[Figure 2](#) displays the distribution of risk categories assigned by officers when using the PCRA to guide their determination of risk. Note that in [Figure 2](#), only three bars indicate the estimation of risk. No officers identified the offender's risk level as high when using the PCRA. A second noteworthy feature of [Figure 2](#) is that the largest category of risk identified by the officers accounts for ratings from 954, or 91 percent, of the officers. The consensus measure based on the distribution of these ratings yielded a Cns value of .93, or about 1.4 times as great as the Cns measure yielded from the distribution of ratings in [Figure 1](#). In addition, the officers selected the proper risk category, according to the PCRA, 91 percent of the time. Given that this was only these probation officers' first or second administration of the PCRA, these results are encouraging.

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Discussion

Federal probation officers made more consistent and more accurate assessments of offender risk when using the PCRA than when using unstructured clinical judgment. Assessments made with the PCRA were more accurate (e.g., more officers correctly identified the risk level) and had greater consensus (e.g., even officers who did not correctly identify the risk level selected categories adjacent to the actual risk level). These findings support the view that, in assigning offenders to the correct risk category, actuarial prediction outperforms unstructured clinical judgment. Our findings are consistent with a robust body of work, collected over many decades

(e.g., Ægisdóttir, et al., 2006; Grove & Meehl, 1996; Grove, et al., 2000; Meehl, 1954; Monahan, et al., 2001). But they are still remarkable. It is important to note that federal probation officers have to satisfy very high standards. They must meet medical standards, pass regular background investigations, possess at least a bachelor's degree from an accredited university, and complete the six-week training program at the Federal Probation and Pretrial Services Training Academy. Typically these officers have prior probation experience from other jurisdictions. Additionally, these highly-skilled professionals are part of a single system with one set of national policies (with local variation) and a uniform training academy. Despite this, the federal probation officers produced a more consistent risk level assignment with the use of an actuarial tool.

The research also indicates that clinical judgments tended to overestimate risk. It is not difficult to understand why. Ansbro notes that probation officers “face the mutually-exclusive targets of high accuracy and high throughput, and exist in a climate where failings in practice will be hunted for if an offender commits a serious offence whilst on supervision” (2010: 266). A signal detection analysis lies beyond the scope of this article, but in a situation where there are dire consequences to missing a true positive (i.e., not identifying a high-risk offender as such) and few direct costs to officers when making false positives (i.e., wrongly identifying a low-risk offender as high-risk), it is easy to see why officers would yield to the so-called precautionary principle identified by Kemshall (1998). Of course, over-supervising low-risk offenders is expensive, and diverts resources away from the high-risk offenders who need them. Austin analogizes this to a “hospital that decides to provide intensive care for patients who have a cold—the treatment is not only unnecessary but expensive” (2006: 63). There is also research suggesting that over-supervising low-risk offenders can make them *worse*, affirmatively increasing their likelihood of recidivism (Lowenkamp & Latessa, 2004). Actuarial tools can serve as a valuable check against the precautionary principle. They can provide a means of engaging in professional triage, ensuring that resources are allocated where they should be, maximizing community safety while allowing for offender rehabilitation (Flores, et al., 2006).

It is also important to note that specific descriptions of the risk terms were not provided for the officers. This may have caused some of the risk category assignment variation. What “low risk” means to two different officers may vary. This means that the variation in risk assignment may be due to how the case is seen and understood by an officer, but equally concerning is that the difference may also be due to various definitions of language that officers and national policy use related to risk.

In a landmark article, Feeley and Simon suggested that the rise of risk assessment was symptomatic of a shift to a new penology: “[T]he new penology is markedly less concerned with responsibility, fault, moral sensibility, diagnosis or intervention and treatment of the individual offender. Rather, it is concerned with techniques to identify, classify, and manage groupings sorted by dangerousness. The task is managerial, not transformative” (1992: 452). Without question, the use of risk assessment instruments in community corrections has exploded since Feeley and Simon published their article, and its ascendance has been criticized by many thoughtful critics (e.g., Hannah-Moffat, et al., 2009; O’Malley, 2004; Wandall, 2006). Indeed, Harcourt (2007) demonstrates that risk-based justice may actually *increase* the overall amount of crime in society. In jurisdictions around the world, probation and parole officers have resisted the tyranny of risk and rejected managers’ instructions to manage offenders under their supervision by risk score (Fitzgibbon, et al., 2010; Lynch, 1998). But this view of risk assessment may be too dystopian. Other commentators have realized that the consequences of risk assessment are far more nuanced than its critics suggest. For example, Robinson (2002) notes that actuarialism’s focus on outcomes actually underlies the new rehabilitation of “what works” (see Petersilia, 2004; Taxman, et al., 2004). To be sure, this is a form of rehabilitation that takes public safety as its ultimate object—not the transformation of every individual offender (Robinson, 2002). But instead of contributing to an inexorable increase in prison populations and persons under supervision—a population that exceeded five million, or 1 in 31 U.S. citizens, during 2009 (Pew Center, 2009)—risk assessment can *reduce* prison and community corrections populations (Bonta, 2008). By operating as a check against the precautionary principle and reducing over-classification, actuarial risk assessment can reduce recidivism among low-risk offenders by ensuring that they are not over-supervised. It can simultaneously reduce recidivism among high-risk offenders by ensuring that these individuals are carefully supervised and provided with interventions that correspond to their criminogenic

needs. Instead of stripping the humanity from probation work (Wandall, 2006), actuarial risk assessment with the PCRA can allow federal probation officers to be far more effective in facilitating real transformative change in the lives of offenders.

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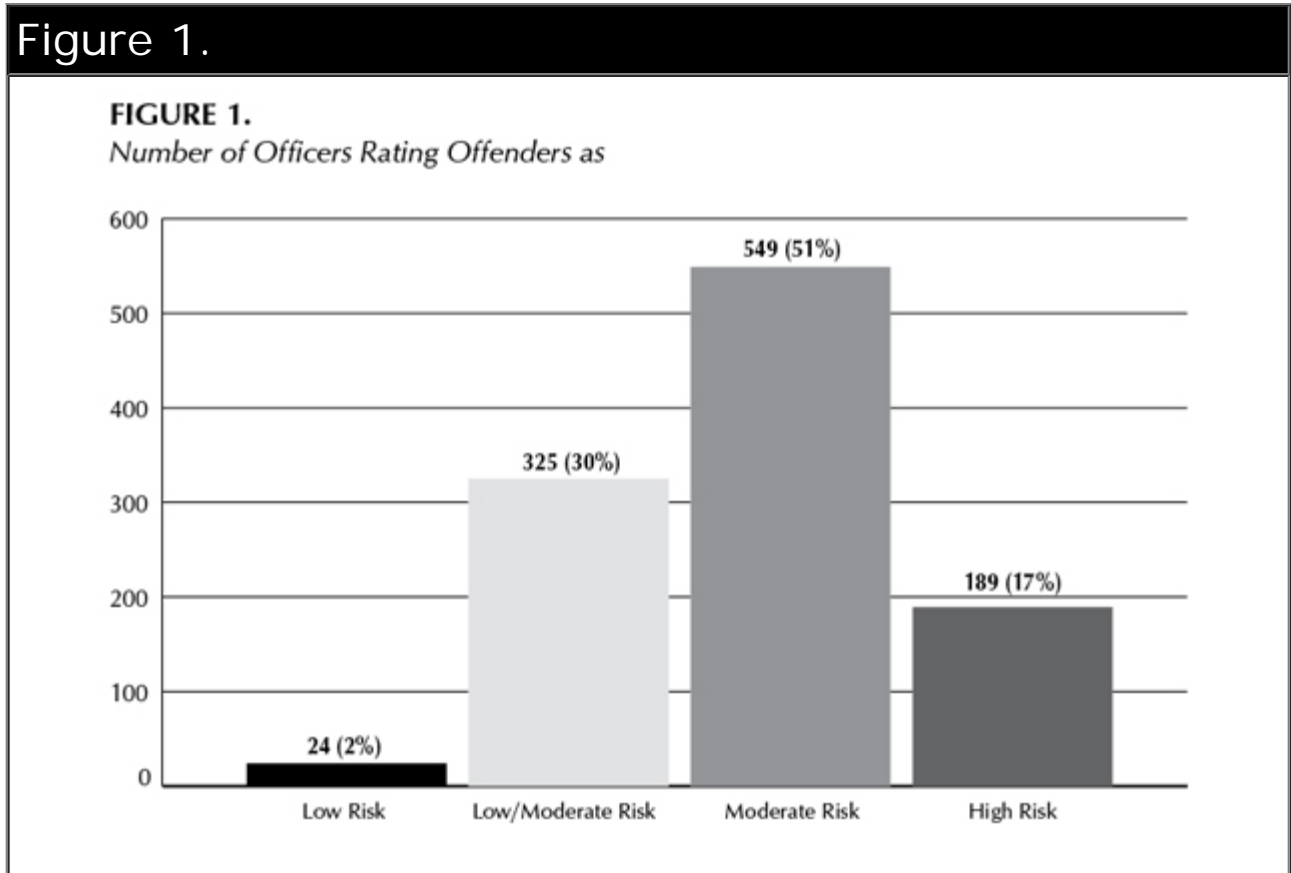
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Training to See Risk: Measuring the Accuracy of Clinical and Actuarial Risk Assessments among Federal Probation Officers

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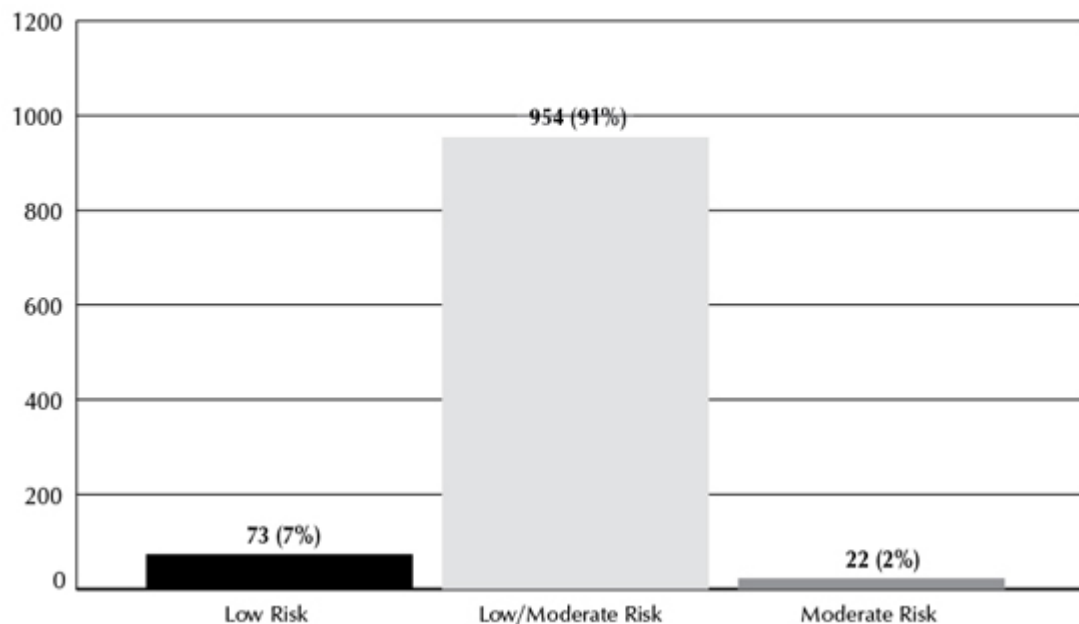
[Figure 1](#)
[Figure 2](#)



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Figure 2.

FIGURE 2.
Number of Officers Rating Offenders as



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A Random (Almost) Study of Staff Training Aimed at Reducing Re-arrest (STARR): Reducing Recidivism through Intentional Design

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COMMUNITY SUPERVISION IS one of the most widely imposed court responses, with approximately 5,095,200 or 70 percent of the correctional population being under community supervision (Glaze, 2010). Despite its popularity, researchers have limited insight into whether community supervision is an effective strategy for reducing recidivism. The most recent reviews of the effectiveness of community supervision (Solomon, Kachnowski, & Bhati, 2005; Aos, Miller, & Drake, 2006; Bonta, Rugge, Scott, Bourgon, & Yessine, 2008; Green & Wink, 2010) brought sobering results. More than three decades after Martinson (1974) summarized the findings of his review of rehabilitation efforts by saying "with few and isolated exceptions, the rehabilitative efforts that have been reported so far have had no appreciable effect on recidivism," Bonta and his colleagues (2008) have found that more recent research yields no better results: the impact of community supervision is limited at best and non-existent in the most pessimistic interpretation.

The Urban Institute (Solomon, et al., 2005) reached a similar conclusion after analyzing the impact of post-prison supervision on re-arrest outcomes. The researchers, after comparing mandatory parolees with similar prisoners released without supervision, concluded that "overall, parole supervision has little effect on re-arrest rates of released prisoners." Consistent with the findings of the Urban Institute, Green & Wink (2010) declared "... probation does not alter the probability of recidivism" after tracking more than 1,000 offenders randomly assigned to nine judicial calendars. Simply put, the recidivism rate of those placed on probation was no different from that of those who weren't placed on probation. Taxman (2002) further affirms the notion of ineffectiveness after reviewing studies on intensive supervision and caseload size. Taxman states

that "unless the contacts are more than check-ins it is unlikely that they will impact outcomes."

Collectively, these reviews indicate that community supervision has little to no impact on the likelihood of future crime. However, none of these studies examined exactly what occurs in meetings between officers and those on supervision. To answer this question, researchers and practitioners have started to unpack the "black box" of supervision (Bonta et al., 2008) to determine what might impact client outcomes. Results suggest that the core of community supervision must be built on a foundation that targets those at highest risk of engaging in criminal behavior, that the areas targeted are those closely linked to future criminal behavior, that barriers to treatment must be removed, and that cognitive-behavioral strategies must be utilized (Andrews, Zinger, Hoge, Bonta, Gendreau, & Cullen, 1990). Likewise, research supports the notion that the quality and nature of the relationship between the client and the supervision officer has an impact on outcomes (Skeem et al., 2007; Paparozzi and Gendreau, 2005). Finally, Jalbert and colleagues (2011) recently completed an analysis of the impact of caseload size on supervision outcomes, and concluded that caseload size can improve outcomes only if used in combination with the effective controlling and correctional strategies described above.

Moving from a "check-in" to the use of a core skill set to increase effectiveness is supported by Andrews and Kiessling (1980), Dowden and Andrews (2004), Trotter (1999), and Taxman (2008). Andrews and Kiessling (1980) introduced the five dimensions of effective correctional practice that were designed to enhance the potential of rehabilitation programs for offenders. Dowden and Andrews (2004) provided a meta-analytic review of the core correctional practices indicating that the use of authority, disapproval, reinforcement, modeling, teaching problem solving skills, and structured learning are all related to the effectiveness of correctional services. While much of the research reviewed by Dowden and Andrews focused on treatment programs, the Bonta et al. (2010) findings are consistent with other research focused on testing the use of these skills in a community supervision setting (Trotter, 1996 & 1999; Taxman et al., 2006). Bonta et al. (2010) affirms the relationship between specific core correctional skills and the effectiveness of community supervision officers, noting that those officers trained in the skills utilized the skills more often and clients of officers trained in the skills had lower recidivism rates than those of untrained officers.

The existing research (Bonta et al., 2008; Taxman et al., 2006; and Trotter, 1996) is encouraging and points to a need for further research on the training of community supervision officers providing direct service to clients. The current study uses a larger sample size than previous studies to further investigate the application of techniques that influence change and provide a model for targeting dynamic risk factors. The current study also uses random assignment to control for the selection and assignment biases associated with observational studies and the use of volunteer participants.

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Method

This study used an experimental pre-post test design. All officers who volunteered for the training and study were randomly assigned to the experimental (trained) and control (untrained) groups.¹ Random assignment was completed such that 66 percent of the officers were randomly assigned to the experimental condition and the remainder assigned to the control condition. While officers were, for the most part, randomly assigned to the two conditions in this study, the clients were not. However, as is the case with most community supervision agencies, once geography was factored in, the client assignment process was based on rotation, caseload size, or some other factor unrelated to officer status in this study.

Participants

Officers

The study began with 53 officers in the experimental group and 35 in the control group. Immediately following the training, 6 officers were lost from one district (both experimental and control group) due to a lack of desire to participate. This reduced the numbers to 49 and 33. An additional group of officers (8 from the experimental group and 7 from the control group) were lost because some officers received promotions, left their position with the judiciary, dropped

out of the study, or did not have moderate- and high-risk clients both pre- & post-training. This reduced the total number of officers in the experimental group to 41 and the total number of officers in the control group to 26. The attrition rate of 18 percent, while of some concern, retained the original distribution of officers across the two groups.

Clients

Clients were identified for inclusion in this study based on when their period of supervision began. While clients were not randomly assigned to experimental and control group officers, clients were assigned to officers independent of the officers' STARR training status. The pretrial sample is made up of cases that were assigned to pretrial supervision. Pre-training cases were those cases that began pretrial supervision during 2007 and 2008 and terminated supervision before the training event date. Post-training pretrial cases were those cases that were assigned to study officers after May 31, 2009. Post-conviction pre-training cases were identified as those cases that began their supervision between May 31, 2007 and May 31, 2008, as this allowed for a follow-up time of at least 12 months. Post-conviction post-training cases were those cases assigned for supervision after May 31, 2009 up until December 12, 2009.²

In all there were 345 pre-training cases assigned to control officers and 446 pre-training cases assigned to the experimental officers. A total of 218 post-training cases were assigned to the control officers and 295 post-training cases were assigned to the experimental officers. A breakdown of these cases by pretrial versus post-conviction supervision is provided in [Table 1](#). As indicated in [Table 1](#), a much larger number of the clients included in this study are those on post-conviction supervision.

The demographic statistics of the clients included in this study are presented in [Table 2](#). Fifteen percent of the sample is female and 57 percent belongs to a minority race or ethnicity. Half of the clients were moderate-risk and half were high-risk according to the RPI.³ The average age for the clients included in this study is approximately 35. [Table 2](#) also shows the descriptive statistics by group (experimental versus control). None of the observed differences were significant at the $p < .05$ level. Analysis of demographic characteristics by pre- and post-status and pre-post status by group (pre-training control group, post-training control, pre-training experimental, and post-training experimental) revealed no statistically significant differences.

