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# Risk Assessment in Juvenile Justice: A Guidebook for Implementation

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# Risk Assessment in Juvenile Justice: A Guidebook for Implementation

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National Youth Screening & Assessment Project

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We also extend a special thank you to Jamie Michel, Ph.D. and Mary Ann Scali, J.D., MA, Deputy Director of the National Juvenile Defender Center (NJDC) for their assistance with this project and consultation on various drafts of this Guide.

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November 2012

## Models for Change

Models for Change is an effort to create successful and replicable models of juvenile justice reform through targeted investments in key states, with core support from the John D. and Catherine T. MacArthur Foundation. Models for Change seeks to accelerate progress toward a more effective, fair, and developmentally sound juvenile justice system that holds young people accountable for their actions, provides for their rehabilitation, protects them from harm, increases their life chances, and manages the risk they pose to themselves and to the public. The initiative is underway in Illinois, Pennsylvania, Louisiana, and Washington, and through action networks focusing on key issues, in California, Colorado, Connecticut, Florida, Kansas, Maryland, Massachusetts, New Jersey, North Carolina, Ohio, Texas, and Wisconsin.



# Risk Assessment in Juvenile Justice: A Guidebook for Implementation

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# Executive Summary

The primary purpose of this Guide is to provide a structure for jurisdictions, juvenile probation or centralized statewide agencies striving to implement risk assessment or to improve their current risk assessment practices. Risk assessment in this Guide refers to the practice of using a structured tool that combines information about youth to classify them as being low, moderate or high risk for reoffending or continued delinquent activity, as well as identifying factors that might reduce that risk on an individual basis. The purpose of such risk assessment tools is to help in making decisions about youths' placement and supervision, and creating intervention plans that will reduce their level of risk.

The recommendations in this Guide are research-based. The Guide is the result of years of research conducted by highly experienced experts in the field. Their expertise is not only in research, but also in implementing risk assessment—actually putting it in place in juvenile justice settings—as part of the John D. and Catherine T. MacArthur Foundation's Models for Change Initiative, a national juvenile justice reform initiative in 16 states that was initiated in 2005. The Guide also benefited from research on the implementation of risk assessment in juvenile probation offices undertaken in the Risk/Needs Assessment in Juvenile Probation: Implementation Study, funded by the MacArthur Foundation. Results of this study are explained in the introduction and used throughout the Guide.

This executive summary was designed for administrators who may be deciding among many new effective practices and/or services for youth that they could implement. In this Executive Summary, we provide an overview to explain why implementing risk assessment using this Guide could be a good approach for your jurisdiction (or office), even if a risk assessment tool is already in place. The subsequent chapters of this Guide offer considerably more detail about how to do this, along with some of the justification based on research or lessons learned. The information is dense. Thus, an administrator may wish to assign the reading of the rest of this document and oversight of the implementation effort to one of their executive or senior staff who oversee assessment or program development.

## What Does Risk Assessment Accomplish?

Juvenile court decision-makers often must decide whether youth need certain interventions to reduce the risk of harm to others. Is the risk sufficiently great that some sort of protective intervention is necessary? Risk assessment can assist with these decisions for the following reasons:

- First, a risk assessment will *estimate the likelihood that continued delinquent behaviors will occur* for a youth if nothing is done to intervene. Specifically, a trained professional can use a tool to assess whether a youth is at relatively low or high risk for reoffending. Many assessment tools today have reasonable accuracy in determining low or high risk.
- Second, a risk assessment can *guide intervention planning* by indicating what areas may be the best targets for intervention in order to reduce the likelihood of reoffending for a youth. Some risk assessment tools help answer the question: "What factors in that youth's life, or what needs and characteristics of the youth, are likely driving the youth to offend and may lead to more offending?". Importantly, in order for a risk assessment tool to facilitate intervention planning, it **must** contain dynamic risk factors, sometimes known as criminogenic needs factors.<sup>1</sup>
- Third, risk assessment provides *a standardized method of important data collection* for an agency. This can indicate areas of need that are more frequent among delinquent youth in a system or agency, so that resources can be planned accordingly. Further, if implemented well, the risk assessment can provide a measure of the overall progress of youth in an agency's care.

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<sup>1</sup> The concepts about dynamic risk factors and criminogenic needs are related but slightly different. This is explained more in Chapter 2. Some risk assessment approaches bifurcate risk and needs assessment (meaning "criminogenic needs assessments"). This may be appropriate in some settings where time is limited and a "screening out" process for low risk youths is needed. But in other settings this approach may not be best practice. This is described in more detail in the FAQ in Chapter 2: "Is it Necessary to Separate Risk Assessments from Needs Assessments?"



## Executive Summary

Some very positive outcomes can come from sound implementation of a comprehensive risk assessment tool in a probation setting.

- It can minimize bias in judgments about youths' risk to public safety and their case management needs.
- It provides a common language between agencies.
- It can reduce costs by decreasing use of more intensive supervision, over-use of expensive incarceration, and provision of services for youth who do not need them.
- It can improve the targeting of services/interventions that would address youths' identified risk factors.
- It can greatly improve resource development by providing a means for objective data tracking of the primary problem-areas of youth.
- It can reduce reoffending rates.

## What Does Risk Assessment NOT Accomplish?

We often find that people misunderstand what risk assessment tools can do, and they expect the tools to do more than they were developed to do. There is no such thing as a "one size fits all" assessment tool. Therefore, it is important to recognize from the start what risk assessment **does not do**.

- *Risk assessment tools are NOT prescriptive.* They will not tell the user exactly what course of action should be taken with a youth. The tool will not state that youth who achieve a particular score need to be put in a facility, for example. But they will indicate a level of risk with which to start thinking about that decision.
- *The risk assessment tools described in this Guide are NOT appropriate for identifying risk for sexual offending.* Sexual violence and offending is a different category that requires a psychological evaluation or more specialized risk assessment tools.
- *Risk assessments are NOT mental health assessments.* Risk assessment tools were not designed to identify youths' mental health problems or diagnoses. Therefore, risk assessments by juvenile justice personnel do not take the place of psychological evaluations, which still will be essential for some youth.
- *Risk assessment tools do not prescribe legal decisions.* These tools were not designed to specify the action a court should take. Rather these tools provide additional information, grounded in research, to enhance the decision-making process of the court.
- *The risk assessment tools described in this Guide are not appropriate for determinations of failure to appear.* In this Guide, we focus primarily on post-adjudication disposition decisions and, to some extent, decisions regarding diversion from formal processing, both of which consider defendants' risk for reoffending. The risk assessment tools used in these decisions differ from risk tools created for use in pre-trial detention decisions, which consider the likelihood that a defendant will return to court (or fail to appear) as well as the risk for reoffending. We will discuss detention decisions briefly later in the Guide but encourage the reader to see publications from the Anne E. Casey foundation

about Risk Assessment Instruments (RAIs) for detention for more information.<sup>2</sup> It should be noted that many of the concepts described in Chapter 2 are relevant to the creation of RAIs.

