



## The Impact of the Criminal Justice System in Implementing these Principles

- Evidence Based Programming in Probation and Parole

## 2011 Realignment: Dramatic Change

- Changed how probation and parole functioned
- Changed who would go to prison and who stayed in local jail
- Required use of evidence based programs

# Eight Principles of Evidence Based Practices



(Bogus et al., 2004)

## Risk Need Assessment

- Probation to train and utilize a validated tool to complete assessment
  - COMPAS
  - LS/CMI
  - ORAS
- Utilize to determine their unique risks and needs

## ▸ Enhance Intrinsic Motivation

- Probation Staff trained in Motivational Interviewing as a way to facilitate internal motivation.
- Listening, feeding back information and assisting understanding of motivation.
- Way to establish long term change.
- Resolves ambivalence regarding change.

# Target Intervention

## Criminogenic Risk/Needs

Antisocial Personality Pattern

Antisocial History

Pro-criminal attitudes

Anti Social Peers

Substance Abuse

Employment instability

Family Problems

Low Engagement in Prosocial Recreation/Leisure

## Skill Train With Directed Practice

- Cognitive Behavioral Based Approach
- Need to teach skills
- Role play and positive reinforcement
- One third, one third, one third method

## ▶ Increase Positive Reinforcement

- Deliver rewards, affirmations and incentives to reinforce positive behavior.
- Swift and certain sanctions
- Focus on positive over negative



## Engage Community Support

- A strong support system is needed for continued behavior change
- This can involve family, friends, employer, religious leader or mentor
- Reinforces positive behavior
- Contact with law abiding people can assist in reduction in recidivism

## Measurement Practices

- Need a way to measure progress
- Could be a reduction in technical violations
- Number of cognitive behavioral program hours
- Validates either progress or a need to adjust the plan

## Measurement Feedback

- Routine feedback to the offender regarding progress promotes accountability and compliance in their program
- Honest and clear

# ▸ RNR

- Risk
- Needs
- Responsivity

## ▸ Risk Principle

- Who to target:
  - Identify the risk to reoffend and focus on higher intensity interventions on the higher risk offenders
  - Referring low risk offenders to certain programs can actually increase recidivism

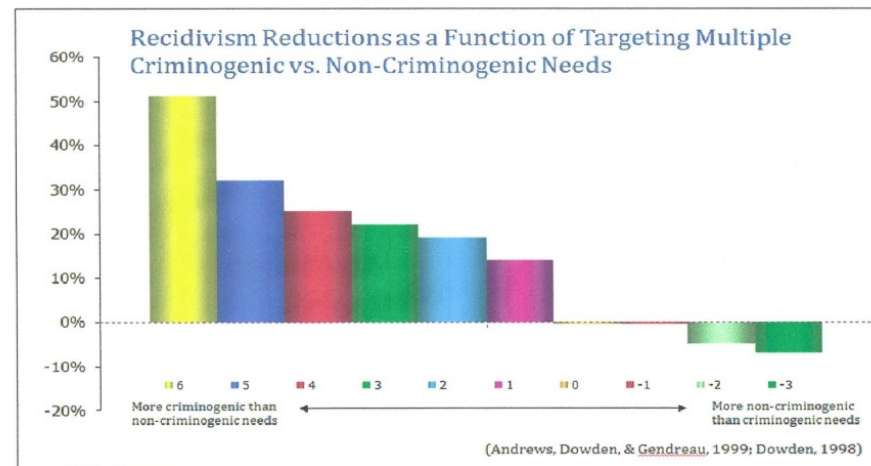
## Need Principle

- What to do:
  - Assess criminogenic needs and provide interventions targeted on the needs most closely associated with reoffending
  - Offenders have many needs that deserve treatment however, not all are associated with their criminal behavior
  - The more criminogenic needs are targeted, the better the success

# Targeting multiple criminogenic needs

## Recidivism Reduction as a Function of Number of Criminogenic Needs Targeted

Recidivism Reduction as a Function of Number of Criminogenic Needs Targeted



# Responsivity Principle

- How to do it:
  - General and specific factors can impact treatment effectiveness
  - Use of cognitive behavioral strategies to change behavior (general responsivity)
  - Enhance motivation and respond to challenges for individual offender (specific responsivity)



**Recent approaches to working with the mentally ill in the criminal justice system.**

Coordinating services between mental health and the criminal justice system

## ▶ Mentally Ill Offenders

- Tend to create significant demands beyond traditional probationers or parolees.
- Often have need for treatment, other social services such as housing or SSI
- Often have substance abuse problems

## ▶ Mentally Ill offenders

“If there is a nutso on my caseload and he’s just taking up too much of my time, when there is an opportunity to transfer him to another officer, I will transfer him.”