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Procedures

This training was intentionally designed to be responsive to the literature on technology transfer⁴ and the use of one-on-one officer-client interactions to reduce risk and thereby client recidivism. Officers in the experimental group participated in a 3½ day classroom training that included a discussion of the theory supporting the development of the STARR curriculum, a demonstration of each skill, exercises, and an opportunity for officers to practice each skill and receive feedback. The theory discussion reviewed the risk, need, responsivity model (see Andrews & Bonta, 2003) and the research demonstrating the effectiveness of a skill-focused supervision approach. The STARR skills themselves include specific strategies for Active Listening, Role Clarification, Effective Use of Authority, Effective Disapproval, Effective Reinforcement, Effective Punishment, Problem Solving, and Teaching, Applying, and Reviewing the Cognitive Model. For each strategy skill cards were developed that outline the specific activities officers needed to do to successfully deliver the strategy. A fundamental focus for each skill is the internalization of strategies so that defendants/offenders begin to learn and apply the strategies on their own. In addition to the skill cards, video examples of some skills were presented, while others were demonstrated live. The exercises allowed officers to practice each skill. For example, after listening to a discussion about reinforcement, officers were asked to identify a behavior and a reinforcement strategy for a specific offender, then role play that interaction with another officer. The officers (experimental and control) were asked to send in audiotaped interactions (1 before the training event and up to 30 after the training event) at designated intervals: initial meeting with the client, an interaction with the client 3 months later, and then a third and final taping 3 months after that (6 month interaction). Officers made recordings with up to 10 moderate- or high-risk clients. The audiotapes were used to gain a better understanding of skill development and provide feedback to the officers. Four "booster"

trainings⁵ were held over the next year to provide officers with additional training on skill deficits identified on the tapes. Booster trainings were delivered by phone and included discussion of specific skills, audiotape examples of the skill, and individual feedback and coaching.

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Measures

Intermediate officer measures

Officer's use of the skills taught during the training was measured by reviewing audiotape recordings of interactions with clients recruited for the study. In all 731 audio recordings were submitted for review. This included 491 recordings from the experimental group and 240 from the control group. The audiotapes were coded by trained raters who focused primarily on behaviors consistent with the skills introduced during the training. For example, with reinforcement or disapproval, raters coded whether the officer identified the specific behavior and whether the officer had the offender explore the short- and long-term consequences of the behavior. For the cognitive model, raters coded whether the model was taught, applied, or reviewed, and coded for discussions of internal cues, consequences of internal cues, and identification of counter thoughts. Finally, raters coded what topics were discussed in the interaction.

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Client Outcomes

Two different outcome measures were used in this study. For pretrial clients, the outcome measure was failure on supervision, as evidenced by failure to appear in court, supervision being revoked, or being arrested for a new criminal charge while on pretrial supervision. The data for this measure was taken from PACTS.⁶ The outcome measure for the post-conviction cases was arrest for new criminal behavior, as identified in the NCIC or ATLAS databases.⁷

For clients on post-conviction supervision, the follow-up time was standardized to 12 months. For pretrial clients the time period was limited to the time they were on pretrial release. For the pre-training group, the average time on pretrial release was 229 days and the post-training average time on pretrial was 185 days (observed differences between experimental and control groups and across time periods within groups were not significant).

Analysis

Bivariate analyses were used to assess the change in officer behavior from pre- to post-training and across the experimental and control groups and to assess the impact of the training on client outcomes. Multivariate analyses were used to determine the interaction between individual client characteristics and officer training and their impact on client outcomes.

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Results and Discussion

Intermediate Outcomes

The 88⁸ officers participating in the study submitted 598 audio recordings for review. This included 400 from the experimental group and 198 from the control group. The audiotapes were coded by trained raters using a structured guide primarily focused on behaviors supported by core correctional practices. This analysis focuses on three intermediate variables: a) the officer's use of reinforcement and disapproval, b) interactions where cognitions, peers, or coping skills were discussed, and c) the officer's use of cognitive techniques during interactions with clients. Analysis of pre-training audiotapes showed no difference between the experimental and control groups in the use of these skills.

As seen in [Table 3](#), officers in the experimental group used reinforcement and disapproval at nearly twice the rate of untrained officers. This suggests that trained officers were almost twice

as likely to capitalize on opportunities to use behavioral strategies that help shape client behavior. The finding provides cause for optimism because of the demonstrated impact of operant conditioning techniques like reinforcement and disapproval (see Dowden and Andrews 2004).

Cognitions, peers, and impulsivity empirically represent some of the strongest predictors of future criminal behavior. A primary focus of STARR is addressing dynamic risk factors using a structured cognitive-behavioral approach. [Table 4](#) shows post-training interactions where cognitions, peers, and impulsivity were discussed. As seen in [Table 4](#), discussions about cognitions, peers, and impulsivity were significantly more likely to occur among officers in the experimental group than among officers of the control group (44 percent vs. 30 percent). This represents a significant difference in how often primary risk factors are targeted.

In addition to targeting dynamic risk factors and using operant conditioning techniques, analysis suggests significant differences in officers' use of the cognitive model. As seen in [Table 5](#), control group officers used the cognitive techniques in 1 percent of interactions where the skills were applicable compared to 17 percent by experimental group officers. This suggests that experimental group officers were significantly more likely to use the cognitive techniques to teach offenders the link between thinking and behavior.

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Client Outcome

Our first analysis aimed at identifying the difference in failure rates for those clients assigned to two groups of officers prior to the training. The first panel of [Table 6](#) indicates that there was no difference in client failure rates between the groups prior to STARR training; control group officers had a failure rate of 38 percent, whereas clients assigned to the experimental officers had a 39 percent failure rate. The second panel of [Table 6](#) displays the post-training failure rates of the clients based on group assignment. The control group cases had a post-training failure rate of 34 percent, which did not significantly differ from the pre-training failure rate. The post-training failure rate for the clients assigned to experimental group officers was 26 percent, which is significantly lower than the pre-training experimental failure rate, and more importantly, than the post-training failure rate for the control group (see note 2 of [Table 6](#)).

Taken together, these results indicate that training can significantly impact strategies used by officers during supervision, and that these strategies lead to lower failure rates. The overall difference in failure rates between the trained and untrained groups is nine percentage points, which equates to a reduction in relative-risk of approximately 25 percent and is quite remarkable, as these differences were achieved with approximately 40 total hours of training, no reductions in caseloads, and no additional work hours from officers.

The next set of analyses focused on investigating the impacts of group membership on client outcomes by risk, specifically whether changes and differences in failure rates differed drastically between moderate- and high-risk clients. [Tables 7 and 8](#) present the failure rates by group for moderate- and high-risk clients.

[Table 7](#) presents the failure rates by group for the moderate-risk clients. In the first panel note that the failure rates for the control and experimental groups pre-training were again statistically indistinguishable from one another (31 percent and 32 percent respectively). The failure rates for the control group pre- and post-training and the experimental group pre-training failure rate also do not differ significantly from one another. Post-training failure rates between the groups indicate a very different trend. The post-training failure rate for the control group is 32 percent, while the post-training failure rate for the experimental group is 16 percent. This is an absolute reduction of 16 percent and a relative risk reduction of 50 percent. This again is noteworthy given the amount of training the officers were given and the fact that the experimental group officers had no additional resources or reduced caseloads.

The failure rates by group for the high-risk clients are contained in [Table 8](#). The first panel of [Table 8](#) indicates, once again, that the pre-training failure rates across the two groups did not differ significantly from one another. The second panel of [Table 8](#), which displays the post-training failure rates across the two groups, also indicates no difference. An important trend that

occurs for both groups is the decrease in failure rates from pre- to post-training. This is likely the result of other efforts that had been ongoing in the districts selected for this study.⁹ At any rate, it doesn't appear that the STARR skills, in this context, produced any beneficial results over and above the targeted efforts of the officers in the study.

The bivariate analyses indicated that the two groups of clients did not differ in terms of race, age, gender, or time at risk. Intra-group pre-post differences in race, age, gender, and time at risk were determined to be statistically not significant. Even so, since clients are not necessarily randomly assigned to officers, we felt it was important to construct and estimate a series of multivariate logistic regression models predicting client failure. The three models are presented in [Table 9](#). The only difference across the three models is the addition of interaction terms. More specifically, Model 2 includes an interaction term between group membership and pre-post time period which isolates the effects for clients assigned to experimental officers after the training. Model 3 includes an interaction term between group membership, pre-post time period, and high-risk status. Thus the additional interaction term allows us to better understand the effects for moderate- and high-risk clients net the effects of other variables in the model.

The three multivariate models presented in [Table 9](#) all predict the same outcome and use the same set of control variables. The difference between the three models is the addition of the interaction terms as described above. In each of the three models the parameter estimate for minority status is not significant, meaning that once the other factors are controlled for minority status is not associated with failure. In all three models female is inversely associated with failure, age is inversely associated with failure, and high-risk status is positively associated with failure. In each of the three models the parameter estimate for group, which captured whether an offender was assigned to a control or experimental group officer, was not significant.

The parameter estimate for the pre-post period (coded as 1 for post-training period) is significant and negative in Model 1. Once, however, the interaction term between group membership and pre-post period is introduced, the parameter estimate for the pre-post variable is no longer significant. This indicates that what was driving the effect of the pre-post period in Model 1 is attributable to the reductions in the post-training experimental group. Model 3 introduces an interaction term that quantifies the impact of high-risk clients in the post-training experimental group. As indicated, compared to moderate-risk clients, high-risk clients in the post-training experimental group are slightly more likely to fail; however, this parameter estimate does not quite reach the typically accepted probability values associated with statistically significant findings.

In converting the log-odds ratios into probabilities, we are able to develop a better understanding of a particular variable while holding the other factors constant. In doing so, we estimated the probability of failure for a 35-year-old, minority, moderate-risk male who was on post-conviction supervision and in the control group prior to training to be at .35. A 35-year-old, minority, moderate-risk male that was in the experimental group prior to training has an estimated probability of failure at .36. A case with those same characteristics that was on an experimental officer's caseload after training had a probability of failure at .18, while a case with the same characteristics on a control officer's caseload after training had a .31 probability of failure. One can quickly see from these calculated numbers that the cases on the experimental officers' caseload had about half the failure rate. This decrease is not as large for high-risk cases; however, it is still in the expected direction and the parameter estimate that captures the post-training difference in effect for the high-risk cases was positive (indicating an increase in the probability of failure and thereby a decrease in effect) but not statistically significant. A visual display of the predicted probabilities of re-arrest by risk and group assignment is provided in [Figure 1](#) below.

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CONCLUSION

This study used an experimental design to assign officers to an experimental and control condition focused on training officers in specific strategies to use during direct supervision of defendants/offenders. Clients supervised by these officers both before and after the training were used to assess the impact of the training on officer behaviors and client outcomes. Results

indicate that officers utilized effective strategies more often post training, and that client outcomes were impacted. Clients supervised by the experimental group of officers after the training had far superior outcomes, even after controlling for individual client level characteristics. A sub-analysis indicated that the effects of the experimental condition were not present for high-risk clients. Nonetheless, this study, a fairly rigorous test, indicated that training in STARR is associated with 50 percent reductions in 12-month failure rates for moderate-risk clients.

There are a number of limitations to this study. First, the clients were not randomly assigned to the officers. The various districts involved in this study confirmed that client assignment was based on a combination of geography, case specialty (substance abuse specialists received a higher percentage of these types of clients), and attempts to balance caseload sizes. However, while the clients do not appear to differ in terms of individual level characteristics across the groups or pre-post time periods, it could be the case that some unmeasured bias in assignment exists. Second, a full analysis of the intermediate measures and their relation to client outcomes has not yet been conducted. These analyses might lead to important adaptations in the training and implementation. Third, while there was an attempt to minimize attrition, we did end up losing just under 20 percent of the officers that started this study. Fourth, the study was conducted by those that developed the training program and trained the officers. Given previous findings on the relationship between demonstration studies and real-world applications, independent and external replications of this study will be important.

Notwithstanding, there are some very important policy implications to take from this study. First, it appears that officers can be trained in behaviorally based skills and they can use those in their one-on-one interactions with offenders. The data presented on the intermediate measures provides support for this conclusion. More important, the bivariate and multivariate analyses of outcome measures supports the conclusion that training probation officers in behavioral strategies might have a profound effect on failure rates of clients in the correctional system. Subsequent research should focus on continuing to test this conclusion.

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A Random (Almost) Study of Staff Training Aimed at Reducing Re-arrest (STARR): Reducing Recidivism through Intentional Design

Tables

Table 1.

Distribution of pre- and post-training cases by supervision type

	Pre Training		Post Training	
	Experimental	Control	Experimental	Control
Pretrial	52	56	30	26
Post conviction	394	289	265	192

Table 2.

Descriptive statistics for demographic characteristics of clients

Variable	All (1304)	Experimental (747)	Control (547)
	Percent or Mean	Percent or Mean	Percent or Mean
Female	15%	15%	15%
Minority	57%	57%	57%
Percent moderate-risk	50%	48%	53%
Percent high-risk	50%	52%	47%
Age	34.78	34.95	34.55
RPI Score	5.61	5.69	5.49

Table 3.

Post training use of reinforcement and disapproval by group

	Did Not Use Skill		Used Skill	
	N	%	N	%
Experimental	230	66%	117	34%
Control	139	83%	29	17%

$\chi^2(1) = 15.090; p = 0.05; \eta = 0.171$

Table 4.

Post-training percent of interactions where cognitions, peers, or impulsivity were discussed

	Not Discussed		Discussed	
	N	%	N	%
Experimental	196	56%	151	44%
Control	117	70%	51	30%

$\chi^2(1) = 8.222; p \leq 0.05; \eta = 0.126$

Table 5.

Post-training percent of interactions where cognitive model was used

	Not Discussed		Discussed	
	N	%	N	%
Experimental	289	83%	58	17%
Control	167	99%	1	1%

$\chi^2(1) = 28.995; p \leq 0.05; \eta = 0.237$

Table 6.***Failure rates for moderate and high-risk clients by group membership***

	Failure Rate	
	Pre-training ¹	Post-training ²
Control Officers	130/345 (38%)	75/218 (34%)
Experimental Officers	175/446 (39%)	78/295 (26%)

¹ χ^2 (1)= 0.199; p > 0.05² χ^2 (1)= 3.798; p ≤ 0.05**Table 7.*****Failure rates for moderate-risk clients by group membership***

	Failure Rate	
	Pre-training ¹	Post-training ²
Control Group Officers	58/188 (31%)	36/113 (32%)
Experimental Group Officers	71/221 (32%)	22/135 (16%)

¹ χ^2 (1)= 0.782; p > 0.05² χ^2 (1)= 8.314; p ≤ 0.05**Table 8.*****Failure rates for high-risk clients by group membership***

	Failure Rate	
	Pre-training ¹	Post-training ²
Control Group Officers	72/157 (46%)	39/105 (37%)
Experimental Group Officers	104/225 (46%)	56/160 (35%)

¹ χ^2 (1)= 0.005; p > 0.05² χ^2 (1)= 0.127; p > 0.05

Table 9.***Multivariate analyses of client outcomes***

Variable	Model 1			Model 2			Model 3		
	B	SE	P	B	SE	P	B	SE	P
Minority	.088	.126	.485	.085	.127	.501	.088	.127	.486
Female	-.435	.182	.017	-.441	.182	.015	-.438	.182	.016
Age	-.040	.007	.000	-.040	.007	.000	-.040	.007	.000
High-risk	.553	.124	.000	.556	.125	.000	.467	.137	.001
Pre-post Period	-.423	.125	.001	-.142	.187	.448	-.139	.187	.455
Group	-.110	.121	.365	.760	.153	.620	.080	.152	.601
Pretrial	-.156	.192	.415	-.149	.192	.603	-.157	.192	.413
Group x Pre-Post	—	—	—	-.505	.251	.044	-.810	.326	.013
Group x Pre-Post X High Risk	—	—	—	—	—	—	.486	.319	.129
Constant	.719	.276	.009	.628	.281	.025	.672	.282	.017

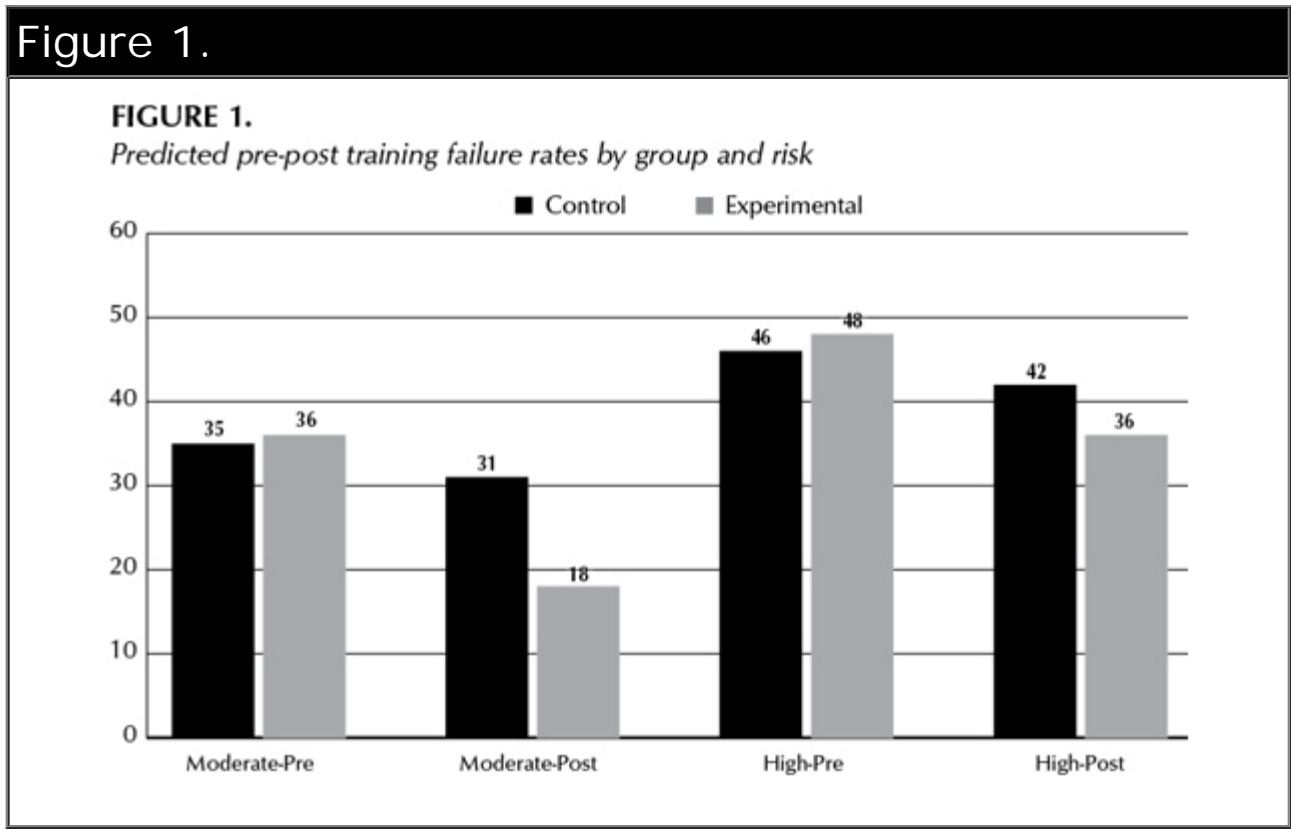
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Federal Reentry Court Programs: A Summary of Recent Evaluations

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IN RECENT YEARS, there has been growing interest on the part of federal judges, probation officers, and others in establishing reentry court programs to manage the reintegration of offenders from prison to the community. These programs generally incorporate features of drug courts that have been shown to reduce recidivism in state and local jurisdictions. They employ the authority of the court to impose graduated sanctions and positive reinforcements in a team approach typically involving a judge, probation officer, assistant U.S. attorney, assistant federal defender, and contract services provider.