## Who Needs to Know about Risk Assessment?

Many jurisdictions, juvenile justice agencies, and practitioners have adopted risk assessment as a part of their practice, while others have not yet done so. We have constructed this Guide to be useful to current risk assessment users and potential future users. In our experience working with jurisdictions and state agencies to implement risk assessment tools, we have discovered many may already have a tool in place, but they are not using it effectively. For example, the assessment gets completed for a youth but then it merely sits in the youth's file until it is dusted off because it has to be completed again. So whether you are part of a jurisdiction or agency that already has a tool in place, or a jurisdiction or agency that is trying to identify a risk assessment tool to adopt, you should find this Guide useful. The Guide covers everything from the basic concepts of risk assessment and how to select an evidence-based assessment tool, to training of staff and effective use of the assessment tool in court decision-making and case management practices.

This Guide largely focuses on the use of risk assessment tools at one stage in the juvenile justice process—juvenile probation and probation intake. This is because most of the research around implementation of risk assessment has been conducted in probation settings (which includes disposition). Experts can say considerably less about best practices for risk assessment at other stages in the juvenile justice process. However, the Guide does offer *suggestions for modifying the procedures for other decision points in juvenile justice*, such as pre-trial detention or community re-entry.

This Guide was constructed to be relevant for judges, district attorneys, and public defenders, as well as probation chiefs and agency administrators. Attorneys and judges may find the Attorneys' and Judges' Companion Guide to this manual to be more user-friendly. We strongly encourage administrators to obtain the Attorneys' and Judges' Companion Guide for their stakeholders and also offer to share this complete Guide if they would like more information.

## Guiding Principles

Several guiding principles shaped the content of this Guide. Each of these principles is grounded by research in social science.

1. Simply selecting and adopting a risk assessment tool will not accomplish the desired objective unless it is implemented properly.
2. The concepts of youth development must be considered in the implementation of any type of assessment tool or case management approach in juvenile justice. Most youth who offend are not chronic offenders, most youths' behaviors can be changed, and most youths' risk levels can be reduced.
3. Many adolescents who come into contact with the law will not reoffend even if they receive only minimal intervention, because most of those adolescents are at low risk for reoffending. Agencies can divert many youth while still protecting public safety.
4. Institutional placements do not necessarily lead to better outcomes or reduce recidivism. Further, unnecessary institutional placements can cause harm to youth by putting them in close contact with more serious young offenders.

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<sup>2</sup> Steinhart, D. (2006). *Juvenile detention risk assessment: A practice guide to juvenile detention reform*. Baltimore, MD: Anne E. Casey Foundation.

## Executive Summary

5. The mere fact that someone is high risk for reoffending does not mean that they must be incarcerated in order to protect public safety, but some youth will, indeed, require incarceration to protect public safety.
6. Services and case planning should be as individualized as possible, based on the youth's risk level, changeable risk factors and strengths. To best accomplish this, risk assessment tools should contain both static as well as dynamic risk factors (also known as criminogenic needs factors; see third "FAQ" in Chapter 2).
7. Risk assessment tools should inform legal decision-making and offer additional grounds for decisions but should not replace legal decision-making.

## Design of this Guide

The chapters of this Guide detail the purpose and nature of risk assessment, provide definitions of risk assessment concepts, review research evidence, and give step-by-step guidance about how to implement a tool. The **introduction** elaborates on many of the concepts described in this executive summary, along with a description of some of the research evidence. **Chapter II** sets the stage by reviewing several concepts of risk assessment, such as the types of items found in the assessment tools, and how to select an evidence-based assessment tool. The chapter was included to be used as a reference.

**Chapter III** is organized according to eight steps of implementation and the accompanying activities. Most steps are required for effective implementation; however, some may not apply to all juvenile justice communities. The Guide contains several example documents in the Appendices located on the accompanying CD. Users are welcome to modify and implement these documents. Exemplars provided include office policy templates, memoranda of agreements, templates for communicating risk assessment information in pre-dispositional reports, and presentation slides to educate stakeholders about the purpose and potential benefits of risk assessment. All of these documents have been used with success in a number of states. The steps of implementation are the following:

### Step 1: Getting Ready

This step explains how to get the right team of people together and create an optimal system environment to allow the tool to operate effectively.

### Step 2: Establishing Stakeholder and Staff Buy-In

This step describes how to obtain buy-in from the essential stakeholders (e.g., judges, defense attorneys, prosecutors, service agencies) and staff members. Stakeholders should consider the multiple assessments many juvenile justice-involved youth receive from other agencies to discuss the overlap across tools and how to minimize over-assessing youth and families. Several strategies for training and dissemination of information about risk assessment are provided.

### Step 3: Select and Prepare the Risk Assessment Tool

This step covers how to select the best risk assessment tool for your agency. This Guide does not provide recommendations for specific tools, because research continually advances and often creates better methods. The Guide instead provides case studies from states that implemented risk assessment tools statewide in their juvenile probation systems and points the reader to consultants and references where there is a listing of available risk assessment tools.

### Step 4: Preparing Policies and Essential Documents

Implementation of a risk assessment tool does not stop once an agency has selected the tool and trained staff how to complete it. Instead, it involves implementing an assessment system, which includes a structured process regarding how the

tool will be used in various decisions. Step 4 involves developing the appropriate office policies and essential documents to integrate risk assessment routinely into case management decisions, including designing a case plan format, a service matrix, and a protocol for how risk level will be used.

### Step 5: Training

This step covers guidelines for training stakeholders and probation staff on the risk assessment tool and new policies and procedures, preferably using a train-the-trainer model. Probation staff and supervisors will receive additional training as they will be administering the risk assessment tool with youth.

### Step 6: Implement Pilot Test

It is always a good idea to pilot test the risk assessment instrument in a couple jurisdictions (for statewide initiatives) or with a few probation officers (for county-level initiatives) before it is fully implemented. This step describes the process and benefits of pilot testing for parties interested in rolling a tool out to an entire state and for parties operating at the county-level.

### Step 7: Full Implementation

Step 7 describes the process involved in rolling out the tool to the rest of a single probation office or the rest of the state.

### Step 8: On-going Tasks for Sustainability

Maintaining the integrity of the risk assessment tool and use of risk assessment results in decision-making is an on-going process. Step 8 describes how to sustain the benefits of this evidence-based practice.

