

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/measuring-risk-and-need-in-juvenile-justice-decision-making>

Public Facing Advocacy Writing

For some people in the field of juvenile justice, the difference between risk assessment and needs assessment may seem overly academic or technical. They don't realize that the lack of clarity about this distinction and the tendency to conflate risk of delinquency with treatment need are obstacles to establishing a more strength-based and therapeutically informed attitude and process in juvenile justice systems around the country.

As Attorney General Eric Holder recently pointed out in his address to a legislative conference of county officials, the U.S. juvenile justice system must move away from prosecution and punishment and toward prevention and intervention. In order to do so, juvenile justice stakeholders—judges, prosecutors, probation officers—need to get a better handle on how to use assessment tools to make decisions about how to help youngsters in trouble with the law.

Without first disentangling risk and need and developing accurate needs assessment tools, juvenile courts are left with a practice built around managing risk and punishing noncompliance in a one-size-fits-all environment. Low-risk/high-treatment-need kids and high-risk/low-treatment-need kids all are overly monitored, referred to the most restrictive treatment settings, and are being detained and incarcerated at alarmingly high rates. Gaining clarity about how to assess a youth's needs while at the same time weighing risks to community safety is the prerequisite to building effective alternatives to detention and incarceration, meeting kids' needs and meeting our mandate to build a more effective juvenile justice system.

As our experience in building risk assessment tools at the Vera Institute of Justice has taught us, there is persistent confusion among juvenile justice stakeholders and their community partners about the difference between a risk assessment tool and a needs or diagnostic assessment tool. A risk assessment instrument is a tool that helps juvenile justice decision makers classify youth into groups according to their actual likelihood of committing a new offense. Graduated risk levels derived from these kinds of instruments can help decision makers decide which kids can be safely released to the community, with or without supervision, or might qualify for or succeed in a particular community-based program. A pure risk assessment tool contains only the items that statistically predict re-offending; including any other variables that do not predict this outcome will only confuse matters.

Needs assessment tools typically used in the mental health field consist of questions geared toward assessing the degree to which a person has struggled with or is currently exhibiting signs and symptoms of mental health and behavioral problems. Some tools designed to get at this information also ask questions about behaviors that have or could lead to court involvement, such as violence, breaking the law, or drug use.

On March 22, I will join two of my Vera colleagues, [Annie Salsich](#), director of the [Center on Youth Justice](#) (CYJ), and [Jennifer Fratello](#), CYJ associate research director, in a [webinar sponsored by Reclaiming Futures](#) to address these issues affecting policy and practice in juvenile justice. The three of us—a practitioner, a policymaker, and a researcher—reflect the breadth of Vera's expertise and its hallmark collaborative approach to challenges in the justice system.

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