Because the reentry court movement at both the state and federal level is still in its infancy, there is little empirical research on whether these programs effectively reduce recidivism. This paper summarizes several studies of federal reentry court programs. It first describes the history of drug courts and reentry courts in the states. It then provides a brief overview of existing federal reentry court programs and summarizes recent evaluations in three federal districts: Oregon, Massachusetts, and the Western District of Michigan. Finally, it discusses the studies' findings, limitations, and implications.

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Background of State Drug Court and Reentry Court Programs

Drug courts, which have become widespread in the states since their introduction more than two decades ago, are specialized courts designed to handle cases involving nonviolent, substance-abusing offenders through a comprehensive program of supervision, drug testing, treatment services, and immediate sanctions and incentives. They transform the adversarial role of the court into a non-adversarial forum for problem-solving collaboration among the judiciary,

prosecution, defense bar, probation, law enforcement, and treatment services agencies (Drug Court Professionals, 1997; Department of Justice, 2006). Depending on the structure of the drug court, successful completion may be accompanied by dropping the charges (pre-plea/diversionary court) or expunging the offense from the record (post-plea court). The available research suggests that state drug courts have succeeded in reducing recidivism and that more study is needed to identify what aspects make them effective (Aos, Miller, and Drake, 2006; Latimer, Morton-Bourgon and Chretien, 2006; Wilson, Mitchell and MacKenzie, 2006; Lowenkamp, Holsinger and Latessa, 2005).

The principles and processes of drug courts have been adopted by "problem-solving courts" to address other forms of chronic behavior by defendants.¹ Examples of problem-solving courts include mental health courts, domestic violence courts, homeless courts, teen courts, tobacco courts, DUI courts, and family courts (Becker and Corrigan, 2002). Because these types of courts are so new, there is little research available on their effectiveness (MacKenzie 2006: 224). An increasingly common type of problem-solving court is the reentry court, which was first proposed as a method to manage post-prison reintegration in the states in 1999 by then-director of the National Institute of Justice Jeremy Travis. That year, Travis and then-Attorney General Janet Reno, who championed the country's first drug court in 1987 as a prosecutor in Dade County, Florida, announced federal support for state and local jurisdictions interested in establishing pilot reentry courts (Travis, 2005: vii). As Attorney General Reno explained, reentry courts apply drug court principles to the back end of the criminal justice system:

[The reentry court] would oversee an offender's return to the community after release from prison or jail. The court will use its authority for positive reinforcement as drug courts do...This reentry court is modeled on the same theory of a carrot and stick approach [as drug courts] in using the strength of the court and the wisdom of the court to really push the issue...The reentry court would promote positive behavior by the returning offender. It would marshal resources to support the offender's successful reintegration into society. The court would also use its powers of punishment, using the graduated range of swift, predictable sanctions, to make sure that the individual stays on the right track. Judges working closely with others would approach or could approach a plan for reintegrating the offender into the community. The court would then monitor and enforce the plan. The partners of court would include institutional and community correctional officers, law enforcement, local businesses, family, clergy, support services, victim advocates and neighborhood organizations (See Attorney General Janet Reno, Remarks at John Jay College of Criminal Justice on the Reentry Court Initiative (Feb. 10, 2000), available at <http://www.usdoj.gov/archive/ag/speeches/2000/doc2.htm>).

In 2000, the Department of Justice's Office of Justice Programs (OJP) launched the Reentry Court Initiative (RCI).² Drawing on the drug court model, the goal of the RCI was to "establish a seamless system of offender accountability and support services throughout the reentry process" (Lindquist, et al., 2004). The RCI solicitation identified six core elements of reentry courts—assessment and planning; active oversight; management of support services; accountability to community; graduated and parsimonious sanctions; and rewards for success. The OJP selected and provided technical support to nine states to implement pilot reentry courts. A process evaluation of the RCI concluded that, despite extensive variability across the nine sites, several lessons were learned. One of the most important conclusions was that it is essential to agree on the target population because, unlike drug courts (which involve focused treatment for offenders who share a common treatment need), "reentry courts that target the general population of returning offenders have to meet a diverse set of needs extending far beyond substance abuse treatment" (Lindquist, et al., 2004). The evaluation concluded that further research is needed on the implementation, costs, and benefits of state reentry courts and other alternatives:

Given that many of the [reentry court] programs are operating on a very small scale, it is particularly important to document the relative costs and benefits of programs that serve a small number of participants. Additional research on the formation and functioning of alternative models (including several non-court-based programs) and practices that are most effective with different types of

offenders, would also be of importance. Given that reentry courts are a promising, yet fledgling approach to managing the complex problem of prisoner reentry, documenting all types of models used in establishing programs is an important contribution to the field, one that will serve policymakers, practitioners, and researchers alike (Lindquist, et al., 2004).

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Reentry Court Programs in the Federal System

A number of districts within the federal court system have established reentry court programs over the past six years. Such programs allow the court to impose graduated sanctions and positive reinforcements in a team setting that typically involves a judge, probation officer, assistant United States attorney, assistant federal defender, and contract services provider. Within this general model, there is considerable variation. For example, some programs include only offenders with substance abuse issues. Some courts accept only volunteers, whereas others mandate participation by all offenders whom the officer and judge believe need intensive supervision. Some focus on offenders with a high probability of recidivism, as measured by the Risk Prediction Index score. Some involve informal monthly meetings with a judge, whereas others include formal status hearings in a courtroom (For an overview of the different types of federal reentry court programs, see Meierhoefer, 2011, in this issue). As with state reentry courts, there is limited research on whether these programs effectively reduce recidivism. The following sections summarize evaluations for reentry court programs in the District of Oregon, the District of Massachusetts, and the Western District of Michigan.

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District of Oregon Reentry Court

Program Description

In 2005, the District of Oregon established one of the country's first federal reentry court programs. The program is described and evaluated in a report titled *The District of Oregon Reentry Court: Evaluation, Policy Recommendations, and Replication Strategies* (Close, Aubin, and Alltucker, 2008). The study was written by researchers from the University of Oregon College of Education and from the court. As Close and his colleagues explain, the reentry court was created to address a public safety and health crisis caused by unprecedented levels of methamphetamine use. Oregon social services agencies were treating more individuals for methamphetamine abuse per capita than any other state, and the District of Oregon's revocation rate rose above the national average.

In response, the District of Oregon "initiated an aggressive campaign of research and study to address the challenges of drug abuse among the offenders under its supervision." An Offender Treatment Committee³ was formed to "gather information about best practices to address the crisis in drug abuse among the offenders in supervision." In addition, the committee "sought information on innovative treatment programming and the procurement of increased funding for a range of treatment efforts." Finally, it "sought to foster meaningful partnerships with a range of treatment agencies, the Federal Bureau of Prisons, and state and county social service agencies."

The reentry court program was designed based on six foundational principles:

1. Transitional planning;
2. Multidisciplinary training in evidence-based practices for the reentry court judge;
3. The use of an integrated case management and law enforcement perspective for the reentry court probation officer;
4. The research-informed use of monitoring, sanctions, and rewards;
5. The research-informed use of a continuum of services designed to enhance accountability and reduce barriers to reentry; and

6. The establishment of quality data collection and evaluation systems to measure the effectiveness of the reentry court program at the individual and community levels.

The reentry court team comprises a federal district judge, a probation officer, an assistant U.S. attorney, an assistant federal public defender, a drug and alcohol treatment professional, and a community services coordinator.⁴ It operates in a non-adversarial manner, encouraging, challenging, or sanctioning the participant in ways that depart from their conventional roles. The program includes court-mandated monitoring and community supervision, coupled with "individualized and effective long-term treatment and independent living supports coordinated by the probation officer." This alternative to traditional release and supervision "provides the reentry court participant with the specialized expertise of the courts and treatment services designed to encourage personal satisfaction and successful reintegration."

Participants voluntarily enter the reentry court after waiving certain due process rights. The program requires participants to enter into, and abide by, the terms of a contract. The participant acknowledges a willingness to comply with the terms of the individualized reentry plan and submit to periodic, random urinalysis and other monitoring. Sanctions are immediate and proportional to the offense and are designed to teach accountability and encourage progress in the participant's reentry plan. This procedure departs significantly from a traditional violation hearing. Where the participant's offenses fall short of the severity required to terminate him or her from the reentry court, the sanctioning process "encourages the participant to reflect on his or her mistake and correct it, without irreversibly interrupting progress toward the eventual goal of reentry success." If a participant's offense warrants termination from the reentry court, he or she is transferred to conventional violation proceedings, where the sanctions may be more serious.

The reentry court team reviews each participant's progress on a monthly basis under the direction of the judge and the leadership of the probation officer. Before monthly hearings, the probation officer prepares a detailed report on each participant, which updates the reentry court team on the individual's progress in substance abuse treatment, mental health therapy and counseling services, vocational training and job placement assistance, housing assistance, education and training, and family counseling. Monthly hearings focus on "identifying the participant's needs and engaging the participant in problem-solving activities designed to meet those needs while preserving public safety and accountability." The needs assessment process is continuous and constantly changes over the course of a participant's involvement in the program.

The reentry court hearing is an interactive set of discussions, often led by the judge, probation officer, and participants. Typically, each participant undertakes a self-assessment after hearing the probation officer's report, and the team engages the participant in problem-solving strategies that target individual barriers to reentry and strategies for long-term success. Graduates of the program also participate in reentry court hearings, encouraging participants and assisting in the development of useful approaches to sobriety and desistance. The "cooperative nature of the reentry court approach provides an opportunity for the participant to change behaviors that led to his or her incarceration and to chart a new life that is clean, sober, and fully integrated into the life of the community." Participants successfully complete the program upon achieving 12 continuous months of sobriety, as evidenced by random urinalysis testing. Graduates are honored with a ceremony involving participants, other graduates, and supportive family and friends, and are eligible for a one-year reduction in the term of supervision.

Evaluation Overview

The District of Oregon Reentry Court "initiated a comprehensive evaluation of its program and services during the early planning phase of program development activities" to provide "both quantitative and qualitative information [on its effectiveness] from two perspectives: the participant's success in the community and the protection of public safety in the community" (Close, Aubin, and Alltucker, 2008). A total of 114 people were included in the study. There were 28 people in a "Comparison Group" (comprising individuals under traditional supervision outside the reentry court context), 25 people in the "Current Reentry Court Participants Group," 31 people in the "Reentry Court Graduates Group," and 30 people in the "Reentry Court Terminators Group."

Probation officers from Portland and Eugene selected the comparison group participants and

identified the current, graduated, and terminated reentry court participants. Data were collected on eight different domains of information contained in the court files: demographics, sentencing, supervision, family, education, presentence information, criminal convictions, and chronological list (reentry court activities). Differences between the comparison, current reentry court participants, reentry court graduates, and reentry court terminators were calculated on four outcome variables: (1) total sanctions; (2) number of urinalyses; (3) number of positive urinalyses; and (4) the total number of support services used. Main effects were examined using one-way ANOVA, and post hoc analyses were performed with a Tukey test. The study calculated differences in employment status between the comparison group, current reentry court participants, reentry court graduates, and reentry court terminators using chi-square analyses. According to the study, "[s]ignificant differences were found among the Comparison, Current Reentry Court Participants, Reentry Court Graduates and Reentry Court Terminators on three outcome variables: total sanctions, number of urinalyses, and the number of support services used." Specifically, the comparison group had the lowest average of total sanctions (.25) compared with the other groups. Current reentry court participants experienced an average of .92 sanctions, graduates had 1.6 sanctions, and terminators had the highest number of sanctions.

There were also statistically significant differences found among groups on the total number of urinalyses performed. The comparison group had the fewest number of urinalyses, with an average of 6.9. Current reentry court participants had an average of 21.7 urinalyses. The graduated group had the highest number of urinalyses with 22.1, and the terminators had an average of 18.6 urinalyses. The groups differed on the number of support services utilized as well. The comparison group participated in support services at the lowest level, compared with the other three groups. Participants in the comparison group used an average of 1.1 services, compared with 2.0 for the current reentry court group, 2.0 for the graduate group, and 1.9 for the terminated group. Groups did not significantly differ in the average number of positive urinalyses. According to the study, significant differences in employment status (yes/no) were found. For example, people in the comparison group, the current reentry court participants, and the graduates were more likely to be employed compared to the terminators.

The study concluded that "it appears that the comparison group outperformed the treatment groups on multiple, important dimensions. For example, the comparison group underwent less monitoring and supervision and had fewer drug and mental health services and yet had more employment and fewer sanctions." The study authors warned that the study "has several limitations that restrict interpretation and generalizability of findings" relating to the initial design of the project, the simplicity of the outcome measures utilized in the evaluation, the relatively small size of the sample, the limited duration of program efforts, the characteristics and demographics of the sample population, the constant changes in treatment procedures, the limitations in the availability of community services, and the constant improvement of skill of the professionals implementing the reentry court program. The authors also noted:

We do not know whether the result of the evaluation is due to sampling error or some other flaw in the selection and measurement of this group...we know very little about individuals who are under conventional (non-reentry court) supervision...The fact that they had less contact with the court, the judge and probation officers, had less scrutiny of their actions, and less opportunity to be accountable points out the flaws in the initial design of the study. These individuals are not being monitored as frequently or as intensively as the treatment group participants. This lack of information about the comparison group is contrasted with the detailed and immediate information available regarding the reentry court participants.

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The District of Massachusetts Court Assisted Recovery Effort

Program Description

In May of 2006, the District of Massachusetts established the Court Assisted Recovery Effort (C.A.R.E.). The program is described and evaluated in a report titled *Evaluation of the Court Assisted Recovery Effort (C.A.R.E.) Program – United States District Court for the District of Massachusetts* (Farrell and Wunderlich, 2009). The study was written by researchers from the

Northeastern University School of Criminology and Criminal Justice. As the study explains, state courts throughout Massachusetts have increasingly utilized drug courts as a means to combat the Commonwealth's growing drug abuse problems. Cocaine and heroin are two of the primary drugs of abuse in Massachusetts, and opiate-related deaths are on the rise. Facing a "growing population of drug-involved offenders, the District of Massachusetts began looking for new and innovative mechanisms to address the challenges of supervising addicted offenders."

According to Farrell and Wunderlich (2009), the C.A.R.E. program "uses a modified drug court program to provide enhanced supervision of offenders while addressing the problems that accompany addiction." Offenders who have a significant drug abuse history and are serving terms of supervised release or probation voluntarily enroll in the program, subject to the approval of the court with input from the C.A.R.E. team. The principal goal of C.A.R.E. is to "transform offenders into sober, employed and law-abiding citizens." The program involves "closer supervision of an offender and higher expectations than regular supervision, but it also offers an offender greater assistance, opportunity and reward." Each participant is "challenged to accept responsibility for the impact of his or her addiction on others, and is provided the tools necessary to achieve and maintain sobriety."

The program lasts at least 52 weeks, consisting of three 12-week phases and one 16-week phase. The four phases are "Early Recovery," "Understanding and Taking Responsibility," "Healthy Decision Making," and "Relapse Prevention Planning." Offender supervision is most intensive in the first phase, requiring participants to attend weekly court sessions and to appear in the probation office three times per week for meetings and drug tests. During this phase, participants are also expected to attend substance abuse and mental health treatment as deemed necessary and begin a life skills, employment, or education program. The second phase requires weekly meetings with the probation office and biweekly court appearances. Participants continue a life skills, employment, or education program and participate in substance abuse and/or mental health treatment.

The third phase of the program requires biweekly court attendance and meetings with the probation office and less frequent attendance at substance abuse and/or mental health treatment. By the end of this phase, participants are expected to have secured employment. The fourth and final phase requires participants to appear in court and at the probation office once per month. Participants are required to maintain employment, attend treatment when necessary, and complete an approved, written relapse prevention plan prior to graduation. Throughout the course of the program, the probation officer's contact with the offenders is not limited to office visits. The type and level of contacts vary based on the needs and risk level of individual offenders.

Progression from one phase to another allows for more lenient supervision, but it is a "privilege that must be earned." Participants are required to adhere to the terms of the program and the terms of supervision, or face a sanction and be deprived of credit for a particular week or weeks. Examples of sanctions include writing assignments, a day or night in custody, loss of credit for the week, and community service. Participants can also receive rewards weekly through acknowledgment of a successful week in open court and through certificates for completion of each phase.