## Development of the Guide

Many of the guidelines in this document are supported by research evidence or a consensus in the literature about best practices. However, there are still many aspects of the implementation process for risk assessment that have not previously been documented or studied. In light of this information gap, the authors met with various groups of experts. These groups included an **expert panel** comprising scholars in the risk assessment field, an **advisory group** comprising experienced administrators and practitioners in juvenile justice agencies, and a **stakeholder group** of judges, public defenders, and district attorneys. This document represents agreement from most of these parties as to the current standards of best practice.

### Expert Risk Assessment Panel

- Patrick Bartel, Ph.D., Psychologist, Clinical Head of Violent Offender Treatment, Youth Forensic Psychiatric Services of British Columbia
- Robert Barnoski, Ph.D., Research Consultant, RP Barnoski Consulting
- Stephen D. Hart, Ph.D., Professor, Simon Fraser University
- Robert Hoge, Ph.D., Emeritus Professor, Carleton University
- Craig Schwalbe, Ph.D., Associate Professor, Columbia University

### Advisory Group

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- Susan Burke, M.A., Director of Juvenile Justice Services (formerly Assistant Juvenile Court Administrator, Utah Administrative Office of the Courts)
- Kelly Clement, Probation and Parole Regional Manager, Louisiana Office of Juvenile Justice
- Debra Ferguson, Ph.D., Senior Deputy & Chief of Clinical Operations, IDHS/Division of Mental Health
- Elizabeth Fritz, M.S., Chief Juvenile Probation Officer, Lehigh County Juvenile Probation
- David Robinson, Ph.D., President, Director of Assessment, Orbits Partners, Inc.
- Richard Steele, M.A., Director of Policy & Program Development, PA Juvenile Court Judges' Commission
- Debra K. DePrato, M.D., Project Director, Louisiana Models for Changes Systems Reform for Juvenile Justice, Associate Clinical Professor, School of Public Health, LSUHSC

### Stakeholder Group

- Hon. Andrea P. Janzen, Chief Judge, Jefferson Parish Juvenile Court
- Ben Roe, J.D., State's Attorney, Ogle County State's Attorney
- Kim Tandy, J.D., Executive Director, Children's Law Center, Inc.
- George Yeannakis, J.D., TeamChild
- Judge Dennis D. Yule, Retired Superior Court Judge, Benton/Franklin Counties, Washington Superior Court

**We also extend a special thank you to Jamie Michel, Ph.D. and Mary Ann Scali, J.D., MA, Deputy Director of the National Juvenile Defender Center (NJDC) for their assistance with this project and consultation on various drafts of this Guide.**

### **The Guide also was reviewed by a number of distinguished national experts in juvenile justice**

- James Bell, J.D., Executive Director, W. Haywood Burns Institute
- Shay Bilchik, Founder and Director, Center for Juvenile Justice Reform, Georgetown University
- Joseph Cocozza, Ph.D., Director of National Center for Mental Health and Juvenile Justice and Mental Health/Juvenile Justice Action Network
- Albert Grudzinskas, J.D., Associate Professor, University of Massachusetts Medical School
- Lourdes Rosado, J.D., Associate Director, Juvenile Law Center
- Mark Soler, J.D., Executive Director, Center for Children's Law and Policy
- Janet Wiig, J.D., MSW, Co-Director, Robert F. Kennedy Children's Action Corp.

Some of the procedures described in this Guide are still in need of study. Thus, it is our hope that this Guide can be used also to promote more research and outcome demonstration projects on effective implementation and programming for youth who come into contact with the law.

# Contents

## Chapter I: Introduction ..... 17

<b>Target Audience</b> .....	<b>17</b>
<b>Cultural Shift</b> .....	<b>18</b>
<b>Guiding Principles</b> .....	<b>19</b>
<b>Importance of Effective Implementation</b> .....	<b>20</b>
<b>Important Developmental Concepts</b> .....	<b>21</b>
Desistance .....	21
Age Relativity .....	21
<b>Risk-Need-Responsivity and Research on Effective Programming for Youth</b> .....	<b>22</b>
<b>What Does Risk Assessment Accomplish</b> .....	<b>24</b>
<b>What Does Risk Assessment NOT Accomplish</b> .....	<b>25</b>
<b>Eight Steps to Implementing a Risk Assessment System</b> .....	<b>26</b>

## Chapter II: Concepts and Terms of Risk Assessment ..... 29

<b>What Do We Mean by Risk?</b> .....	<b>29</b>
<b>What are Risk Assessments and Risk Assessment Tools?</b> .....	<b>30</b>
<b>Types of Factors (Items) in Risk Assessment Tools</b> .....	<b>31</b>
Risk Factor .....	32
Protective Factors and Strengths .....	34
Responsivity Factors .....	34
<b>Two Forms of Risk Assessment Tools</b> .....	<b>36</b>
<b>What Is “Evidence-Based” Risk Assessment?</b> .....	<b>36</b>
<b>Cultural Issues</b> .....	<b>44</b>
<b>Putting it All Together</b> .....	<b>45</b>
 FAQ: How Do Tools Help Determine Risk Level? .....	 35
FAQ: Why Are Overrides Necessary .....	39
FAQ: Is it Necessary to Separate Risk Assessments from Needs Assessments? .....	42

## Chapter III: Steps in Developing and Implementing a Risk Assessment System . . 47

<b>STEP 1: Getting Ready</b> .....	<b>47</b>
Achieving System Readiness .....	47
<i>Administrative Readiness</i>	
<i>Operations Readiness</i>	
<i>Staff Readiness</i>	
Building the Leadership .....	49
<i>Steering Committee</i>	
<i>Identification of a Neutral Expert in Risk Assessment</i>	
<i>Getting Help from University Partners</i>	
<i>Implementation Committee</i>	
Identifying an Assessment Coordinator or Point Person .....	51
Creating a Work Plan .....	52
Preparing the Data System .....	52
Selecting Sites for Pilot Testing .....	52
<b>Step 2: Establishing Stakeholder and Organizational Buy-In</b> .....	<b>53</b>
Establishing Court Readiness .....	53
Establishing Organizational and Staff Buy-In .....	54
<i>Survey Current Practices in the Agency</i>	
<i>Conduct Orientation Training with Administrators and Supervisors</i>	
<i>Conduct the Orientation Training with Staff Members</i>	
<i>Anticipated Barriers to Implementation from the Organization and Stakeholders</i>	
<b>Step 3: Select and Prepare the Risk Assessment Tool</b> .....	<b>56</b>
Selecting an Appropriate Risk Assessment Tool .....	57
Identifying an Evidence-Based Assessment Tool .....	58
Working with Test Publishers .....	60
Developing an Interview Script (if applicable) .....	60
<b>Step 4: Preparing Policies and Essential Documents for Use of Risk Assessment in Decision-Making</b> .....	<b>61</b>
Developing Office Policies for Use of Risk Assessment .....	62
<i>How Can Risk Assessment Be Used at Each Decision Point?</i>	
Communicating Risk Assessment Information to the Courts and Engaging Judges and Attorneys in Checks and Balances .....	63
<i>How Can a Risk Assessment Tool Inform This Decision?</i>	
<i>What Information Should the Judge, Defense Attorney and Prosecutor Receive?</i>	
<i>Addressing Potential Barriers</i>	