Skeem, Encadela and Eno Louden (2003)

## ▶ Mentally Ill Offenders

- Disproportionately represented in the criminal justice system
- Also are higher likely to fail under correctional supervision
- More likely to have probation or parole revoked or suspended
- Mentally Ill Parolees twice as likely to return to custody within one year

## So, What Works?

- There are some things that seem to work with mentally ill offenders in the criminal justice system:
  - Reduced caseload sizes
  - Specialty officers
  - Rehabilitation emphasis

## Traditional Approaches to MIOs

- Sentence to treatment and/or specialty program



- Psychiatric Services



- Symptom Control
- Does this equal reduced recidivism?

## Traditional Approaches to MIOs

But:

How often does the mental illness lead directly to criminal behavior?

RARELY

How much research is there indicating psychiatric treatment alone can decrease recidivism among MIO's?

NOT MUCH

Is untreated mental illness a good predictor of recidivism?

NOPE

## Then what???

- So, what do we do....
- What are the strongest predictors among the mentally ill for recidivism?

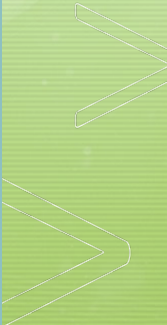


## Recidivism Predictors for MIOs

- It appears the strongest predictors for recidivism among MIOs are similar to the predictors for the non mentally ill
- Antisocial personality patterns
- Antisocial history
- Pro-criminal attitudes
- Substance abuse
- Employment instability
- Family problems
- Low engagement in prosocial activities



# Jennifer Skeem's findings

- “Mentally ill offenders have unique variables, but they also have more general risk factors than counterparts, including antisocial personality pattern;
  - General risk factors predict recidivism more than unique variables regardless of mental health status;
  - Risk factors such as poorly structured leisure and recreation time significantly predict rearrest whereas variables unique to mental illness such as med compliance do not”
- 

## More Recent Approaches

- Use what we know works with non mentally ill offenders
- Go back to risk, need and responsivity
- Consider mental illness and substance abuse in the context of risk, needs and responsivity

## ▶ Caution:

We are aware of no empirical support for the responsivity principle among persons with mental illness. Nevertheless, in contemporary discourse apply the RNR model to this group, MI is often asserted to be a specific responsivity issue.

- Jennifer Skeem

## More Recent Approaches

- Combination of psychiatric services and correctional services is the key to recidivism reduction

## More Recent Approach

“If the goal is to reduce recidivism for mentally ill offenders, then antisocial features must be explicitly assessed, acknowledged and targeted in correctional treatment efforts

Ineffectiveness of treatment programs to reduce recidivism of mentally ill offenders can be traced directly to neglecting or not adhering to the RNR principles.”

- Fred Osher, MD CSG Justice Center

## Research of MIO treatment

“In our view, the field’s next great challenge is to examine whether and how these general programs reduce recidivism for mentally ill offenders. To what extent do structuring leisure time, reducing antisocial cognition, and/or increasing problem solving skills translate into recidivism reduction?”

- Jennifer Skeem

## ▸ Strategies that work

- Integrated mental health and substance abuse services
- Supported employment
- Psychopharmacology
- Family psychoeducation
- Supported housing?
- Trauma interventions?
- Specialty supervision
- It's the relationship!!



## Hybrid Balanced Approach

- The most successful probation officer is able to navigate the balance between controlling and caring
- When an officer is too law enforcement oriented, or more caseworker oriented, success goes down
- Fair and consistent
- Rewards and sanctions
- Problem solving approach

# Team Approach for Positive Results

- When clinician and probation/parole work together improve results
- Assists in having one plan and both parties giving same message



# Problem Solving Strategies

- Strategies and positive pressure to encourage compliance
- Staff work with offender to identify obstacles, resolve problems and agree on plan
- Using this approach can avoid just threats of jail or other negative pressure reducing the risk of recidivism



# Procedural Justice

- Premise: Individuals are more receptive to those in authority if they perceive fairness
- Does the offender have a voice? Are they able to express views and opinions.
- Is there a conversation rather than being talked to?
- Offenders needs to feel process is fair and rules are consistent



# How do we work together?

- The top four criminogenic needs criminal justice not behavioral health has been developing and delivering
- The second four criminogenic needs are generally delivered by behavioral health
- Who should do what in your county?
- When should the delivery be shared?