The court and the probation office encourage each participant weekly to work on treatment issues and other goals. During the court session, each participant comes forward to engage in discussion with the judge about his or her progress or troubles. If there are any program or supervision violations, the judge imposes the sanction to be completed by the next court session, and the participant does not earn a good week. A "good week" means that the participant attended all required meetings with probation and all treatment sessions, submitted to all scheduled drug tests (and tested negative), and complied with all other conditions of supervision. Participants must earn 12 good weeks and complete a writing assignment in order to progress through each of the first three phases. They must then earn 16 good weeks during the last phase and complete a relapse prevention plan in order to graduate the program. For more severe program violations, the offender may be terminated from the program or demoted to an earlier stage of the program. Allegations of new criminal conduct are brought to the district judge and are not addressed in the C.A.R.E. program. Upon successful completion of the program, participants may receive up to a one-year reduction in the term of their supervised release.

Participants volunteer for the program and are then screened and accepted by the probation office. They generally score in the severe range on the Risk Prediction Index (RPI)⁵ and Texas Christian University (TCU) Drug Screen.⁶ Additionally, C.A.R.E. participants are required to demonstrate a serious history of substance abuse, typically do not have mental health issues as their primary diagnosis, and cannot be registered as a sex offender. Individuals are admitted to C.A.R.E. on a rolling basis. The court (a magistrate judge), the probation office, the United States attorney's office, the federal defender's office, and outside treatment contractors all participate in the program in a joint effort to help each offender accomplish his or her goals.

Before each weekly court session, the magistrate judge meets with this team to review the status of each participant in the program and to discuss any changes in treatment, compliance problems, or suggested sanctions. The representatives from each office "work together to provide encouragement when participants are excelling, and to respond effectively when participants are in non-compliance by providing immediate intervention and promptly addressing the issues." The active involvement of each team member is "essential to not only the success of the program, but also to the success of each individual participant." Program participants are also expected to "provide support to their peers in the program and receive the benefits of an extended network of group accountability and encouragement."

Evaluation Overview

Northeastern University's Department of Criminology and Criminal Justice conducted an evaluation of C.A.R.E. (Farrell and Wunderlich, 2009). The study examined whether participants in the C.A.R.E. program were more successful than a comparison group of offenders who receive traditional supervision across three main measures: (1) their ability to remain sober, (2) their being employed, and (3) their being law abiding. The study utilized data collected through U.S. Probation resources about C.A.R.E. participants and comparison group progress across a number of outcome measures collected at intervals of three, six, and twelve months between May 2006 and May 2009.

C.A.R.E. participants were not randomly assigned to the program but volunteered. Therefore, efforts were made to help ensure the equivalence of the treatment and comparison groups. To select comparison group members, in May 2006 the probation office compiled a list of eligible federal offenders in Massachusetts based on their RPI and TCU scores and drug abuse history. Offenders selected for assignment into the comparison group could not have serious mental health problems and could not be registered as sex offenders. A list of eligible participants who were not actively participating in C.A.R.E. was compiled and the comparison group was randomly selected from this list. This process was replicated in 2007 and 2008. Offenders who were part of the participant or comparison groups in the previous years were excluded from the subsequent comparison group sampling processes.

As to the data collection methods, at months three, six, and twelve of an offender's participation in the program, the probation office collected data on the status and progress of both C.A.R.E. and comparison group members concerning new charges, revocations, compliance issues, employment status, number of positive and negative urine analysis tests, current drug and alcohol usage, mental health issues, family and residential status, and services or treatment received. The study's author also obtained Criminal Offender Record Information (CORI) from the probation office for each individual in the treatment and comparison population. The CORI records were utilized to determine if a participant had received any new charges through June of 2009. This information was used to calculate the number and type of new charges for each participant. Information from presentence investigation reports was also obtained to provide more detail about the prior criminal history, marital status, number of dependents, education and prior employment, and family circumstances of study participants.

In total, 46 offenders participated in C.A.R.E. between May 2006 and May 2009. Sixty-eight comparison group members were selected for inclusion in the study during this period. Descriptive statistical analyses of the two samples "confirmed the similarities between the treatment and comparison groups across characteristics of interest to the research." Chi-Square tests and t-tests were used to compare the demographic and offense history characteristics of C.A.R.E. and comparison group participants. The study found "only a few statistically significant differences between the demographic and offense history characteristics of treatment

and comparison group members." There were proportionately more black participants in the treatment group (32.6 percent) than in the comparison group (19.1 percent), though the difference was only marginally significant ($p=.08$). There were proportionately more Hispanic members of the comparison group (25.6 percent) compared to the treatment group (8.7 percent). While the treatment and control groups were similar in the average age of onset for drug use, 15.2 percent of treatment group participants began using drugs before the age of 12 compared to only 4.3 percent of comparison group participants. The risk assessment scores, TCU scores, and previous criminal histories were similar for treatment and comparison group members. RPI scores were nearly identical for the two groups (5.9 for CARE and 5.8 for the comparison group). On average, TCU scores were slightly higher for the CARE participants (7.4) than for the comparison group members (6.5). Treatment group members also had more juvenile and adult convictions than did comparison group members. Overall, the study "found similar patterns in the demographic characteristics and offense histories of treatment and comparison group members in specific cohort years as [it] found overall."

Turning to the outcome analysis, the study found that C.A.R.E. group participants were "more likely to meet the standards necessary to graduate (12 months of consecutive no new charges, employed, and no positive drug tests) than the comparison group." Approximately 46 percent of the C.A.R.E. group members met the standards for graduation, compared to only 31 percent of the comparison group members. Because the study used a .10 level of statistical significance, it included the following caveat: "While studies measuring differences between groups traditionally use .05 or .01 thresholds for significance, the small sample sizes allow some latitude to examine differences between groups that fall below the .10 level. While the differences are likely not due to chance alone, they are also not overwhelmingly strong."

The researchers also conducted multivariate analyses (logistic regression) on whether program participation increases the likelihood of a successful graduation outcome (12 consecutive months of no new charges, employed, and no positive drug tests), controlling for cohort year and risk prediction scores. They concluded that participation in C.A.R.E. "is significantly associated with successful outcomes." When controlling only for the year of participation, participants in C.A.R.E. were statistically significantly more likely to have successful outcomes than comparison group members ($p=.02$), and the odds of success for C.A.R.E. participants were 2.6 times greater than for comparison group members. When the researchers also controlled for offender characteristics in the regression model, they found that the odds of success for C.A.R.E. participants decreased slightly (from 2.60 to 2.28), but none of the personal characteristics of offenders significantly predicted successful graduation. The authors warned, however, that the regression models should be interpreted cautiously due to the small number of cases.

When the authors separately examined each component of successful graduation (no new charges, employed, and no positive drug tests) they found more similarities than differences between C.A.R.E. and comparison group members. For instance, 6.8 percent of the C.A.R.E. group had a new charge, while 10.8 percent of the comparison group had a new charge. With regard to employment, 43.2 percent of the C.A.R.E. group was employed, while 47.1 percent of the comparison group was employed. As to positive drug tests, 51.1 percent of the C.A.R.E. group had a positive drug test, while 40.3 percent of the comparison group tested positive. The authors stressed that "[it] is important to note that [this data] includes new charges, employment and positive drug tests over the full 24-month period of data collection," and "[i]n some cases, C.A.R.E. and comparison group members had a failure on one of the measures in the first year but were able to complete a second year of supervision successfully."

Because C.A.R.E. participants had the opportunity to continue in the program and repeat program phases if they encountered early setbacks, the researchers developed a second outcome measure that examines any negative outcomes in the last 12 months of data collection for each group. They found that C.A.R.E. participants were "significantly more likely to be employed than comparison group members [were] in the final 12 months of data collection. The difference between groups in receiving new charges or having positive drug tests [was] non-significant in the final 12 months of data collection."

While C.A.R.E. participants were more likely to have positive urine analysis results than comparison group members in both the overall and last 12 months measures (though the differences were not statistically significant), the researchers stressed that the groups were not

equivalent in terms of the risks for failure. The participants underwent far more frequent drug screening (tested 35 times on average) than comparison group members (tested 9 times on average). To account for the different risks for failure, the study authors computed the average proportion of positive urine analysis tests to total tests and found that participants were less likely than the comparison group to test positive in proportion to the total number of tests given.

In their concluding section, the researchers state that C.A.R.E. participants "have greater likelihood of overall success—measured here as law abiding, employed, and sober—than participants in a comparison group who received only normal supervision." They noted, however, that participants faced "struggles throughout the study period." For instance, some cohorts of C.A.R.E. participants were more likely than the comparison group to have positive drug tests. The authors attribute this to the fact that participants, on average, underwent nearly four times as many drug tests. Despite these challenges, C.A.R.E. participants were more likely to have the full combination of positive outcomes, which is a "sign that participation in C.A.R.E. assists offenders holistically."

The authors also discussed two "important limitations." First, the number of participants in the treatment and control groups was small. As a result, the study findings are "not particularly strong," and "a few cases in one direction or another might change outcomes of our analysis, for example rendering a statistically significant result to be non-significant." Second, while the analyses indicated that participants were "at least marginally more successful at avoiding new charges, securing employment and remaining drug-free than a comparable group of offenders under traditional supervision, we do not know why." The researchers suggest a number of potential explanations for these findings, guided by theory and prior research. For instance, the blending of "a public health and criminal justice approach may improve both treatment and accountability." It is also possible that participation in C.A.R.E. fosters "social support networks that aid offenders as they transition through supervision." Finally, the "judicial oversight and encouragement of C.A.R.E. may also more effectively keep program participants in treatment than regular supervision because of its early intervention model." The study concluded: "Further understanding why C.A.R.E. participants are successful, and identifying areas where they struggle will ultimately help court officials improve and expand the program to better address the needs of addicted offenders."

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Western District of Michigan

Program Description

In 2005, the Western District of Michigan established the Accelerated Community Entry Program (ACE). The program is described and evaluated in a report titled *An Evaluation of the Accelerated Community Entry Court Program* (Lowenkamp and Bechtel, 2010). The study was written by researchers from the Administrative Office of the U.S. Courts and the University of Cincinnati's Center for Criminal Justice Research. The program was initially established in Benton Harbor but has since expanded to two additional sites in Kalamazoo and Grand Rapids. It targets high-risk offenders following release from prison and uses a multi-disciplinary approach to address the needs of the participants (Evers and Martin, 2007).

The collaborative partners include the district court, the probation office, the U.S. attorney's office, the federal defender's office, the Federal Bureau of Prisons, local community service providers, and the participants' prosocial support system (family, friends, significant others, employers, and clergy). The ACE program model "calls for the use of evidence-based practices," including the use of assessment practices, to identify and target high-risk offenders and their specific criminogenic needs, addressing the offender's motivation for behavioral change, providing prosocial models and supports to encourage law-abiding behaviors, monthly court supervised status hearings, participation in Moral Reconnection Therapy (MRT), and the use of rewards and sanctions as appropriate (Evers and Martin, 2007).

Federal probation officers identify program candidates based on their Risk Prediction Index score. Offenders eligible for participation must score between 6 and 9 on the RPI.⁷ Potential participants must also complete a contract that identifies the conditions of supervision, the system for rewards and sanctions, and the criteria for successful completion of the program.

Participants are not unsuccessfully terminated from the ACE program. Should revocation occur on supervision, the individual starts over in the program after incarceration. Offenders who choose not to participate are required to seek judicial approval to be removed from the program.

A standard requirement of ACE is attendance at the monthly court status hearings, where the ACE team members describe the offender's progress. A report summarizing the offender's monthly progress, goals for the following month, and rewards or sanctions received is completed at the end of each status hearing. Violations of supervision are addressed either at the time of the ACE court hearing or before the hearing, depending on the severity of the violation. Successful discharge from the program occurs when the participant accrues 12 months of rewards. Along with receiving a certificate of completion, the graduation process involves placing the offender on traditional supervision status for an additional 12 months. Following this time period, the officer can request early termination of supervision for good behavior.

Evaluation Overview

Researchers from the Administrative Office of the U.S. Courts and the University of Cincinnati's Center for Criminal Justice Research conducted an evaluation of the ACE program (Lowenkamp and Bechtel, 2010). The purpose was to "provide some initial outcome results" related to the program participants. The sample size for the preliminary analysis consisted of 36 ACE participants. While there had been 77 participants at the time of the evaluation, many of them were removed from the analysis because they started the program too late for a full follow-up period. (A more comprehensive evaluation will be completed in the future as more offenders complete the program and more time has passed to allow an analysis of an appropriately long follow-up period.) Data for the sample were pulled from the Probation and Pretrial Services Automated Case Tracking System (PACTS). The primary variables included general demographics (sex, race, ethnicity, and age), RPI total score and risk category, motivation, supervising officer, supervision location, participation in Moral Reconciliation Therapy, and re-arrest.⁸ The follow-up time period for re-arrest was 12 months. The re-arrest measure was defined as (1) re-arrest for a new crime and/or technical violation and (2) re-arrest for a new crime.

For the study samples, the researchers used a comparison group of 121 offenders that did not participate in the ACE reentry court program. Each of the offenders in the comparison group was supervised by one of the same four probation officers that were responsible for supervising ACE participants. Several characteristics of the treatment group were used to select the comparison group. Three of these variables were constants: being male, non-Hispanic, and not a sex offender. The fourth variable, race, was defined as being either Black or White. Of greater importance, the researchers also conducted a matched sample analysis (36 ACE participants and 36 comparison group members), where offenders were matched, not only on demographic factors, but also on risk (using the RPI), motivation, and supervising officer.⁹

Statistical analyses were in three phases: (1) matched samples; (2) unmatched samples; and (3) treatment group only. The analysis of the matched samples (N=72) was limited to the calculation of frequencies to describe the sample, t-tests, and chi-square tests to examine the differences between the treatment and comparison groups and bivariate analysis to examine the outcome measure, re-arrest.¹⁰ For the unmatched sample (N=157), the statistical analysis was similar to the matched sample, with the addition of a multivariate logistic regression model controlling for motivation, risk, age, and group membership. Predicted probabilities were also calculated from the multivariate model. Finally, an additional bivariate analysis conducted on treatment group members only examined participation in Moral Reconciliation Therapy (MRT) and re-arrest.

For the matched sample analyses, descriptive statistics revealed no statistically significant differences between the ACE and non-ACE participants. The researchers conducted a bivariate analysis examining the differences between the treatment and comparison groups with regard to re-arrest (new crime and technical violation) at 12 months. Nearly 40 percent of the treatment group (ACE participants) was re-arrested at the 12-month follow-up period in comparison to 58 percent of the matched cases that did not participate in the ACE program. Chi-square analysis revealed that the difference between the groups with regard to re-arrest was statistically significant ($p=.099$). The study also included a bivariate analysis comparing new crime re-arrest

between group membership. One quarter of the treatment group was re-arrested for a new crime compared to one half of the non-ACE participants, a finding that was also statistically significant ($p=.028$).

Turning to the unmatched sample analysis of the larger comparison sample ($N=121$), descriptive statistics revealed that there were statistically significant differences between the unmatched samples for age, race, and risk level.¹¹ As with the matched sample analysis, a bivariate analysis was performed comparing the 12-month re-arrest rates for the unmatched sample. The percentage of comparison group members that were re-arrested at the 12-month follow-up period was 49 percent and the re-arrest rate (including technical violations) for the treatment group was 39 percent, though chi-square test results indicated that the difference was not statistically significant. Similarly, when using arrest for new criminal arrests only (arrests for technical violations excluded), the differences were not statistically significant.

The unmatched sample analysis also included a multivariate logistic regression model predicting re-arrest (including technical violations) while controlling for age, motivation, RPI moderate- and high-risk categories, and group membership. Based on these results, members of the comparison group were significantly more likely to be re-arrested at the 12-month follow-up period. Motivation was found to be a significant predictor of re-arrest, with unmotivated offenders being significantly more likely to experience re-arrest. Collectively, the RPI categories were found to be a significant predictor of re-arrest (although the individual risk categories were not), with increases from one risk category to the next representing an increase in the likelihood that an offender will be re-arrested. An offender's age was also shown to be significantly related to re-arrest, with younger offenders significantly more likely to be re-arrested. The multivariate model predicting arrests for criminal behavior only (excluding technical violations) indicated that treatment group and age were the only statistically significant predictors, with the effect of treatment (ACE participation) being the same magnitude as in the multivariate model predicting re-arrest (including technical violations).¹²

The final analysis focused on ACE participants only. It compared the 12-month re-arrest rates of ACE participants that participated in Moral Reconciliation Therapy (MRT) and those that did not participate. The results of this bivariate analysis suggested that 50 percent of the MRT participants were rearrested, compared to a 21 percent re-arrest rate for the group that did not participate in MRT. Chi-square analysis findings indicated that the difference between participants and non-participants for 12-month re-arrest rates was statistically significant. However, the study noted that this finding should be interpreted cautiously due to the small sample size.

The concluding section of the study highlighted several key findings. First, the participants of the ACE program "appeared to have lower recidivism rates as measured by re-arrest in a 12 month follow-up period than the offenders that did not participate in ACE." The study stated that, "[w]hile encouraging, these findings are considered preliminary due to the small sample size and one year follow-up period." Second, motivation toward supervision "repeatedly was demonstrated as a significant variable with regard to lower recidivism rates" in "both the matched and unmatched sample analysis." This finding "provides additional support to the research on motivation and the importance of assessing for motivation and providing pre-treatment for offenders who are identified as not motivated for participation in programming."

Third, risk, as measured by the Risk Prediction Index, was shown to be a "significant predictor of re-arrest indicating that the higher risk offenders were more likely to recidivate." Given that the RPI categories were a significant predictor for re-arrest and in light of prior research demonstrating that "the mixing of risk levels has been shown to increase the recidivism rates for the lower risk offenders," the study recommended "continued efforts to avoid mixing risk levels." Fourth, youthful offenders were more likely to experience re-arrest. Finally, participation in MRT yielded higher re-arrest rates for ACE offenders than for those that did not participate in MRT.¹³

Finally, the researchers discussed several of the preliminary study's limitations. For instance, the sample sizes were "rather small and this serves as a limitation for the statistical analysis as well as the reliability and generalizability of the results." Therefore, "caution should be observed regarding the reliability of significant findings and the ability to generalize these findings to

other offending populations." In addition, only males and non-Hispanics were included in this analysis, thereby limiting the generalizability to females and Hispanic offenders. Finally, multivariate models controlling for motivation, age, risk, and group membership could only be conducted on the unmatched sample due to not having a large enough matched sample.