Using Risk Assessment When Assigning Supervision Levels .....	67
Matching Risk Level and Criminogenic Needs to Effective Services .....	70
Working with Service Providers .....	72
Developing a Standard Case Plan Format .....	73
Psychological Evaluations vs Comprehensive Risk Assessments	
Conducted by Juvenile Justice .....	74
Developing Procedures for On-Going Monitoring and Reassessment of Youth .....	74
<b>Step 5: Training .....</b>	<b>75</b>
Selecting Master Trainers for Probation Staff .....	76
Training Master Trainers How to Complete the Risk Assessment .....	76
Training Master Trainers How to Use Risk Assessment in Decisions .....	78
Training Judges and Attorney Stakeholders .....	78
Training Supervisors to Establish Competencies and Leadership Skills* .....	79
Training Staff in Motivational Interviewing* .....	80
<b>Step 6: Implement Pilot Test .....</b>	<b>80</b>
Conducting a Follow-Up Survey with Staff .....	80
Conducting Quality Assurance and Data Checks .....	83
<i>Is the Tool Being Completed in a Reliable Manner?</i>	
<i>Supervisor Case Audits</i>	
<i>Group Data Checking</i>	
<b>Step 7: Full Implementation (to rest of state or rest of agency/office) .....</b>	<b>84</b>
<b>Step 8: On-Going Tasks for Sustainability .....</b>	<b>85</b>
Continuing Efforts to Promote Sustainability at Multiple Levels .....	85
<i>Staff Level</i>	
<i>Organizational Level</i>	
<i>Legislative Level</i>	
Conducting Booster Training Every Six Months .....	86
Engaging in On-Going Data Monitoring for Use of Risk Assessment	
in Decision-Making and Outcomes .....	87
Conducting On-Going Assessments of Inter-Rater Reliability .....	87
TEXT BOX A: Use of Brief Risk Assessment Tools as a Screening Process	
Post-Adjudication to Conserve Resources .....	59
TEXT BOX B: Use of Risk Assessment at Different Decision Points .....	64
TEXT BOX C: Recommendations for Designing Probation Assessment or Intake Units .....	68
TEXT BOX D: Rationale for Guidelines Pertaining to Local Validation .....	81
CASE SUMMARY 1: Louisiana: Statewide Implementation in a State with a Centralized Agency .....	88
CASE SUMMARY 2: Pennsylvania: Statewide Implementation in a State without a Centralized Agency .....	94



## Appendices on CD

Example Templates of Documents Used During the Implementation Process

### **I. Documents Relevant at the Planning Stage**

1. Charter or Strategic Plan
2. Memorandums of Understanding or Cooperative Agreements Signing Onto a Partnership
3. Work Plan
4. Job Description of Assessment Coordinator
5. Job Description of Quality Assurance Coordinator
6. PowerPoint presentation for stakeholder buy-in

### **II. Legislative Decrees and Policy Documents**

1. Legislation Delineating Use of Information Obtained Pre-adjudication with Mandated Protection
2. Office Policies for Using Specific Tools /Conducting Risk Assessments
3. Supervision/Case Plan Policy
4. Quality Assurance Plan Examples

### **III. Documents Used by Probation Officers Completing Risk Assessments**

1. Consent Form for Disclosure of Confidential Information
2. Case Plan Examples
3. Service Matrix Examples (or other Method of Assigning Services Based on Needs)
4. Guidelines for Communicating Risk Assessment Results in Pre-disposition Reports

### **IV. Documents Relevant to Evaluation of Staff Members Completing Risk Assessments**

1. Case Planning Core Concepts Exam and Answers
2. Written Case Scenarios / Case Staffing Evaluation Form  
(to assess performance using a risk tool after reading a practice case)
3. Video Grading Performance Measurement Guide and Direct Observation Tool  
(to assess performance using a risk tool after watching a practice video)
4. Case Audit Form (to document components of a Case Planning case audit)

### **V. Documents for Surveying Staff and Clients**

1. Client Survey (“consumer satisfaction” survey of a youth’s experience working with his or her probation officer)
2. Survey for Probation Staff





# Chapter I: Introduction

These guidelines were designed to assist courts and juvenile justice agencies that wish to employ best practices when implementing procedures to assess risk of future delinquency, and to design individualized intervention plans to reduce that risk as much as possible. Ten years ago, Congress recommended that juvenile justice agencies adopt risk assessment tools to improve programming for young offenders. The Juvenile Justice Delinquency and Prevention Act (JJDP A) of 2002 urged that juvenile justice experts should assist states in "...the design and utilization of risk assessment mechanisms to aid juvenile justice personnel in determining appropriate sanctions for delinquent behavior".<sup>3</sup> The act also stated that delinquency should be addressed by quality prevention programs "designed to reduce risks and develop competencies in at-risk juveniles that will prevent, and reduce the rate of, violent delinquent behavior".<sup>4</sup> This goal has become more attainable in the past ten years, given the advent of several valid risk assessment tools designed specifically for use with youth in juvenile justice. Thus many state and county juvenile justice agencies have adopted risk assessments in the past decade, while others either are currently contemplating adoption or have not yet considered it.

## Target Audience

We have constructed this Guide to be useful to juvenile justice jurisdictions, agencies and practitioners regardless of whether they have already adopted risk assessment practices. In our experience working with jurisdictions and state agencies to implement risk assessment tools, we have discovered many agencies that already have a tool in place, but are not using it effectively. The tool generally has not been fully integrated into their system or their decision-making. Instead, the assessment gets completed for a youth but then it merely sits in the youth's file until it is dusted off because it has to be completed again. Alternatively, the tool may be integrated into decision-making but this is not being done properly. So whether you are part of an agency that already has a tool in place, or an agency that is trying to identify a risk assessment tool to adopt, you should find this Guide useful. The Guide covers everything from the basic concepts of risk assessment and how to select an evidence-based assessment tool, to training of staff, and effective use of the assessment tool in decision-making and case management practices.

When deciding whether this Guide will be relevant to you, it is important to note that assessments are tied to a particular *decision-point*—that is, a point in the juvenile justice decision-making process.<sup>5</sup> For this Guide, we categorize the relevant decision points as follows: (1) probation or juvenile court intake (where diversion often takes place), (2) pre-adjudication detention, (3) adjudication, (4) disposition, (5) juvenile corrections, and (6) community re-entry. The purpose and utility of a risk assessment will differ depending on the decision point where it is used. Thus, the type of risk assessment tool needed and the procedures for implementing it also will differ.