The authors of this preliminary study listed several recommendations for the next evaluation, which is expected to be completed in the future when additional data are available. These recommendations included:

1. Continuing data collection to increase the sample size and representativeness;
2. Conducting additional process and outcome analyses to examine what characteristics of ACE participants are statistically associated with successful completion of the program as well as reductions in recidivism when compared to a matched group that did not participate in ACE;
3. Examining the impact of ACE on re-arrest by risk level based on the RPI;
4. Considering a plan to examine the effectiveness of MRT in reducing recidivism, which may include a study examining programming characteristics, such as capacity and content, and might also examine MRT by individual vendors to see if there are different effects by providers, suggesting issues related to program fidelity;
5. Identifying other recidivism measures to examine for the ACE population, which may include return to prison on a new conviction;
6. Extending the follow-up period for measuring recidivism, since treatment effects generally diminish over time, and exploring options for behavioral maintenance (e.g., relapse prevention plans) once offenders have left the ACE program and supervision; and
7. Identifying whether each ACE program site is operating with fidelity to the program design.

Summary and Conclusion

A number of districts within the federal court system have established reentry court programs over the past six years. These programs allow the court to impose graduated sanctions and positive reinforcements in a non-adversarial team setting. Because reentry court programs are so new in both the state and federal systems, there is little empirical research on whether they successfully reduce recidivism. This paper has summarized studies evaluating three of the earliest federal reentry court programs.

In 2005, the District of Oregon established a reentry court program to address unprecedented levels of methamphetamine use and a high supervision revocation rate. The program was evaluated by researchers from the University of Oregon College of Education and from the court (Close, Aubin, and Alltucker, 2008). A total of 114 people were included in the study. The authors concluded that "it appears that the comparison group outperformed the treatment groups on multiple, important dimensions. For example, the comparison group underwent less monitoring and supervision and had fewer drug and mental health services and yet had more employment and fewer sanctions." The authors warned that the study has several limitations that restrict interpretation and generalizability of findings, such as the small sample size and initial design of the project.

In 2006, the District of Massachusetts created the Court Assisted Recovery Effort (C.A.R.E.) to address a growing population of drug-involved offenders. The program was evaluated by researchers from the Northeastern University School of Criminology and Criminal Justice (Farrell and Wunderlich, 2009). The study examined whether participants in the C.A.R.E. program were more successful than a comparison group of offenders who receive traditional supervision. The study included 46 offenders who participated in C.A.R.E. and 68 offenders in the comparison group. The authors concluded that C.A.R.E. participants "have greater likelihood of overall success—measured here as law abiding, employed and sober—than participants in a comparison group who received only normal supervision." The authors also discussed important limitations, including the small number of participants in the treatment and control groups. As a result, the study findings were "not particularly strong," and "a few cases in one direction or

another might change outcomes of [the] analysis, for example rendering a statistically significant result to be non-significant."

In 2005, the Western District of Michigan established the Accelerated Community Entry Program (ACE). Researchers from the Administrative Office of the U.S. Courts and the University of Cincinnati's Center for Criminal Justice Research conducted an evaluation of the ACE program to provide some preliminary outcome results (Lowenkamp and Bechtel, 2010). The sample size for the preliminary analysis consisted of 36 ACE participants. The comparison group consisted of 121 offenders (for the unmatched sample analysis) and 36 offenders (for the matched sample analysis). One major finding of the study was that the participants of the ACE program appeared to have lower recidivism rates, as measured by re-arrest in a 12-month follow-up period, than the offenders not participating in ACE. The authors also found that motivation toward supervision was repeatedly demonstrated as a significant variable for lower recidivism rates. Finally, risk, as measured by the Risk Prediction Index, was shown as a significant predictor of re-arrest, with higher-risk offenders being more likely to recidivate. The researchers stressed several study limitations, such as the sample size, which limits the statistical analysis, reliability, and generalizability of the results.

The studies of federal reentry court programs discussed above provide mixed results on whether the programs effectively reduce recidivism. The evaluators of the District of Oregon Reentry Court found that the comparison group outperformed the treatment group on multiple important dimensions. However, as the study notes, this conclusion should be interpreted with caution due to factors such as the small sample size and the initial project design. The studies of the District of Massachusetts' C.A.R.E. program and the Western District of Michigan's ACE program found that the reentry court program participants were more likely to have positive outcomes, though the authors also stressed that these findings should be interpreted cautiously due to such limitations as the small sample size.

As discussed above, when Lindquist and her colleagues (2004) were commissioned by the National Institute of Justice to conduct a process evaluation of the Reentry Court Initiative of the Office of Justice Programs, they stressed that, given the small number of participants in state reentry court programs and the fact that these programs were so new, it is important to document the relative costs and benefits of both the court-based and non-court-based programs for managing the complex problem of prisoner reentry. This recommendation should apply to the federal criminal justice system as well.

In the future, studies should continue to examine whether reentry court programs and other non-court-based practices effectively reduce recidivism. It is particularly important that future research use larger sample sizes to improve the validity and reliability of the findings. Whether evaluating a reentry court program or any other type of intervention, researchers might also consider examining the effect on recidivism based on offender risk level. A large body of research has shown that criminal justice interventions are more effective on higher-risk offenders and may even increase recidivism for some lower-risk offenders (Andrews et al., 1990; Andrews and Dowden, 1999; Dowden and Andrews, 1999a, 1999b; Lipsey and Wilson, 1998; Lowenkamp and Latessa, 2005). Indeed, the two federal reentry court programs where the evaluations found promising results (C.A.R.E. and ACE) targeted higher-risk offenders. Studies with larger sample sizes and longer follow-up periods of reentry court and other correctional programs should provide more scientifically sound results to assist in future policy decisions.

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Preentry: The Key to Long-Term Criminal Justice Success?

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BRINGING EVIDENCE-BASED practices into pretrial services is in its infancy. Agencies are at best beginning the process of considering the potential issues and assessing the impact of those issues on their agencies (National Institute of Corrections, 2008). The literature on bringing evidence-based practices into pretrial services is limited or non-existent (Levin, 2006; Clark & Henry, 2003; VanNostrand & Keebler, 2007; Cadigan, 2008). The most comprehensive attempt to date was just published by the state of Virginia and offers some promise for the future of evidence-based practices in pretrial services (VanNostrand, Rose, & Weibrecht, 2011:34). Most promising is that the Bureau of Justice Assistance agreed to fund implementation of the proposed evidence-based model beginning in 2012. *In Pursuit of Legal and Evidence-Based Pretrial Release Recommendations and Supervision*, by VanNostrand, Rose and Weibrecht (March 2011) takes a significant step toward filling the need for evidence-based work in pretrial services.

One of the cornerstones of post-conviction supervision research has always been “first, do no harm.” Post-conviction evidence-based practice research has borne out that mantra repeatedly, showing that implementing treatment, changes, or fixes on offenders who pose little to no risk is fraught with failure. Is the same mantra true for pretrial services supervision? What impact does over-supervising or treating low-risk defendants have on their outcomes? For the most part, we in pretrial services have operated under the assumption that “it can’t hurt” to have conditions in place. Unfortunately, the research demonstrates that unnecessary alternatives to detention placed on low-risk federal defendants can in fact harm those defendants (VanNostrand & Keebler, 2009:10). For example, placing a location monitoring condition on a level-one defendant (the lowest-risk group) increased the likelihood of failure by 2.12 times, or 112 percent over a level-one defendant who did not have such a condition (VanNostrand & Keebler, 2009:32).

Given this evidence—admittedly, one study is by no means a watershed moment—the first step in implementing evidence-based practices in pretrial services is to stop doing that which we know to be harmful: specifically, placing unnecessary conditions on low-risk defendants. This is a difficult task, as the conditions in federal pretrial services are set by judicial officers, generally after receiving the report and recommendation of a pretrial services officer. However, we, as officers, can and must at least control those recommendations and not recommend unnecessary conditions on low-risk defendants.

The more difficult yet essential component is developing the extensive academic research and program evaluations on pretrial services practices that post-conviction supervision currently enjoys. In addition, researchers need to determine what components from that large existing

literature on post-conviction evidence-based practices pretrial services can utilize successfully. While the state of evidenced-based practices for pretrial services could be viewed as a “bare cupboard,” we can hope that researchers in this area have a real opportunity for advancing a nascent area of the criminal justice literature. The number of launched initiatives will come together and the introduction of evidence-based practices to pretrial services will soon be commonplace and supported by a wealth of literature and research.

What outcomes do we measure and what outcomes should be measured? Outcomes that have been considered relevant to pretrial release are fairly standard: re-arrest, failure-to-appear, and technical violations by the defendant. Wice raises an interesting additional outcome that is ignored in virtually all other studies: forfeiture rate (Wice, 1973:66). Forfeiture rate is defined as the rate at which posted bonds are forfeited to the court primarily as a result of the defendant’s failure-to-appear; however, forfeitures can also result from other violations of the conditions of release, particularly new criminal conduct. The State of Hawaii looked at bail forfeitures and concluded that 1) the vast majority of forfeitures were not paid and 2) existing policies and procedures were ineffective (Hawaii, 1984:30). Given the study’s finding of ineffective forfeiture enforcement, the question remains open as to whether or not an effective forfeiture program could reduce failure-to-appear and new criminal activity while on pretrial release.

The outcome measure that evidence-based practice needs to re-invigorate pretrial services is the release/detention rate. More important, the release/detention rate needs to be incorporated into the more commonly used outcomes of failure-to-appear and re-arrest rates to develop a more global measure of all three concepts, since it is the interaction of the three measures that truly reflects the state or quality of pretrial services in any particular organization. Goldkamp and Gottfredson identified the need for a more complete measure of a pretrial release program that incorporates detention, release success, and release failure and described it as follows:

Figure 10.1 [reproduced below as [Figure 1](#)] illustrates the simple measure of effective pretrial release that we have constructed to better ground performance rates in the context of release rates. Each column in figure 10.1 represents 100 percent of the defendants entering the criminal process in each system. Each column is divided into three parts: the lower section (black) represents the percentage of defendants detained (and therefore ineligible to engage in misconduct), the middle segment (white) represents the proportion of defendants released but engaging in some form of misconduct; the top portion of each column (gray) represents the percentage of all defendants achieving release and not engaging in misconduct (Goldkamp & Gottfredson, 1988:150).

Using [Figure 1](#) they identified successful pretrial as that part of the cohort released without pretrial misconduct. The three counties studied in this research clearly demonstrated the value of the figure, because Boston released virtually everyone (detaining 4 percent) but had significant failure (31 percent); Dade detained 19 percent and also had significant failure (13 percent); and Maricopa detained 45 percent, with 9 percent failure. Thus Dade was more effective (68 percent); followed by Boston with 65 percent effective; and Maricopa last with 46 percent effective. However, the actual success of the three jurisdictions was closer than the initial release figures would lead the reader to conclude at first glance. That refinement would seem to warrant use of the measure until something even more granular is developed.

The pretrial services literature contains some excellent examples of true experimentation that effectively constitute evidence-based research. Goldkamp and White (1998) conducted some excellent experiments on pretrial services supervision, levels of pretrial services supervision, court date notification, automated call-in technology, and pretrial services orientation sessions in Philadelphia in the late 1990s. The city’s jail and pretrial services office had come under federal scrutiny due to jail overcrowding, initially resulting in wholesale release of detained criminal defendants. In an effort to re-establish local control over the pretrial release system, the city hired the Crime and Justice Research Institute, which developed a response that included a number of “pretrial services experiments.” In addition, the mass release of criminal defendants prior to the contract with the Crime and Justice Research Institute created a “pre-treatment” control group of defendants released without pretrial services supervision, conditions, or any pretrial services programming; this group was utilized as a baseline for comparison with the experimental groups in the research.

Goldkamp and White used the federal court oversight to develop a variety of experiments and tests for various pretrial services programming and concepts, some of which were quite novel and innovative, reaching very useful evidence-based findings. The research demonstrated that pretrial services supervision significantly reduced re-arrest and failure-to-appear when compared to the “no supervision scenario” created by jail overcrowding (Goldkamp & White, 1998:76). In addition, that research showed that level of supervision (more intensive v. less rigorous) did not have any impact on pretrial release outcomes. The research also discredited the idea that a significant number of failures-to-appear are due to non-willful forgetfulness that could easily be corrected by telephone calls reminding the defendant of upcoming court dates (Goldkamp & White, 1998:76). Call-in reporting through an automated system was not only ineffective at reducing failure-to-appear and re-arrest, but also unable to achieve any acceptable level of call-in compliance, with rate compliance rates of 61 percent in the first few weeks tailing off steadily until week 16 when those rates fell off to 19 percent (Goldkamp & White, 1998:84). The study also found that a significant portion of the total pretrial failure occurs early in the pretrial process, with 52 percent of failures-to-appear occurring in the first four weeks and 54 percent of re-arrests occurring in the first six weeks. Finally, the experiments concluded that in-person contact with a pretrial services officer reduced both failure-to-appear and re-arrest by a significant level.

The Philadelphia pretrial services research conducted by Goldkamp and Gottfredson, Goldkamp and White, and by Goldkamp with a variety of other researchers over more than 20 years truly establishes the beginnings of an evidence-based practice approach in pretrial services through pretrial services experimentation, judicial officer involvement, introduction of a systemic (in this case guidelines-based) approach, and other work done in Philadelphia. The latest article on the Philadelphia project, by Goldkamp and Vilcica (2009), shrewdly brings together the majority of work done on the initiative and skillfully presents it in an evidence-based approach. Most important, it highlights what is missing from most of the other research in the area, and the authors conclude, quite logically, that their incorporation of this element, when no one else consistently has incorporated it, raises their work to something that should be replicated in other jurisdictions. For example, federal pretrial services has implemented virtually everything the other studies require, including a risk assessment tool; full interviews and reports on all defendants; untold numbers of alternatives to detention; quality pretrial services supervision; and well-trained, educated, and compensated officers. Yet we have not achieved the success of the Philadelphia initiative. Unfortunately, even though the Philadelphia approach clearly seems the best, it has one major flaw: it has not reduced unnecessary detention in any way, and that failure has caused more than one crisis in the operation of pretrial services in the “city of brotherly love” as a result of jail overcrowding.

Given the amount of research that needs to be done to move pretrial services evidence-based practice forward, combined with the minute amount of funding and attention that pretrial services research has received to date, it seems that a new approach to assessing the value of pretrial services functions is warranted. For example, several years ago the emerging area of “reentry” caused the identification and naming of the importance of the treatment and services received while offenders are incarcerated, which in turn brought significant attention and research dollars to those practices. Subsequent research has resulted in a variety of effective practices being identified, studied, and refined into even more effective practices. If pretrial services can be demonstrated to have a statistically significant impact on the outcomes of offenders after their release from prison, increased funding would likely follow.

The current research is based on 79,064 cases released on pretrial supervision between October 1, 2000 and September 31, 2007. The pretrial services data was later merged with post-conviction supervision data where a matching record, generally FBI number and/or Social Security number, could be identified. The joined file was then processed with a follow-up rap sheet or criminal record check and subsequently analyzed.

If pretrial services is truly important to the success of the criminal justice process itself, a defendant who is detained during the pretrial period should have significantly worse outcomes than a defendant who is released. If release itself shows a positive impact, then the next level of analysis would be to look at the impact of successful pretrial release compared to defendants who were released but ultimately failed some aspect of pretrial release supervision.

This first level of analysis, shown in [Table 1](#), demonstrates that detained defendants are at least twice as likely to fail on post-conviction supervision as defendants who are released during the pretrial period. The effect carries for all levels of risk, except for the highest-risk offenders, who fail at fairly similar rates.

[Table 2](#) presents information on the percentage of offenders that have an arrest during supervision based on how they terminated pretrial release. The pretrial release groups include successful, rearrested, failure-to-appear, and technical violation resulting in revocation. The “n” in the table is the number of failures and the percent is the failure rate for that group. The table presents failure rates for pretrial release in the columns and risk categories for the federal post-conviction risk tool across. The failures are identified as having had a new arrest while on post-conviction supervision. It is clear that success on pretrial release leads to greater levels of success on post-conviction supervision. For example, the lowest-risk offenders fail 14 percent of the time when their pretrial supervision was revoked for technical violations; fail 14 percent of the time when their pretrial supervision was revoked for new criminal activity; fail 11 percent of the time when their pretrial supervision was revoked for failure-to-appear; and fail only 6 percent of the time when pretrial supervision ended successfully.

Even in the highest-risk offender category, offenders who successfully completed pretrial release were nearly twice as likely to succeed as pretrial defendants who were revoked: with 63 percent of offenders whose pretrial release was revoked for technical violations failing; 63 percent of offenders whose pretrial release was revoked for new criminal activity failing; 63 percent of offenders whose pretrial release was revoked for failure-to-appear failing; and only 32 percent of the pretrial releasees who successfully ended their release failing. In fact, success on pretrial release appears to be more correlated to pretrial termination than to post-conviction risk category.

This simple analysis demonstrates the tremendous capabilities that the federal system will enjoy as it brings pretrial services and post-conviction data together for the first time under this new infrastructure, known as the Decision Support System (DSS). The federal pretrial services and probation system will enjoy a distinct advantage with this infrastructure in leading the larger criminal justice community into a greater understanding of the interrelationships and impacts of the pretrial services system on the post-conviction system.

To the larger questions of the impact of pretrial release on post-conviction supervision, the first finding would seem to confirm a number of prior studies that show that defendants released pretrial do better at each later stage of the criminal justice process. The second finding that success on pretrial release seems to be a prelude to later success on post-conviction supervision does not seem to appear in prior literature that we could identify. One final word of caution seems warranted: while this analysis shows that offenders who were successful on pretrial release had higher rates of success on post-conviction supervision, we make no grand claims of causation. However, this initial result is fascinating and certainly warrants additional study.

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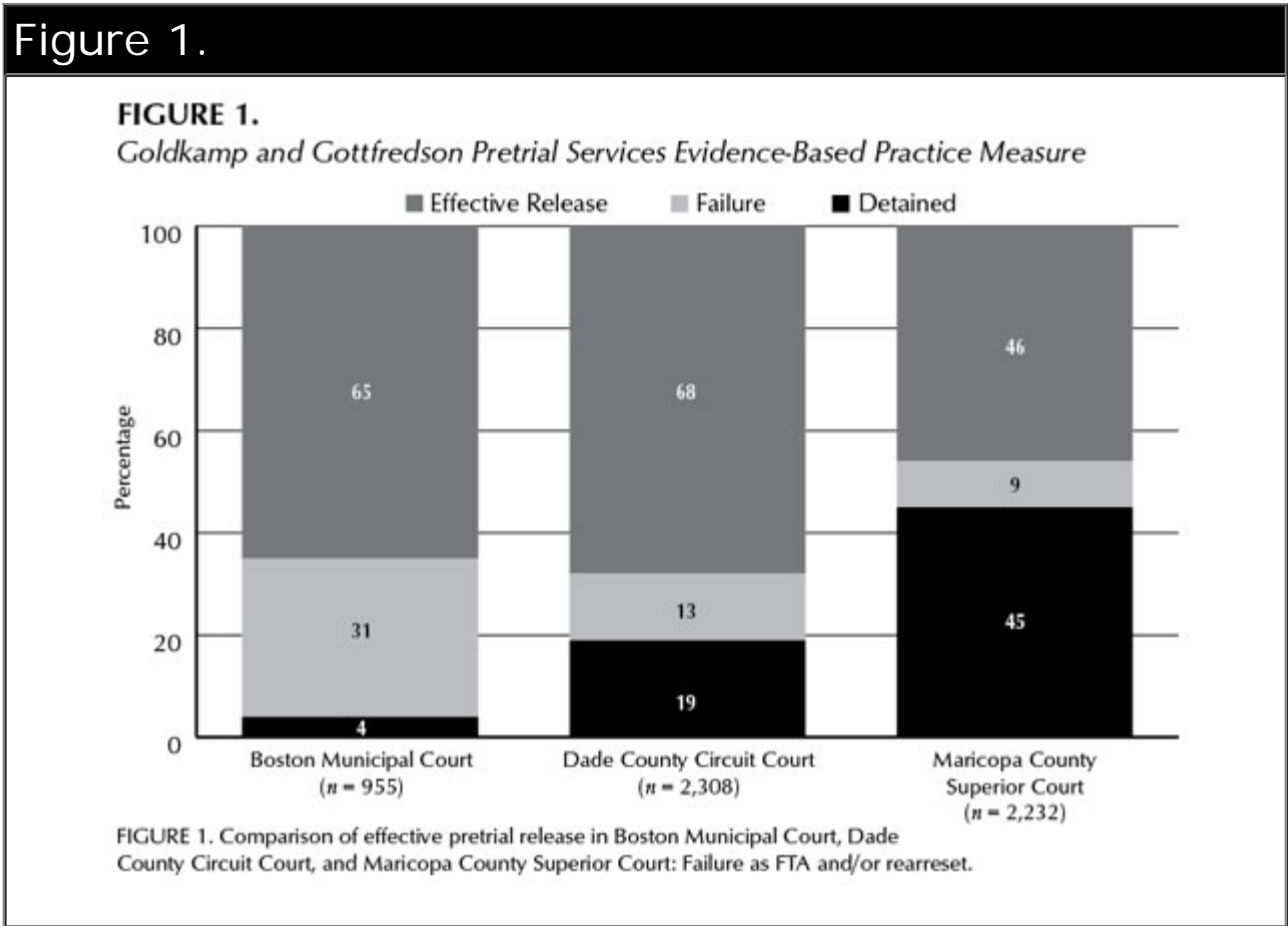
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Preentry: The Key to Long-Term Criminal Justice Success?

Figures

[Figure 1](#)



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Preentry: The Key to Long-Term Criminal Justice Success?

Tables

[Table 1](#)[Table 2](#)

Table 1.

TSR RPI Category—No Supervision, Supervision, Detained

Pretrial Status						
Risk Category	No Supervision		Supervision		Detained	
	N	%	N	%	N	%
Low	553/8,203	7	3,710/39,670	9	1,799/9,152	20
Moderate	550/2,017	27	6,700/27,515	24	6,420/19,293	3
High	315/649	49	3,734/9,039	41	8,644/17,290	50
All	1,604/11,520	14	15,228/79,009	20	20,529/51,513	40

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Table 2.***TSR PCRA Category—By Pretrial Termination Code***

Post-Conviction	Pretrial Termination							
Risk Category	TV		NCA		FTA		Success	
	N	%	N	%	N	%	N	%
Low	103	14	43	14	16	11	1,576	6
Low/Mod	838	29	421	31	178	28	5,365	18
Moderate	814	52	451	53	195	50	2,942	40
High	524	63	227	63	140	63	1,466	32
All	2,279	38	1,142	40	529	37	11,349	16

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Identifying the Predictors of Pretrial Failure: A Meta-Analysis

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IN 2004, THE NATIONAL Association of Pretrial Services Agencies (NAPSA) published its third edition of the Standards of Pretrial Release. Standard 3.7 suggests that effective pretrial programs and operations have multiple characteristics, one of which is the use of a pretrial risk assessment tool. The past three decades have seen an ongoing effort in both pretrial programs and agencies and correctional settings to establish the importance of pretrial risk assessment tools in evaluating the potential risk of failure to appear or more seriously, risk to public safety. While there are still pretrial recommendations based solely on professional judgment rather than on a valid pretrial risk assessment instrument, NAPSA's Standard 3.7 certainly indicates the movement toward evidence-based practices in pretrial as a result of the research on best practices. In particular, findings from multiple studies have repeatedly demonstrated that actuarial risk assessments have a higher predictive validity than clinical or professional judgment alone (Latessa and Lovins, 2010; Ægisdóttir, White, Spengler et al., 2006; Andrews, Bonta, and Wormith, 2006; Grove, Zald, Lebow, Snitz and Nelson, 2000; Meehl, 1954).

These studies have certainly encouraged the use of pretrial risk assessments, but several issues have arisen related to implementation and evaluation that have left a noted gap in the literature. First, some jurisdictions have selected tools that are either developed or validated on a different population without fully considering their target population's characteristics and what pretrial risk predictors are significantly correlated with pretrial failure. Second, jurisdictions often do not consistently use a structured pilot plan designed to address the implementation of the instrument and to monitor the fidelity of its administration. Third, pretrial agencies may not always prepare for a future evaluation of the instrument's predictive validity. In many cases, these concerns may be due to the high demands of the initial training of a new instrument, addressing the cultural shift toward supporting the use of a pretrial risk assessment instrument and then meeting the overall goal of assessing the defendants and making an overall recommendation of pretrial

supervision or detainment.

Pretrial services officers work within a short time period to collect reliable information about a defendant and make recommendations to the court concerning pretrial release and possible needs to be addressed during supervision; given such time constraints, the use of a predictive, objective, and reliable pretrial risk assessment tool is critical to streamlining this process. In addition, NAPSA's Standard 3.4 emphasizes the importance of incorporating information from the pretrial risk and needs assessment into a pretrial investigation report. Specifically, NAPSA recommends that such information "include factors shown to be related to the risk of nonappearance or of threat to the safety of any person or the community and to selection of appropriate release conditions" (NAPSA, 2004, p. 71). Many of the factors suggested for inclusion in a pretrial investigation report are (not surprisingly) also found on pretrial risk and needs assessment instruments. These include:

1. Defendant's age
2. Employment current status and history
3. Residential history, current status, and community ties
4. Criminal justice history, including if the defendant is on any active pretrial, probation, or parole supervision
5. Current offense severity
6. Financial history and current financial resources
7. Physical and mental health history and current status
8. Substance abuse needs
9. Previous court appearance history (NAPSA, 2004).

The purpose of the current study is to empirically examine what risk factors are statistically associated with various measures of pretrial failure. The authors conducted a meta-analysis to identify these risk factors and to determine if some of the factors more commonly assumed to be associated with pretrial failure are actual risks. This report will be divided into the following sections: a detailed description of the methodology for this meta-analysis, findings, limitations, and last, policy implications.

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Methodology

Conducting this meta-analysis took multiple steps. First, we exhaustively reviewed both published and unpublished literature on pretrial risk assessments and risk factors of pretrial. To do so, we first pulled all published scholarly work from an academic library's online abstracting resources. We searched for key title and subject phrases, such as requesting articles that included "pretrial risk assessment," "pretrial risk," and "failure to appear" in the title or in the content of the journal article. Next we took the ancestry approach, which identified additional research papers and articles by reviewing the references and citations of the articles already extracted. We then conducted an internet search using the same key title and subject phrase searches along with identifying and examining pretrial agency websites to locate research or studies related to pretrial risk that have been conducted on their populations. Most of these specific agency searches yielded studies related to the validation of a pretrial risk assessment tool administered by that jurisdiction. Finally, we directly communicated with researchers in the field who have conducted studies associated with the evaluation of pretrial risk assessments to identify any unpublished work.

The next step for this meta-analysis was the development of a coding guide for reviewing all of the located research. This coding guide both helped establish eligibility for the study to be included in the meta-analysis and coded the necessary variables to conduct the statistical analysis and calculate the individual and overall effect sizes.¹ Variables in the coding guide were:

- Publication information (published or unpublished studies, funding source, author affiliation)
- Sample demographics (sex, race, age, mental health, and sample size)
- Pretrial risk assessment type(s) and pretrial predictors—which included calculating effect sizes for predictors as well as the overall assessment(s) if applicable.
- Follow-up and recidivism – which specifies the length of time for the follow-up period and the types of recidivism measured in the study.

There were four primary eligibility criteria for this meta-analysis. Each included study: (1) contained at least one outcome measure of recidivism for a pretrial sample, (2) presented the statistics necessary to calculate an effect size, (3) was conducted in the United States, and (4) was published or reported after 1960. Often, studies were excluded because they presented only findings from binary multivariate logistic regression models. The coefficients from these models do not allow for calculating an effect size. For two such studies, we communicated directly with the original authors, who provided statistics that allowed us to calculate an effect size, thereby making these studies eligible for inclusion in the meta-analysis.² We noted methodological rigor of these studies in the database, since there were often missing data on sample demographics and follow-up time periods and minimal methodological descriptions in the individual studies.

Given the number of pretrial risk assessments that were reviewed, with a variety of static and dynamic domains and items included for each specific instrument, it was necessary to list and calculate effect sizes for each possible pretrial risk factor and an effect size for the instrument. In addition, we created broad categories for all of these various items in the database. These included: demographics, criminal history, personal achievement, residential status, substance abuse, mental health, and other. We calculated effect sizes for items and these categories based on the outcome measures reported in their respective studies. Further, we examined several outcome measures across the studies, in particular failure to appear, re-arrest, new crime, and any failure. Any failure was used as a measure in several studies and was typically a combined recidivism measure that incorporated two or more outcome measures for a study.

Analytical Design

The statistical analysis for this study is straightforward: we calculated random effects models. (We chose the random effects model, rather than a fixed model, since we assumed that these studies pulled samples from different populations, examined different pretrial risk assessment tools with unique risk factors, and examined a variety of outcome measures. As such, the random effects model suggests that these variations across studies could have an impact on the overall effect size.³)

The effect sizes calculated for each individual pretrial risk predictor were Pearson's *r* correlation coefficients. Pearson's *r* values can range from -1 to 1. A coefficient of -1 suggests a perfect negative relationship and a coefficient of 1 suggests a perfect positive relationship. A value of 0 indicates that there is no linear relationship. To interpret the correlation, a positive value would be interpreted as an increase in the first variable followed with an increase in the second variable. A negative relationship then would be interpreted as an increase in the first variable followed with a decrease in the second variable. Specifically, we performed these calculations for all individual predictors, the broad categories described above, the instrument, collective static or collective dynamic items, and then overall. As previously stated, these analyses are repeated for each outcome.

In order to calculate confidence intervals around Pearson's *r*, a *z* statistic was calculated.⁴ This was done by converting *r* to *z*-scores, using the Fisher's *r* to *z* transformation.⁵ The lower and upper limit confidence intervals around *r* and significance (*p*) values are reported. To interpret confidence intervals, the following guidelines are suggested:

- The smaller the range (<.10) between the upper and lower limit, the greater should be the confidence in the effect size value.
- The larger the range (>.10) between the upper and lower limits, the more cautiously the effect size should be interpreted.

- Similar to significance testing, the confidence interval can also suggest that the effect size is significantly correlated. If the range would include 0, then it would **not** be considered significant.

Eligible studies' sample sizes ranged from 162 defendants to 202,859 defendants. Given this range in sample sizes, we had to address the potential for sampling bias, since the effect size from the larger studies might mask the effect size from studies with the smaller sample size.

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Findings

There were 33 studies identified for review in the meta-analysis. Of these, 13 studies ($k = 13$) were eligible for inclusion in the meta-analysis. Of these 13 studies, there were six pretrial risk assessment instruments with the necessary statistics reported to calculate an effect size.⁶ These findings are presented by outcome measures. Results are provided in tabular format. Individual pretrial risk predictors will be presented first, then categories of risk, followed by static and dynamic factors, and the overall effect size.

Re-arrest

[Table 1](#) presents the individual pretrial risk predictors' effect sizes of re-arrest. Risk items with the strongest significant correlations include: age, community supervision violation, failure to appear, injury to victim, instrument, jail incarcerations, prior conviction, prior felony, prior misdemeanors, prior violence, property, or drug and weapon. Regarding direction, the positive correlations for community supervision violation, failure to appear, instrument, jail incarcerations, prior conviction, prior felony, prior misdemeanors, prior violence, property, or drug appear to be in the expected direction. For example, having one or more community supervision violations was significantly correlated with experiencing pretrial re-arrest. Similarly, having one or more prior jail incarcerations was significantly related to pretrial re-arrest. In contrast, the significant association between having a weapon involved in the current offense and pretrial re-arrest is a negative relationship. As such, having weapons in the current offense does not appear to be a significant risk of pretrial re-arrest. Further, if the victim is injured, this correlates significantly with re-arrest, but not in the expected direction. Likewise, age shows a positive relationship with pretrial re-arrest, but not in the expected direction of younger defendants experiencing pretrial re-arrest.⁷ Rather, this finding suggests that older defendants are more likely to experience re-arrest. Pretrial risk predictors that were not found to be significantly correlated with re-arrest included estimate,⁸ family, having pending cases, residence length, robbery as a current offense, and work/employment. It appears that most of the significant predictors of pretrial re-arrest are static rather than dynamic predictors.

[Table 2](#) depicts the effect sizes for the six risk categories below. Based on these findings, criminal history, demographics, and the instrument overall are significantly correlated with pretrial re-arrest.⁹ Measures of personal achievement were not significantly related to pretrial re-arrest. Similar to the findings for individual predictors, the most strongly correlated risk categories capture static risk factors.

[Table 3](#) provides the effect size for static and dynamic predictors, for the instrument and the overall average effect size. Static predictors appeared to have a stronger association with pretrial re-arrest than dynamic. Overall, the five pretrial risk assessments appeared to have a significant correlation with pretrial re-arrest and this is close to a moderate strength.¹⁰ The ranges between the lower and upper limits of the confidence intervals were quite narrow. With 59 effect sizes included in the analysis to examine the overall average effect size, the correlation, while significant, is rather weak.

Failure to appear

[Table 4](#) reports the effect sizes for the individual pretrial risk predictors of failure to appear. Risk items with the strongest significant correlations included age, estimate, failure to appear, instrument, juvenile arrests, prior conviction, prior jail, property or drugs, and victim injury. Other than age and victim injury, these significant risk items were in the expected direction. Pretrial risk items that were not significantly correlated with failure to appear are: alcohol,

communication, community supervision violation, current felony, gender, residence verified, and current violent offense.

[Table 5](#) presents the risk category effect sizes for failure to appear. All categories but substance abuse were found to be significantly correlated with failure to appear. Demographics, estimate and the five instruments had the strongest correlations with failure to appear and these three were in the expected direction.

[Table 6](#) depicts the effect sizes for the collective static and dynamic predictors, the instruments, and the overall average effect size. With 120 predictors examined overall for failure to appear, the correlation is rather weak at .07. The pretrial risk assessment instruments appear to have the strongest correlation at .19, which would be of moderate strength.

[Table 7](#) describes the effect sizes for the individual pretrial risk predictors and the outcome measure, new crime.¹¹ Risk items with the strongest significant correlations of new crime were: alcohol, criminal history, failure to appear, juvenile arrests, prior felonies, prior misdemeanors, and transportation. The relationship between alcohol and new crime was negative, while the other risk items were in the expected direction. Risk items that were not significantly correlated with new crime were age, family, felony (current offense), residence length, residence verification, weapon with the current offense, and work.

New Crime

[Table 8](#) presents the effect sizes for new crime. Criminal history was the only significant risk category for new crime and was in the expected direction. Demographics, other, residence, and substance abuse were not significant pretrial risk categories for new crime.

[Table 9](#) provides the findings for static and dynamic predictors and overall effect size for new crime. Collectively, static risk predictors had the strongest significant correlation, but this was a relatively weak correlation overall.

Any Failure

This last series of tables examines pretrial risk predictors of any failure. The strongest significant correlations (see [Table 10](#)) are for the following risk items: prior failure to appear, the instruments, juvenile arrests, pending cases, prior arrests, prior felonies, and prior misdemeanors. Each of these risk predictors was in the expected direction. Similar to earlier risk item tables, it would appear that these items are primarily static, rather than dynamic risk factors. Risk items that were not significant included: alcohol with the current offense, communication, medical, mental health, race, transportation, violence, and work.

[Table 11](#) displays effect sizes of the collective risk categories for any failure. Significant risk categories included criminal history, the six risk assessment instruments, personal achievement, residence, and substance abuse. However, with the 38 effect sizes examined for criminal history and any failure, this appears to have the strongest correlation overall. Demographic, mental health, or other categories were not found to be significantly correlated with any failure.

[Table 12](#) presents the effect sizes for the collective static and dynamic predictors, the instruments, and the overall effect size. Specifically, static predictors and the instruments were found to be the strongest correlates of any failure. While all of these risk predictors are significant, the correlations overall are rather weak, although they are moving toward moderate strength (Rice and Harris, 2005).