*This Guide largely focuses on implementation procedures for risk assessment tools in juvenile probation and probation intake.* This is because most of the research around implementation of risk assessment has been conducted in probation

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3 Juvenile Justice and Delinquency Prevention Act of 1974, Pub. L. No. 93-415, 88 Stat. 1109 (codified as amended at 42 U.S.C. § 5601 et seq. (2002)) § 5653, Sec. 243. Research, demonstration, and evaluation functions of Institute(a)(3)(ii), p. 18.

4 Ibid pg. 1

5 Grisso, T. (2005). Why we need mental health screening and assessment in juvenile justice programs. In T. Grisso, G. Vincent, & D. Seagrave (Eds.), *Mental health screening and assessment in juvenile justice* (pp. 3-21). New York: Guilford Press. Mulvey, E. P. (2005). Risk assessment in juvenile justice policy and practice. In K. Heilbrun, N. E. Sevin Goldstein, & R. Redding (Eds.), *Juvenile delinquency: Prevention, assessment, and intervention* (pp. 209-231). Oxford University Press.

settings (which includes disposition). At present, experts can say considerably less about best practices for risk assessment at other stages in the juvenile justice process.

Even though the Guide focuses on probation, we expect sections will be relevant to administrators of most juvenile justice agencies. *We offer suggestions as to how to modify procedures for other decision points where applicable.* Moreover, this Guide was constructed to be relevant for judges, district attorneys, and public defenders. Therefore, we strongly encourage administrators who are overseeing the initiative to share this full Guide with these stakeholder groups. However, they may find the Attorney and Judges Companion Guide to this manual to be more user-friendly.

Finally, this Guide will be most useful to administrators working for state agencies who are interested in statewide implementation of a risk assessment tool, or administrators working at the county level. For those operating in an entirely county-based system, it is still possible to adopt a risk assessment tool statewide. For example, Pennsylvania's juvenile probation departments are entirely county-based, yet they were able to adopt and implement a single risk assessment tool in almost every county by positioning the implementation process with the Juvenile Court's Judges Commission. For users of this Guide who are operating at the county-level but have no goal of statewide implementation, some aspects of the Guide will be less relevant, such as the process of identifying a few regions or counties to act as pilot sites (Step 6). Instead, they might select a few staff to pilot the instrument. For those working in a rural county with limited resources and low caseloads, many aspects of these guidelines will not be feasible or relevant, but it is still possible to adopt and use a risk assessment tool effectively using some of the strategies provided.

## Cultural Shift

Recent years have seen a marked shift in the culture of juvenile justice, so that the old concepts of a “welfare” or a “punitive” juvenile justice system are both considered naïve. This emerging shift focuses on the importance of using data and research to drive decisions for justice-involved youth in a manner that promotes both public safety and youth potential. One of the contributing factors in this shift was the MacArthur Foundation's Research Network on Adolescent Development and Juvenile Justice (ADJJ). The ADJJ Network's developmental findings helped to remind the public of why we need a separate system of justice for young people. The ADJJ Network produced groundbreaking research documenting developmental differences between adolescents and adults. Recent U.S. Supreme Court decisions used the results of those studies to affirm that “adolescents are different”.<sup>6</sup> Another contributing factor to the culture shift was an emphasis on evidence-based practice and generally the need to use approaches that have evidence that they work. Like the MacArthur Models for Change Initiative, the core principles of this culture shift in juvenile justice include an evidence-based approach to juvenile justice reform that promotes fundamental fairness, developmental differences between youth and adults, individual strengths and needs, youth potential, responsibility, and safety.

New approaches to risk assessment are highly compatible with this most recent culture shift in juvenile justice because risk assessment tools, although not infallible, can contribute to public safety and promote youth potential in two ways. First, they offer validated input to inform the decision about whether youth are in need of secure custody or can be better served in the community. Second, modern risk assessment tools improve the ability of systems to help youth become productive members of the community when they leave the juvenile justice system, because many tools evaluate not only the degree of risk, but also the factors that are likely contributing to that risk. Those factors are called “criminogenic needs”—a youth's needs that are catalysts for that youth's delinquency. There is scientific evidence—described later in

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<sup>6</sup> *Graham v. Florida*, 130 S. Ct. 2011, 176 L. Ed. 2d 825 (2010). *Roper v. Simmons*, 543 US 551 (2005).

this Guide—that indicates case planning focused on the key factors leading to offending can improve outcomes<sup>7</sup>, thereby increasing longer-range public safety. Therefore, risk assessment enhances public safety by informing both placement and programming decisions before the court. Risk assessment also enhances case management practices outside of the court.

## Guiding Principles

Several guiding principles shape the content in this Guide. Each of these principles is grounded by research in social science.

1. Simply selecting and adopting a risk assessment tool, or any assessment tool for that matter, will not effectuate any change unless it is implemented properly.<sup>8</sup>
2. The concepts of youth development must be considered in the implementation of any type of assessment tool or case management approach in juvenile justice. Most youth who offend are not chronic offenders, most youths' behaviors can be changed, and most youths' risk levels can be reduced.<sup>9</sup>
3. Many adolescents who come into contact with the law will not reoffend even if they receive only minimal intervention, because most of those adolescents are at low risk for reoffending.<sup>10</sup> Agencies can divert many youth while still protecting public safety.
4. Institutional placements do not necessarily lead to better outcomes or reduce recidivism.<sup>11</sup> Further, unnecessary institutional placements can cause harm to youth by putting them in close contact with more serious young offenders.
5. The mere fact that someone is high risk for reoffending does not mean that they must be incarcerated in order to protect public safety, but some youth will, indeed, require incarceration to protect public safety.<sup>12</sup>
6. Services and case planning should be as individualized as possible, based on the youth's risk level, risk factors and strengths.<sup>13</sup>

7 Loung, D. & Wormith, J. S. (2011). Applying risk/need assessment to probation practice and its impact on the recidivism of young offenders. *Criminal Justice and Behavior*, 38, 1177-1199. Vieira, T. A., Skilling, T. A., & Peterson-Badali, M. (2009). Matching court-ordered services with treatment needs. *Criminal Justice and Behavior*, 36, 385-401.

8 Vincent, G. M. Guy, L. S., Gershenson, B., & McCabe, P. (2012a). Does risk assessment make a difference? Results of implementing the SAVRY in juvenile probation. *Behavioral Sciences and the Law*, 30, 384-405. Young, D., Moline, K., Farrell, J., & Biere, D. (2006). Best implementation practices: Disseminating new assessment technologies in a juvenile justice agency. *Crime & Delinquency*, 52, 135-158.