To briefly summarize, the purpose of this meta-analysis was twofold. The first goal was to empirically identify what risk predictors of pretrial are statistically associated with various measures of pretrial failure. The second intent of the study was to identify if there were commonly collected pretrial factors that may not be statistically associated with pretrial failure after a review of the existing research. The measures of pretrial failure included re-arrest, failure to appear, new crime, and any failure. Based on these findings, very few correlations were strong predictors of pretrial failures. Those risk items with the strongest correlations that were also in the expected direction are primarily static indicators, such as prior convictions, prior felonies, prior misdemeanors, prior failure to appear, and juvenile arrests. The pretrial risk assessments were found to be significant as well and in the proper direction, suggesting that

increase in pretrial risks was significantly correlated with pretrial failure outcomes. To address the final goal for this meta-analysis, multiple risk predictors were examined. While there were insignificant predictors, several measures that are commonly gathered for pretrial but were either found to be in the wrong direction or were consistently not significantly associated with pretrial failures were: 1) residency, 2) injury to victim, 3) weapon, and 4) alcohol.

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Limitations

Several limitations of this meta-analysis are worth noting. First, many studies were not included, primarily because these studies presented only the findings from multivariate regression models that should not be calculated into effect sizes. Second, some studies reported only presented the statistics necessary for calculating an effect size for the overall instrument, but not for the individual risk items, or vice versa. Third, it is likely that some studies still have not been located, especially for pretrial programs that have completed internal predictive validation studies within their respective departments. Fourth, the methodological rigor for the studies reviewed and even for those included varied. This may have impacted the overall effect sizes that were calculated. Fifth, as mentioned previously, the range in individual study sample sizes was rather large; even with weights, this could potentially influence the overall average effect sizes.

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Policy Implications

This study should be considered preliminary in examining pretrial risk predictors. Given the limitations previously discussed, these findings must be taken within the context of these issues. However, within that framework, several policy implications can be considered.

- Administering pretrial risk tools should continue. While the correlations for the instruments examined in this meta-analysis were near moderate strength, these effect sizes were the average correlation for these instruments collectively (Rice and Harris, 2005). The range of correlations for the individual assessments from their respective studies extended from .08 to .28.
 - These assessment tools should be validated on the population being served and the risk level cutoffs for these instruments should be normed.
 - Reliability studies should be conducted for agencies that have implemented a pretrial risk assessment instrument. Such studies would evaluate whether those administering the tool do so with fidelity and whether they score a given defendant similarly to other trained officers.
- Residency, weapons, alcohol, and victim injury may still be risk items for pretrial failure. However, future research should explore whether or not these factors are consistently related to nonappearance or risk to public safety.
- For future research to continue to examine these goals, reports examining pretrial risk predictors or the validation of pretrial risk assessment tools should be published or publicly disseminated.
- Research on pretrial risk factors and assessment tools should report the necessary statistics to allow for the calculation of effect sizes.

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Identifying the Predictors of Pretrial Failure: A Meta-Analysis

Appendix

Pretrial Predictors Meta-Analysis Coding Guide

Last revised: January 4, 2011

Coding Information

CODE 1: DATE OF CODING

CODE 2: NAME OF CODER

1	Chris Lowenkamp
2	Alex Holsinger
3	Kristin Bechtel

PUBLICATION INFORMATION

PUB 1: TYPE OF PUBLICATION

1	journal
2	book
3	report
4	conference poster/presentation
5	thesis/dissertation
6	unpublished data
7	on-line article
9	MISSING

**PUB 2: DECADE OF PUBLICATION OR
DATE DATA GENERATED**

1	1960s
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2	1970s
3	1980s
4	1990s
5	2000 to present
9	MISSING

PUB 3: STATUS OF PUBLICATION

1	yes
2	no
3	MISSING

PUB 4: DISCIPLINE OF SENIOR AUTHOR

1	criminal justice
2	economics
3	education
4	political science
5	psychiatry/medicine
6	psychology
7	social work
8	sociology
9	MISSING
10	other

PUB 5: AFFILIATION OF SENIOR AUTHOR

1	academic institution
2	government unit or agency
3	program
4	research firm or consultant
5	other
9	MISSING

PUB 6: SOURCE OF FUNDING

1	agency/organization
2	federal/state/local government
3	funded, unknown source
9	MISSING

Pretrial Agency

AGENCY 1: JURISDICTION

- 1 local
- 2 federal
- 3 other

Sample Demographics

AGE1: MEAN AGE OF SAMPLE

SEX 1: PERCENT MALE

RACE: RACE OF SAMPLE (≥ 80%)

- 1 White
- 2 Black
- 3 Hispanic
- 4 Asian
- 5 Native
- 6 mixed
- 9 MISSING

MDO: Mentally Disordered Offenders (≥ 80%)

- 1 yes
- 2 no
- 3 mixed
- 9 MISSING

Follow-Up Information

FOL 1: AVERAGE LENGTH OF FOLLOW-UP IN DAYS

Effect Size Table

	FTA		ARREST		MISCONDUCT	
Variable	R	N	R	N	R	N

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Identifying the Predictors of Pretrial Failure: A Meta-Analysis

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Table 1.

Effect sizes for re-arrest—Individual pretrial risk predictors

Risk Item	# Effect Sizes	Correlation	Lower Limit Ci	Upper Limit Ci	Z	P Value
Age	1	0.17	0.07	0.27	3.16	0.00
Alcohol	3	0.08	0.05	0.11	5.22	0.00
Communication	1	-0.07	-0.08	-0.06	-13.75	0.00
Community supervision violation	5	0.16	0.09	0.23	4.64	0.00
Custodian/Co-signer	1	0.05	0.04	0.06	8.24	0.00
Drug	6	0.06	0.02	0.11	2.61	0.01
Estimate	1	0.02	-0.06	0.10	0.49	0.62
Family	2	-0.07	-0.30	0.16	-0.59	0.56
Felony degree	1	0.11	0.10	0.12	18.17	0.00
FTA	8	0.13	0.09	0.18	5.54	0.00
Injury to victim	1	-0.29	-0.36	-0.22	-7.31	0.00

Instrument	5	0.17	0.16	0.19	30.72	0.00
Jail incarcerations	1	0.26	0.16	0.36	4.90	0.00
Mental health	4	0.10	0.07	0.12	7.92	0.00
Motivation	1	0.09	0.08	0.10	16.44	0.00
Pending cases	2	0.04	-0.14	0.21	0.45	0.66
Prior conviction	1	0.14	0.10	0.18	6.99	0.00
Prior felony	2	0.14	0.09	0.18	5.69	0.00
Prior misdemeanors	1	0.18	0.17	0.19	29.95	0.00
Prior violence	2	0.14	0.13	0.15	24.51	0.00
Property or drugs	1	0.16	0.08	0.24	3.95	0.00
Residence length	2	-0.10	-0.43	0.25	-0.55	0.59
Residence verified	2	-0.08	-0.09	-0.07	-15.14	0.00
Robbery	1	0.01	-0.07	0.09	0.24	0.81
Weapon	1	-0.21	-0.29	-0.13	-5.22	0.00
Work	3	0.06	-0.08	0.21	0.85	0.39

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Table 2.***Effect sizes for re-arrest—Risk categories***

Risk Category	# Effect Sizes	Correlation	Lower Limit CI	Upper Limit CI	Z	P value
Criminal History	27	0.11	0.09	0.14	8.30	0.00
Demographics	1	0.17	0.07	0.27	3.16	0.00
Instrument	6	0.16	0.11	0.20	6.52	0.00
Other	7	0.06	0.02	0.11	2.59	0.01
Personal Achievement	3	0.06	-0.08	0.21	0.85	0.39
Residence	6	-0.07	-0.11	-0.02	-2.85	0.00
Substance Abuse	9	0.08	0.05	0.10	5.03	0.00

Table 3.***Effect size for re-arrest—Static and dynamic predictors, instrument and overall effect size***

Risk Predictors	# Effect Sizes	Correlation	Lower Limit CI	Upper Limit CI	Z	P value
Dynamic	26	0.03	0.00	0.06	2.00	0.05
Static	28	0.11	0.09	0.14	8.52	0.00
Instrument	5	0.17	0.16	0.19	30.72	0.00
Overall Avg. ES	59	0.08	0.06	0.10	6.93	0.00

Table 4.***Effect size for failure to appear—Individual pretrial risk predictors***

Risk Item	# Effect Sizes	Correlation	Lower Limit CI	Upper Limit CI	Z	P value
Age	3	0.15	0.04	0.26	2.59	0.01
Alcohol	4	-0.02	-0.09	0.05	-0.49	0.62
Communication	3	0.01	-0.05	0.07	0.45	0.65
Community supervision violation	11	0.03	-0.03	0.08	0.91	0.36
Criminal history	3	0.08	0.05	0.11	4.95	0.00
Custodian/Co-signer	2	0.04	0.03	0.05	6.71	0.00
Drug	7	0.04	0.01	0.07	2.75	0.01
Education	6	0.10	0.02	0.19	2.34	0.02
Estimate	1	0.14	0.06	0.22	3.45	0.00
Family	5	0.05	0.02	0.09	2.72	0.01
Felony	3	-0.06	-0.28	0.17	-0.49	0.62
FTA	13	0.20	0.17	0.22	16.96	0.00
Gender	1	0.06	-0.03	0.15	1.24	0.21
Instrument	5	0.21	0.12	0.29	4.55	0.00
Juvenile arrests	1	0.13	0.12	0.14	24.51	0.00
Mental health	5	0.02	0.00	0.04	1.95	0.05
Motivation	1	-0.01	-0.02	0.00	-1.82	0.07
Pending case	8	0.11	0.02	0.20	2.39	0.02
Prior Conviction	1	0.20	0.16	0.24	10.06	0.00
Prior felony	3	0.11	0.06	0.16	4.33	0.00
Prior jail	1	0.31	0.21	0.40	5.90	0.00
Prior misdemeanors	4	0.11	0.08	0.14	6.90	0.00
Prior violence	3	0.04	0.02	0.07	3.35	0.00
Property or drugs	1	0.21	0.13	0.29	5.22	0.00
Residence length	5	0.07	0.02	0.12	2.55	0.01
Residence verified	2	0.09	-0.17	0.35	0.68	0.50
Transportation	1	0.13	0.12	0.14	24.51	0.00
Victim injury	2	-0.25	-0.46	-0.01	-2.04	0.04
Violent	2	0.02	-0.07	0.12	0.44	0.66
Weapon	3	-0.12	-0.25	0.01	-1.78	0.07
Work	10	0.06	0.01	0.11	2.21	0.03

Table 5.***Effect sizes for failure to appear—Risk categories***

Risk Category	# Effect Sizes	Correlation	Lower Limit CI	Upper Limit CI	Z	P value
Criminal History	59	0.08	0.06	0.11	6.21	0.00
Demographics	4	0.13	0.03	0.22	2.64	0.01
Estimate	1	0.14	0.06	0.22	3.45	0.00
Instrument	5	0.21	0.12	0.29	4.55	0.00
Other	12	0.03	0.00	0.06	2.15	0.03
Personal Achievement	16	0.08	0.03	0.12	3.02	0.00
Residence	12	0.06	0.03	0.10	3.29	0.00
Substance Abuse	11	0.02	-0.02	0.05	0.91	0.36

Table 6.***Effect size for failure to appear—Static and dynamic predictors, instrument and overall effect size***

Risk Predictors	# Effect Sizes	Correlation	Lower Limit CI	Upper Limit CI	Z	P value
Dynamic	51	0.05	0.03	0.07	4.64	0.00
Static	63	0.08	0.06	0.11	6.73	0.00
Instrument	6	0.19	0.12	0.27	5.01	0.00
Overall Avg. ES	120	0.07	0.06	0.09	9.16	0.00

Table 7.***Effect size for new crime—Individual pretrial risk predictors***

Risk Item	# Effect Sizes	Correlation	Lower Limit CI	Upper Limit CI	Z	P value
Age	3	0.15	-0.06	0.35	1.44	0.15
Alcohol	1	-0.16	-0.17	-0.15	-28.44	0.00
Communication	1	-0.02	-0.03	-0.01	-3.75	0.00
Community supervision violation	3	0.13	0.02	0.24	2.37	0.02
Criminal history	2	0.17	0.08	0.25	3.62	0.00
Drug	1	0.09	0.08	0.10	15.54	0.00
Education	6	0.12	0.00	0.24	1.95	0.05
Family	2	0.06	-0.09	0.20	0.75	0.46
Felony	2	0.02	-0.16	0.19	0.22	0.82
FTA	4	0.27	0.20	0.33	7.53	0.00
Gender	1	-0.06	-0.09	-0.03	-4.61	0.00
Juvenile arrests	1	0.21	0.20	0.22	39.96	0.00
Mental Health	1	0.11	0.08	0.14	8.36	0.00
Prior felony	1	0.28	0.27	0.29	53.93	0.00
Prior misdemeanors	1	0.23	0.22	0.24	43.91	0.00
Residence length	1	-0.01	-0.04	0.02	-0.58	0.56
Residence verify	1	0.00	-0.01	0.01	0.00	1.00
Transportation	1	0.15	0.14	0.16	28.34	0.00
Violence	1	0.03	0.02	0.04	6.35	0.00
Weapon	2	0.08	-0.09	0.24	0.89	0.37
Work	6	0.03	-0.07	0.12	0.53	0.59

Table 8.***Effect sizes for new crime—Risk categories***

Risk Category	# Effect Sizes	Correlation	Lower Limit CI	Upper Limit CI	Z	P value
Criminal History	17	0.16	0.12	0.21	6.56	0.00
Demographics	4	0.10	-0.06	0.26	1.20	0.23
Other	3	0.08	-0.04	0.20	1.26	0.21
Personal Achievement	12	0.07	-0.01	0.15	1.79	0.07
Residence	4	0.03	-0.06	0.11	0.59	0.56
Substance Abuse	2	-0.04	-0.27	0.21	-0.28	0.78

Table 9.***Effect size for new crime—Static and dynamic predictors, and overall effect size***

Risk Predictors	# Effect Sizes	Correlation	Lower Limit CI	Upper Limit CI	Z	P value
Dynamic	21	0.05	0.00	0.11	1.94	0.05
Static	21	0.15	0.11	0.20	6.41	0.00
Overall Avg. ES	42	0.10	0.06	0.14	5.15	0.00

Table 10.***Effect size for any failure—Individual pretrial risk predictors***

Risk Item	# Effect Sizes	Correlation	Lower Limit CI	Upper Limit CI	Z	P value
Age	2	0.07	0.04	0.09	4.35	0.00
Alcohol	6	0.00	-0.07	0.08	0.12	0.90
Citizenship	1	0.07	0.07	0.07	31.36	0.00
Communication	3	0.04	-0.03	0.11	1.08	0.28
Community supervision violation	9	0.13	0.09	0.18	5.36	0.00
Custodian/Co-signer	1	0.05	0.04	0.06	8.24	0.00
Drug	7	0.11	0.09	0.14	8.33	0.00
Education	8	0.11	0.05	0.16	3.84	0.00
Estimate	1	0.11	0.11	0.11	49.47	0.00
Family	1	0.09	0.08	0.10	16.92	0.00
Felony	4	0.07	0.03	0.11	3.34	0.00
FTA	6	0.17	0.11	0.22	5.74	0.00
Gender	3	-0.07	-0.13	0.00	-1.96	0.05
Instrument	5	0.16	0.14	0.19	14.37	0.00
Juvenile arrests	1	0.19	0.18	0.20	36.05	0.00
Medical	2	-0.03	-0.09	0.03	-1.00	0.32
Mental Health	6	0.04	0.00	0.09	1.80	0.07
Motivation	1	0.05	0.04	0.06	9.12	0.00
Pending cases	5	0.15	0.11	0.19	7.54	0.00
Prior arrests	2	0.23	0.17	0.28	7.46	0.00
Prior felony	5	0.17	0.10	0.24	4.63	0.00
Prior misdemeanors	3	0.14	0.08	0.20	4.22	0.00
Prior violence	1	0.11	0.10	0.12	18.17	0.00
Race	2	0.43	-0.41	0.87	1.00	0.32
Residence length	1	0.09	0.05	0.13	4.00	0.00
Residence verified	5	0.05	0.00	0.09	2.11	0.03
Transportation	3	0.08	-0.06	0.22	1.17	0.24
Violence	1	0.00	-0.01	0.01	0.00	1.00
Weapon	1	0.11	0.10	0.12	23.38	0.00
Work	13	0.04	0.00	0.09	1.88	0.66

Table 11.***Effect size for any failure—Risk categories***

Risk Category	# Effect Sizes	Correlation	Lower Limit CI	Upper Limit CI	Z	p value
Criminal History	38	0.14	0.12	0.16	14.33	0.00
Demographics	8	0.11	-0.18	0.39	0.76	0.45
Instrument	6	0.15	0.11	0.19	7.82	0.00
Mental Health	6	0.04	0.00	0.09	1.80	0.07
Other	9	0.04	-0.02	0.10	1.42	0.16
Personal Achievement	21	0.07	0.03	0.11	3.69	0.00
Residence	8	0.06	0.03	0.09	3.70	0.00
Substance Abuse	13	0.07	0.03	0.11	3.39	0.00

Table 12.***Effect size for any failure—Static and dynamic predictors, instrument, and overall effect size***

Risk Predictors	# Effect Sizes	Correlation	Lower Limit CI	Upper Limit CI	Z	p value
Dynamic	57	0.06	0.04	0.08	6.31	0.00
Static	46	0.14	0.07	0.20	4.05	0.00
Instrument	6	0.15	0.11	0.19	7.82	0.00
Overall Avg. ES	109	0.10	0.07	0.13	5.97	0.00

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We're Back on Track: Preparing for the Next 50 Years

1. Internet: infoplease.com; factmonster.com
2. Victor H. Evjen, editor, and William A. Maio, Jr. comprised the editorial staff. The journal was published by the Administrative Office of the United States Courts, as it is today, but in 1961 it was published in cooperation with the Bureau of Prisons. Warren Olney III was AO Director and Robert F. Kennedy was Attorney General. The Bureau of Prisons Director was James V. Bennett and the AO's Chief of Probation was Louis J. Sharp.
3. John J. Galvin, *Federal Probation*, "The Task of Corrections." September 1961.
4. Arthur E. Fink, *Federal Probation*, "Authority in the Correctional Process." September 1961.
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6. See Cullen and Gilbert, 1982, *Reaffirming Rehabilitation* for an historical review of punishment, the progressive era, and the demise of rehabilitation during the late 20th Century.