9 Farrington, D. P. (2007). Advancing knowledge about desistance. *Journal of Contemporary Criminal Justice*, 23, 125-134. Loeber, R., Burke, J. D., & Lahey, B. B. (2002). What are adolescent antecedents to antisocial personality disorder. *Criminal Behaviour and Mental Health*, 12, 24-36. Moffitt, T. E., & Caspi, A. (2001). Childhood predictors differentiate life-course Persistent and adolescence-limited antisocial pathways among males and females. *Development and Psychopathology*, 13, 355 - 375. Moffitt, T. E., Caspi, A., Dickson, N., Silva, P., & Stanton, W. (1996). Childhood-onset versus adolescent-onset antisocial conduct problems in males: Natural history from ages 3 to 18 years. *Development and Psychopathology*, 8, 399 - 424. Roberts, B. W., Caspi, A., & Moffitt, T. E. (2001). The kids are alright: Growth and stability in personality development from adolescence to adulthood. *Journal of Personality and Social Psychology*, 81, 670-683.

10 Ibid.

11 Mulvey, E.P., Steinberg, L., Piquero, A.R., Besana, M., Fagan, J. et al. (2010). Trajectories of desistance and continuity in antisocial behavior following court adjudication among serious adolescent offenders. *Development and Psychopathology*, 22, 453-475. Loughran, T.A., Mulvey, E.P., Schubert, C.A., Fagan, & Piquero, A.R. et al. (2009). Estimating a dose-response relationship between length of stay and future recidivism I serious juvenile offenders. *Criminology*, 47, 699-739. Gatti, U., Tremblay, R., & Vitaro, F. (2009) Iatrogenic effect of juvenile justice. *The Journal of Child Psychology and Psychiatry*, 50, 991-998.

12 Douglas, K. S., Webster, C. D., Hart, S. D., Eaves, D., & Ogloff, J. R. P. (Eds.) (2001). *HCR-20: Violence risk management companion guide*. Burnaby, BC, Canada: Mental Health, Law, and Policy Institute, Simon Fraser University, and Department of Mental Health Law & Policy, University of South Florida.

13 Andrews, D. A., & Bonta, J. (2010). Rehabilitating criminal justice policy and practice. *Psychology, Public Policy, and Law*, 16, 39-55.

7. Risk assessment tools should inform legal decision-making and offer additional grounds for decisions but should not replace legal decision-making.

We will elaborate on many of these points throughout the Guide.

*Merely teaching probation officers how to reliably complete an evidence-based risk assessment tool did not ensure that they would use the tool in their decisions.*

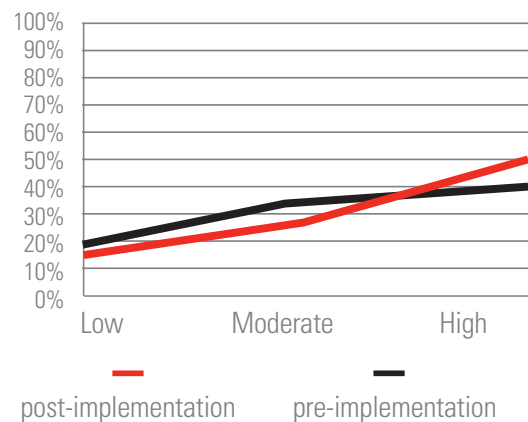
## Importance of Effective Implementation

“Implementation” refers to the process of putting a procedure into operation, or “the use of strategies to introduce or change . . . interventions within specific settings.”<sup>14</sup> Experts who study implementation of assessment tools focus primarily on “evidence-based” tools—those that have been developed and validated (meaning there is sufficient research evidence that the tool predicts what it was intended to predict, in this case, reoffending) with care. But they recognize that such tools, no matter how good they are, will fail if they are not “implemented” correctly or used consistently. If a risk assessment tool is not implemented with fidelity, adoption of the tool is highly unlikely to lead to any changes in the way youth are processed or handled in an agency or juvenile court. Even the most sound risk assessment tool will fail to lead to positive change if it is not implemented properly.

Several risk assessment studies have demonstrated the importance of proper implementation practices. Some of them have found that risk assessment tools often are not implemented well or systematically. In a study of 12 courts that implemented risk assessment procedures in four states, researchers found that only half of the court professionals (including probation officers) were using the tools regularly in their decision-making.<sup>15</sup> Researchers in Maryland examined the potential impact of implementing a standardized risk assessment tool on service referrals and out-of-home placement decisions.<sup>16</sup> They used an extensive implementation process that involved stakeholders at multiple levels, peer training for staff, and data monitoring. They found some shifts in service referrals and placement decisions in line with the assessment, but average adherence to administering the risk assessment tool as the policy required was still only 55%.

In our own work, the *Risk/Needs Assessment for Juvenile Probation: Implementation Study*<sup>17</sup> indicated that merely teaching probation officers how to reliably complete an evidence-based risk assessment tool did not ensure that they would use the tool in their decisions. Figure 1 illustrates the relation between

**Figure 1: Percent of Low, Moderate, and High risk youth placed out-of-home before and after full implementation of a risk assessment tool**



<sup>14</sup> Proctor, E. K., Landsverk, J., Aarons, G., Chambers, D., Glisson, C., & Mittman, B. (p. 26, 2009). Implementation research in mental health services: An emerging science with conceptual, methodological, and training challenges. *Administrative Policy Mental Health*, 36, 24-34.

<sup>15</sup> Shook, J. L. & Sarri, R. C. (2007). Structured decision-making in juvenile justice: Judges’ and probation officers’ perceptions and use. *Children and Youth Services Review*, 29, 1335-1351.

<sup>16</sup> Young et al. (2006).

<sup>17</sup> This study was funded by the MacArthur Foundation. Vincent, G. M., Paiva, M., Cook, N. E., Guy, L. S. & Perrault, R. (2012b). Impact of Risk/Needs Assessment on Juvenile Probation Officers’ Decision-Making: Importance of Implementation. Advance online publication. *Psychology, Public Policy, and the Law*, 18, 549-576. Vincent, G. M., Guy, L. S., Fusco, S.L., & Gershenson, B.G. (2012c). Field reliability of the SAVRY with probation officers: Implications for training. *Law and Human Behavior*, 36, 225-236.

*Most youth who commit one or more delinquent acts do not continue offending into adulthood*

risk level and out-of-home placement decisions (mainly detention, group homes, and secure correctional facilities) for two time periods: 1) *Pre-Implementation* - after staff received training on a risk assessment tool but prior to implementation of a clear office policy training about how to use the tool in decision-making, and 2) *Post-Implementation* - after office policies and training on use of the tool in decision-making occurred and were applied in practice. Figure 1 illustrates that placement decisions paralleled risk level more closely after the implementation process was complete.