7. Harold B. Wooten, *Federal Probation*, "It's OK, Supervision Enthusiasts: You Can Come Home Now!" December 1985.
8. *Guide to Judiciary Policy*, Volume 8, Part E, "The Supervision of Federal Offenders" (formerly Monograph 109). J-Net (federal judiciary intranet), § 150(a)(b) (last revised 12-10-10).
9. Community observation is fieldwork that does not involve a direct contact with the offender or collateral sources. It may be the preferred way to unobtrusively monitor compliance with specific conditions in a way that does not intrude on the activity itself. For example, an officer might drive by an Alcoholics Anonymous meeting to see if the offender's car is parked there or go to an offender's work site or residence during the start or end time of his or her reported work schedule, which may be appropriate if the offender is suspected of falsely reporting employment. *Guide to Judiciary Policy*, Volume 8, Part E, §450.30, op.cit.
10. The Judicial Conference Committee on Criminal Law set forth guidance for search and seizure in Search and Seizure Guidelines for Probation Officers in the Supervision of Offenders on Supervised Release, which was approved by the Judicial Conference at its September 2010 session (JCUS-SEP 2010).
11. *Guide to Judiciary Policy*, op. cit.
12. See Johnson et al. in this edition of *Federal Probation*, and Lowenkamp and Whetzel, 2010.
13. See Robinson et al. in this edition of *Federal Probation*.
14. See Hughes, *Federal Probation*, September 2008, "Results-based Management in *Federal Probation* and Pretrial Services"; and Baber, *Federal Probation*, December 2010, "Results-based Framework for Post-conviction Supervision Recidivism Analysis."

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Goodbye to a Worn-Out Dichotomy: Law Enforcement, Social Work, and a Balanced Approach (A Survey of Federal Probation Officer Attitudes)

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3. Chief Probation Officer, U.S. Probation, Middle District of North Carolina.
4. This observation is based on the authors' extensive experience as practitioners, consultants, and trainers for 40 years at the national and local levels.
5. Two respondents did not complete the OOQ and one did not complete the SAS. One officer, not represented in these numbers, did not initiate either survey.
6. Three respondents did not complete the OOQ.
7. One respondent did not complete the OOQ and one respondent did not complete the SAS.
8. One chief, not represented in these numbers, did not initiate either survey.
9. As a note, the alpha reliability coefficients generated with these data were somewhat smaller than those generated by Fulton et al. (1997). The alpha reliability scores for these data were .83 and .69 for the subjective role and strategies scales respectively, while the alpha reliabilities generated by Fulton et al.'s data were .88 and .78 respectively.

The Construction and Validation of the Federal Post Conviction Risk Assessment (PCRA)

* Corresponding author.

** For questions related to analysis.

† For questions related to automation, certification, training and implementation.

1. The RPI uses 8 largely static questions to determine the risk that an offender will recidivate during his or her term of supervision; the results are intended to assist officers in creating the offender's initial supervision case plan.
2. Districts were required to submit a proposal, which included a budget, outlining an area of evidence-based practices (EBP) they wanted to implement. The areas of EBP available were risk assessment, cognitive behavioral interventions, motivational interviewing, and other. The "other" category was open and districts that chose this option tended to use it for drug courts and workforce development.
3. LSI (Level of Service Inventory), COMPAS (Correctional Offender Management Profiling for Alternative Sanctions), RMS (Risk Management Services).
4. PACTS (Probation/Pretrial Services Automated Case Tracking System) is an electronic case management tool used by probation and pretrial services officers in all 94 federal districts to track federal defendants and offenders. At the end of each month, districts submit case data into a national repository that is accessible to the Administrative Office of the U.S. Courts (AO), Office of Probation and Pretrial Services.
5. One district was not an R2R district but had been using a commercially available risk assessment tool (RMS) longer than the other four R2R districts.
6. Districts were initially informed that 100 cases from each district would be randomly selected, but one district only permitted 10 percent of their cases to be selected, which limited their sample to 64 cases.
7. Due to ongoing data collection, the test items have yet to be analyzed. Decisions to include or omit test items will be determined by statistical significance and by how a test item impacts the predictive accuracy of the PCRA.
8. Two validation samples were developed in order to test the robustness of the instrument.
9. Data from the analysis file was assembled from PACTS and matched with data from the Federal Bureau of Prisons (BOP), the U.S. Sentencing Commission (USSC), and the Census Bureau. Arrest data came from ATLAS (Access to Law Enforcement System) and from the FBI's Computerized Criminal History (CCH) database. Arrest data are current through August 13, 2009. Offenders in the analysis file began active post-conviction supervision between October 1, 2004 and August 13, 2009 (see Baber, 2010). Of the 185,297 offenders in the analysis file, only 103,071 had criminal histories and other relevant items used to construct the PCRA.
10. As outlined in the *Guide to Judiciary Policy*, Volume 8, Part E, Supervision of Federal Offenders, case plans are to be submitted within 30–60 days of the start of the offender's supervision term. This plan is formally evaluated and modified during the sixth month of supervision and updated annually for the duration of the supervision term.
11. When the outcome variable is composed of only two values (e.g., arrest or no arrest), which is typical for risk classification in probation, logistic regression is usually the best approach to use. The main advantage of logistic regression is that few statistical

assumptions are required for its use. In addition, it generates probability values that are constrained between zero and one. Logistic regression calculates the probability of an event occurring or not occurring (e.g., getting arrested or not getting arrested) and presents the results in the form of an odds ratio ($\text{Exp}(B)$). For the purposes of this article, the odds ratio is the number by which you multiply the odds of getting re-arrested for each one-unit increase in the independent variable (i.e., a variable in the equation). An odds ratio greater than 1 indicates that the odds of getting re-arrested increase when the independent variable increases; an odds ratio less than 1 indicates that the odds of getting re-arrested decrease when the independent variable increases (Menard, 2002).

12. While the iterative classification processes seem to rate higher on some measures of utility, they also tend to have higher degrees of predictive shrinkage (see Silver et al., 2000).
13. The AUC measures the probability that a score drawn at random from one sample or population (e.g., offenders with a re-arrest) is higher than that drawn at random from a second sample or population (e.g., offenders with no re-arrest). The AUC can range from .0 to 1.0 with .5 representing the value associated with chance prediction. Values equal to or greater than .70 are considered good.
14. Rice and Harris indicate that the AUC holds the same meaning as the common language effect size indicator. That is, the probability that the PCRA score for a randomly selected recidivist is higher than the PCRA score for a randomly selected non-recidivist. For example, using the long-term follow-up data (AUC = .78), if you randomly select a recidivist and a non-recidivist, the recidivist's PCRA score should be higher than the non-recidivist's score 78 percent of the time.
15. Failure is defined as any new arrest during a term of supervision.
16. STATA adjusts for cases that were lost during follow-up when calculating survival tables.

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Implementing Risk Assessment in the Federal Pretrial Services System

1. Pretrial services cases in the District of Columbia are not classified as federal pretrial services cases by the Pretrial Services Act of 1982; therefore, only 93 of the 94 federal districts are included for pretrial services data.

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Judge-Involved Supervision Programs in the Federal Courts: Summary of Findings From the Survey of Chief United States Probation Officers

1. The Center, in cooperation with the Administrative Office of the U.S. Courts' Office of Probation and Pretrial Services, is conducting a two-pronged study of the operational aspects, outcomes, and cost-effectiveness of judge-involved reentry programs, including an evaluation of their effectiveness in comparison to other offender supervision approaches that may require less intensive use of judicial resources. In addition to the process-descriptive assessment of already-established programs of which this survey is a part, the study also includes a multi-year effort to implement an experimental design, with random assignment, in five districts with new or relatively new programs: California Central, Florida Middle, Iowa Southern, New York Southern, and Wisconsin Eastern.
2. The Center surveyed probation chiefs in 2008 to see if they had programs modeled after drug or reentry courts, and both the Office of Probation and Pretrial Services and the Center's Education Division maintain program contact lists.

3. Although the survey was titled "2010 Reentry Program Survey of Chief Probation Officers," it in fact included all judge-involved supervision programs, regardless of the target population.
4. Supra Note 1.
5. J. Travis, *But They All Come Back: Facing the Challenges of Prisoner Reentry*, The Urban Institute Press, Washington, DC (2005), xxi.
6. In the federal system, "supervised release" is a separate sentence that may be imposed by the sentencing court to follow a term of imprisonment. Supervised releasees, who are under the jurisdiction of the court, are therefore the focus of federal reentry programs. There are also a small number of parolees, sentenced before federal parole was abolished in 1987, who are received from prison for supervision each year. Parolees are supervised by federal probation officers, but fall under the jurisdiction of the United States Parole Commission—an executive branch agency—rather than the court. As such, they are generally excluded from judge-involved supervision programs.
7. Significance was tested with the chi-square statistic. Given the small number of programs and the relatively large number of chi-square analyses performed, a result is reported as significant only if the significance level of the chi-square statistic reached the .01 level or beyond. Differences at or beyond the .05 level are reported as "tendencies."
8. The RPI is a risk assessment device developed by the Federal Judicial Center and used since 1997 by the federal probation system to determine the general risk level of offenders received for probation or supervised release supervision.
9. The differences across all program types are not significant. When the program types are grouped as to whether or not they accepted only substance abusers, the differences were significant at the .05 but not the .01 level.
10. The one-year off is also offered by one of the two mandatory programs as an incentive for program completion.
11. "Reported" is emphasized given that some programs reported 100% volunteer rates, which may reflect a practice of only offering the opportunity to participate to those deemed likely to volunteer in the first place. See discussion on page 6, *infra*.
12. Most of the interagency agreements contain language to the effect that, with some exceptions, conduct that would otherwise constitute a supervision violation and lead to a violation hearing may be handled in an informal manner.
13. In most programs (82 percent), the offender agrees at program start that jail time is one of the sanctions that may be imposed. The range in the amount of jail time was from 1 to 30 days across the programs, with the majority—20 of the 32 programs that have a special jail time provision—at 7 days.
14. Supervision policies require probation officers to utilize graduated sanctions in response to noncompliance. If, however, the desired sanction affects the length or conditions of the term of supervision, officers must petition the sentencing judge for a modification—an action that may be contested by the offender under the procedures of Fed. R. Crim. P. 32.1(b). This can obviously affect the timeliness and certainty of such sanctions.
15. There are more judges than programs because 13 of the programs have more than one team.
16. Survey question 32 asked if, during the court session, the judge was on the bench and the offenders in the jury box or the judge is seated at a conference table with the others or "Other Configuration." The "Other" text field sometimes included information, sometimes not. Further, the survey did not ask for the style of each program judge, so the style of judges in multi-judge programs could be extrapolated only if specific information was provided in comments to this section.
17. These activities do not take into consideration the time it takes to coordinate the sessions logistically, assemble the relevant paperwork, or undertake additional supervision activities that might be entailed.

18. Thirteen (13) programs have more than one team.
19. Survey Question 30. If a range of time was reported, the lower end was used for the time estimate.
20. Survey Question 41.

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Applying Implementation Research to Improve Community Corrections: Making Sure That "New" Thing Sticks!

1. NIRN staff recently provided similar training to chief probation officers via a Webinar, and resources are available to members of federal probation and pretrial services on the Administrative Office of the U.S. Court's Evidence-Based Practice website.

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A Random (Almost) Study of Staff Training Aimed at Reducing Re-arrest (STARR): Reducing Recidivism through Intentional Design

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1. Two districts would not allow their officers to be randomly assigned. The analysis reported in this article included all the officers. Analysis with and without those officers was conducted and revealed only slight differences in the findings. These differences do not impact the overall trends reported or the conclusions of this article.
2. Criminal record checks for the post-conviction sample were run on December 21, 2010.
3. The Risk Prediction Index (RPI) was introduced in 1997. The RPI uses 8 mostly static items to predict the likelihood of re-arrest while on supervision (Lombard, Hooper, Rauma, 2001).
4. The research on diffusion of innovation and implementation is voluminous. Interested readers should see Rogers, 2003 and Fixsen, Naoom, Blasé, Friedman, & Wallace, 2005.
5. Participation in the booster training events was voluntary.
6. PACTS (Probation/Pretrial Services Automated Case Tracking System) is an electronic case management tool used by probation and pretrial services officers in all 94 federal districts to track federal defendants and offenders. At the end of each month, districts submit case data into a national repository that is accessible to the Administrative Office of the U.S. Courts (AO), Office of Probation and Pretrial Services.
7. Data on arrests were gathered from record checks that include a search of the National Crime Information Center and the National Law Enforcement Telecommunications System which, together, include data on federal and local charges.
8. The study began with 88 officers and asked each of them to submit a taped interaction pre-training.
9. All of the districts included in this study were part of the Research-2-Results project, which provided funding for districts to use assessment and services for higher-risk offenders.

Federal Reentry Court Programs: A Summary of Recent Evaluations

1. These courts have also been referred to as "problem-oriented courts," "specialized courts," "collaborative courts," and "therapeutic justice courts."
2. The OJP developed other reentry initiatives as well, such as the Reentry Partnership Initiative (RPI), which includes formation of a partnership between criminal justice, social service, and community groups to develop and implement a reentry process in the states.
3. The Committee included representatives from the District of Oregon Court, the Probation Office, Federal Public Defenders Office, and the U.S. Attorney's Office.
4. As Close and his colleagues explain, this description is based on the reentry court model in Eugene. There may be variations between the programs in Eugene and Portland.
5. Participants of the C.A.R.E. program were administered the Risk Prediction Index (RPI) developed by the Federal Judicial Center for assessing federal offenders with regard to their risk of recidivism. Along with the start date of supervision, items on the RPI include: (1) the offender's date of birth, (2) the number of prior arrests before the instant offense (up to 15 arrests), (3) the use of a weapon in the instant offense, (4) whether the offender is employed at the start of supervision, (5) history of illegal drug or alcohol abuse, (6) previous absconding while on supervision, (7) whether the offender has graduated from college, and (8) whether the offender is residing with a spouse or children at the start of supervision. Offenders can score a maximum of 9 on the RPI. The three risk categories on the RPI correspond to the following scores: (1) Low risk scores range from 0–2, (2) Moderate risk scores range from 3–5 and (3) High risk scores range from 6–9. Offenders eligible for participation in the C.A.R.E. program are required to score between 6 and 9 on the RPI.
6. The original TCU Drug Screen was developed by researchers at the Institute of Behavioral Research at Texas Christian University. It includes 19 items that represent key clinical and diagnostic criteria for substance "dependence" as they appear in the Diagnostic and Statistical Manual and the National Institute of Mental Health Diagnostic Interview Schedule. The first part of the TCU Drug Screen includes a series of 10 questions about problems related to "drug use," and the second part addresses the frequency of specific drug use prior to prison as well as a self-assessment of one's readiness for substance abuse treatment. Based on the first nine items, a continuous composite score is computed that measures the level of an offender's drug use severity. The remaining TCU Drug Screen items are designed to provide corroborative evidence of potential drug use problems, such as questions pertaining to prior drug treatment.
7. A small number of moderate- and lower-risk offenders entered ACE at the onset of the program. This may indicate some drift in the eligibility requirements for entry into the ACE program.
8. The motivation measure is an item that comes from PACTS that asks the officer to rate the offender's motivation toward making changes and/or participate in supervision. MRT data were taken from the Administrative Office of the U.S. Court's Decision Support System and re-arrest data were taken from the judicial re-arrest file compiled by ABT Associates.
9. While there were some differences with exact matching for race, supervising officer, and motivation for the matched sample analysis, the risk category from the RPI was considered to be the most important factor to hold constant through the matching of the groups.
10. For significance testing, the p-value was set at .10 due to the relatively small sample size.
11. The average age of the comparison group was nearly 36 years of age. The average RPI score was nearly 6 for the comparison group. T-tests examining the differences between the unmatched samples suggested that there were significant differences between the

treatment and comparison groups with respect to age and RPI score. Recall that the average RPI score for the treatment group was slightly over 7 and the average age of the treatment group members was nearly 32 years. As such, the comparison group members were lower risk in terms of age and total RPI score. Regarding race, 86 percent of the comparison group is identified as Black and 14 percent are White. According to the RPI risk categories, 15 percent of the comparison group is low risk, 24 percent are moderate risk and 61 percent are high risk. For motivation, 38 percent of the comparison group was identified as being motivated toward supervision and 62 percent were unmotivated. Based on chi-square test results, there is a significant difference between groups in this unmatched sample for race and RPI risk category.

12. Predicted probabilities were also calculated for the significant predictors of re-arrest from the multivariate model to provide specific examples of how ACE participation might affect re-arrest rates. Unmotivated, high-risk, 33-year-old offenders that did not participate in the ACE program would potentially experience a 73 percent re-arrest rate. In contrast, the re-arrest rate would be 44 percent for unmotivated, high-risk, 33-year-old offenders that did participate in ACE. A similar trend was noted for motivated offenders. More specifically, motivated, high-risk, 33-year-old offenders that did not participate in ACE would experience a 47 percent re-arrest rate in comparison to 21 percent for the motivated, high-risk, 33-year-old ACE participants.
13. The study warned, however, that it was unclear based on available data if treatment providers correctly adhered to the MRT curriculum. Moreover, prior research has suggested that MRT is most successful in programs implemented by the creators or developers of the curriculum and that it is unclear whether criminal justice personnel can successfully deliver the necessary MRT programming. Therefore, the study recommended further research into the issue of whether MRT can be delivered as intended.

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Identifying the Predictors of Pretrial Failure: A Meta-Analysis

1. The [Appendix](#) contains a copy of the coding guide. Please note that variables were re-coded as necessary for the analysis.
2. We would like to thank Marie VanNostrand, Ph.D. and Jim Austin, Ph.D. for their kind assistance to calculate these statistics in order for their studies to be included.
3. A fixed effects model assumes that the true effect size would be consistent across studies.
4. This z statistic was also calculated since the individual studies that were coded and effect sizes calculated for identified pretrial predictors was done with a meta-analysis calculator. This addresses issues of normality.
5. Formula for the Fisher's r to z transformation: $zr = (1/2)[\log_e(1+r) - \log_e(1-r)]$.
6. Several of these eligible studies examined more than one outcome measure.
7. However, this is probably due to the different measures and weights for age on the various risk assessment instruments.
8. Estimate is an estimate of risk that was from one coded study where an officer made an estimate of risk.
9. Demographic measures only had one effect size. As such, this may not be the most reliable correlation.
10. For a discussion of the strength of correlations for predictive accuracy and the relative strength of the correlation, see Rice and Harris (2005).
11. With this specific outcome measure, there were no instruments that presented the necessary statistics to calculate an effect size.

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