In order to counteract these barriers and achieve good outcomes, it is essential to develop an appropriate assessment system for the agency that involves sound training, consideration of staff concerns and resistance to change, and appropriate data gathering and monitoring of the system's improvements over time.<sup>18</sup> Thus, implementing an *assessment system* requires adopting a comprehensive approach for use of risk assessment tools in juvenile justice decision-making. Part of what makes such an approach effective is the degree to which it is grounded in developmental concepts.

## Important Developmental Concepts

Risk assessment tools for youth generally have been developed to focus on ages 12 to 17. Nevertheless, it is not uncommon for children 9 to 12 years of age to be in juvenile justice programs. Whatever the age, youth represent "moving targets" from the point of view of risk assessment specialists. They are in a state of change and rapid development, which means that the youth's assessment at one moment sometimes will only be accurate for a short time.<sup>19</sup> This may be the result of developmental or environmental circumstances. A youth who has been in detention for 60 days may get different results on a risk assessment than a youth who has been awaiting disposition at home. Therefore, justice-involved personnel working with youth need to be sensitive to developmental processes when thinking about the assessment of risk and ways to respond to it.

### Desistance

Social science research tells us that, for the majority of youth who commit offenses, the behavior will desist in late adolescence or early adulthood.<sup>20</sup> Only about 8 to 10% of boys who are offenders as youth tend to continue to offend chronically into adulthood. Desistance refers to the fact that most adolescents who offend during adolescence "desist" from offending as they approach adulthood. Most youth who commit one or more delinquent acts do not continue offending into adulthood. This means that findings of high risk during adolescence are weak predictors of long-range offending, even if they are good indicators of offending during adolescence. Thus, it is not appropriate to label youth as chronic offenders (implying they will continue to offend into adulthood) because that often will be wrong.

### Age Relativity

Age makes a difference in what kinds of behaviors or emotions we identify as symptoms of a disorder; some can be symptoms of disorders at one age but not at another age. In other words, behaviors that are adaptive or "normal" at one age may be maladaptive and "abnormal" at another age.<sup>21</sup> This is the concept of *age relativity*.

18 Bonta, J., Bogue, B., Crowley, M., & Mottuk, L. (2001). Implementing offender classification systems: Lessons learned. In G. A. Bernfeld, D. P. Farrington, & A. Leschied (Eds.), *Offender rehabilitation in practice* (pp. 227-245). Chichester, UK: Wiley. Ferguson, J. L. (2002). Putting the "what works" research into practice: An organizational perspective. *Criminal Justice and Behavior*, 29, 472-492.

19 Grisso, T. (2004). *Double jeopardy: Adolescent offenders with mental disorders*. Chicago: Univ of Chicago Press.

20 Farrington, D. P. (2007); Loeber, R., et al. (2002); Moffitt, T. E., & Caspi, A. (2001); Moffitt, T. E., et al. (1996); Roberts, B. et al. (2001).

21 Mash, E., & Dozois, D. (2003). Child psychopathology: A developmental-systems perspective. In E. Mash & R. Barkley (eds.), *Child psychopathology, Second Edition* (pp. 3-71). New York: Guilford.



*A 20-year longitudinal study of low-income youth in Montreal found that youth who received even a minor juvenile justice intervention (e.g., community service), with limited exposure to other troubled kids, were still twice as likely to be arrested as adults than youth with the same behavior problems who did not receive a juvenile justice intervention of any sort. Youth put on probation, which involves more contact with misbehaving peers, were 14 times as likely as similar peers who did not receive a juvenile justice intervention to be arrested as an adult.<sup>25</sup>*

Similarly, evaluating risk requires consideration of the youth's developmental stage and social context.<sup>22</sup> Factors may be related to risk at one age, but not related to risk if they occur at a later age and vice versa. For example, smoking and substance use prior to age 12 is significantly associated with later delinquent behavior, but smoking at age 15 is not (because experimentation is a normal part of development at that time).<sup>23</sup> Another crucial concept for assessments of risk among youth is the impact of developmental factors on the time frame for which predictions of the likelihood of reoffending remain accurate. A youth evaluated at high risk at age 16 may not be high risk at age 17.

## Risk-Need-Responsivity and Research on Effective Programming for Youth

Research within the juvenile justice field has identified the characteristics and principles necessary for programming to reduce future offending and achieve better outcomes for youth and families. First, punishment and sanctions do not deter juvenile reoffending and, in some cases, may even increase it. In a recent research summary of 548 intervention studies, Lipsey reported that punishment increased recidivism rates by an average of 8%.<sup>24</sup> In another example, a 20-year longitudinal study of low-income youth in Montreal found that youth who received even a minor juvenile justice intervention (e.g., community service), with limited exposure to other troubled kids, were still twice as likely to be arrested as adults than youth with the same behavior problems who did not receive a juvenile justice intervention of any sort. Youth put on probation, which involves more contact with misbehaving peers, were 14 times as likely as similar peers who did not receive a juvenile justice intervention to be arrested as an adult.<sup>25</sup>

Research suggests juvenile justice agencies will have more success in promoting pro-social outcomes and decreasing reoffending if they base their decisions on certain individual characteristics of the youth; namely the youth's level of risk for reoffending and the specific factors that are playing a key role in the youth's offending.<sup>26</sup> One empirically validated approach to risk management that can help achieve these outcomes is known as Risk-Need-Responsivity (RNR),<sup>27</sup> which includes four principles.

- The *risk principle* suggests that the highest-risk offenders should receive the most intensive monitoring and services to reduce their risk of continued offending. Conversely, low risk cases have a lower chance of reoffending even in the absence of services,<sup>28</sup> and therefore should be able to function well with minimal attention.

22 Corrado, R. R., Roesch, R., Hart, S. D., & Gierowski, J. K. (Eds.), *Multi-problem violent youth: A foundation for comparative research needs, interventions, and outcomes*. Amsterdam: IOS Press. Lipsey, M.W., & Wilson, D.B. (1998). Effective intervention for serious juvenile offenders: synthesis of research. In R. Loeber & D.P. Farrington (Eds.), *Serious and violent juvenile offenders: Risk factors and successful interventions* (pp. 313-345). Thousand Oaks, CA: Sage. Mulvey (2005).

23 Lipsey, M. W., & Derzon, J. H. (1998). Predictors of violence and serious delinquency in adolescence and early adulthood: A synthesis of longitudinal research. In R. Loeber, & D.P., Farrington (Eds.), *Serious and violent juvenile offenders: Risk factors and successful interventions* (pp. 86-105). Thousand Oaks, CA: Sage Publications.

24 Lipsey, M. W. (2009). The primary factors that characterize effective interventions with juvenile offenders: A meta-analytic overview. *Victims & Offenders*, 4, 124-147.

25 Gatti et al. (2009).

26 Andrews, D. A., & Bonta, J. (2006). *The psychology of criminal conduct* (4th ed.). Newark, NJ: LexisNexis/Matthew Bender. Andrews, D. A., & Bonta, J. (2010). Rehabilitating criminal justice policy and practice. *Psychology, Public Policy, and Law*, 16, 39-55.

27 Dowden, C., & Andrews, D. A. (2000). Effective correctional treatment and reoffending: A meta-analysis. *Canadian Journal of Criminology*, 42, 449-467.

28 Andrews, D. A., & Dowden, C. (2006). Risk principle of case classification in correctional treatment: A meta-analytic investigation. *International Journal of Offender Therapy and Comparative Criminology*, 50, 88-100.

*Programs departing from RNR tenets, on average, had no effect, whereas those adhering to the RNR principles averaged approximately a 50% reduction in recidivism.*

- The *need principle* suggests that only those factors associated with reductions in reoffending should be targeted in interventions. These are dynamic risk factors that are theoretically amenable to change, such as, parenting practices and deviant peer groups. The dynamic risk factors specific to a particular youth are often referred to as criminogenic needs.
- The *responsivity principle* suggests that interventions need to address the offenders' specific characteristics that may affect their response to treatment (e.g., learning style, motivation, mental health).
- Finally, the *professional discretion principle* asserts that, having reviewed risk, need and responsivity considerations as they apply to a particular youth, it is appropriate (and even necessary) for decisions about case planning to be made on the basis of good professional judgments, not merely "scores." In a perfect world, decisions about placement or treatment would be based solely on a youth's risk and needs. However, in reality, risk and needs must be weighed alongside legal, ethical, humanitarian, cost-efficiency, and service availability factors. One example is child welfare system involvement and the issues that would occur around case management when a youth has dual system involvement.

Aspects of these principles have been supported by rigorous research, largely with adult populations. Specifically, meta-analytic analyses of over 300 studies indicated that human service programs that addressed criminogenic needs were more effective in reducing recidivism for high risk offenders than other types of services.<sup>29</sup> Programs departing from RNR tenets, on average, had no effect, whereas those adhering to the RNR principles averaged approximately a 50% reduction in recidivism.

Research on the outcomes of RNR-type intervention planning with youth has also been very promising. In his analysis of multiple other studies, Lipsey reported recidivism was reduced most effectively when juvenile justice interventions were applied according to the risk level of the juveniles treated, when interventions were implemented well, and when the intervention method itself had value.<sup>30</sup> Moreover, there is evidence that matching services to youths' specific criminogenic needs can have a big effect on their reoffending. Researchers found that youth on probation who received services directly aligned with their specific criminogenic needs as identified by a risk assessment tool re-offended at a rate of 25% versus 75% for youth who received services that did not match their needs.<sup>31</sup> This match between an individual's criminogenic needs and services received was more important than risk level or the number of services youths' received. The findings highlight the critical importance for juvenile justice agencies to link treatment recommendations to empirically-supported risk assessment results.

With respect to resource allocation, we have evidence from the *Risk/Needs Assessment for Juvenile Probation: Implementation Study* as to the positive outcomes of adopting evidence-based risk assessment tools using the implementation model described in this manual.

- The two probation offices in the study with historically high placement rates (roughly 50% of adjudicated youth were being removed from the home at least once while on probation) saw a substantial drop in the number of youth being placed out of the home up to 13 months after their adjudication. All else being equal, youth were about half as likely to be put in a placement after risk assessment was in place (see Figure 2).

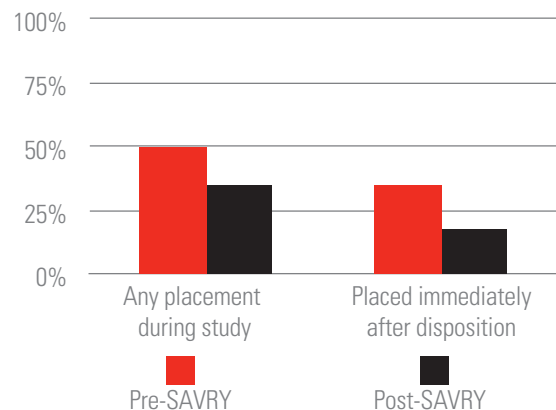
<sup>29</sup> Andrews & Dowden, C. (2006). Dowden, C., & Andrews, D. A. (1999). What works for female offenders: a meta-analytic review. *Crime and Delinquency*, 45, 438–452.

<sup>30</sup> Lipsey (2009).

<sup>31</sup> Vieira et al. (2009).

- In five of the six probation offices, after implementation of the assessment tool all placement decisions were significantly related to the youths' level of risk, and most high-risk youth were still kept on probation rather than incarcerated. It appears that a label of "high-risk" was not used to send youth to placement, but that probation officers sought the least restrictive but appropriate disposition for each youth.
- In five of the six probation offices, the use of medium and maximum levels of supervision for low-risk youth decreased substantially. In fact, the use of these higher levels of supervision on probation decreased altogether, meaning that staff time was conserved and redirected to focus on the youth who really needed it.
- In most offices, there was also a shift to provide more services to high-risk youth and fewer to low-risk youth. Thus, service resources were allocated in accordance with risk level. Coupled with the decrease in out-of-home placements, these resource shifts would be expected to result in cost-savings.
- All of **these resource shifts occurred without any increase in reoffending.**

**Figure 2: Change in Post-Adjudication, Out-of-Home Placement Rates in Caddo Parish**



Conversely, it is important to note that for the two probation offices that historically placed

very few youth (less than 20% of adjudicated youth were being removed from the home), youth were more than twice as likely to be placed after a risk assessment tool was implemented. Although this difference may appear dramatic, very few youth were removed from their homes in these low placement sites before and after implementation. For example, in one site, 25 youth (10% of the pre-assessment sample) were put in some sort of placement during their first eight months of probation before a risk assessment was adopted, compared to 22 youth (20% of the post-assessment sample) after the assessment was implemented. Put simply, there was a reduction in the numbers of youth placed; however, there was an increase in the percentage of youths placed due to the small number of youth who had been adjudicated after the risk tool was adopted. Therefore, users should be aware that the outcomes of implementing risk assessment will differ depending on the way your agency is currently doing business.

*Users should be aware that the outcomes of implementing risk assessment will differ depending on the way your agency is currently doing business.*

## What Does Risk Assessment Accomplish?

The term risk is used to refer to the potential for repeated involvement in illegal behaviors or delinquency. This Guide focuses on assessments designed for *risk of reoffending or continued delinquent activity over a specific period of time* (e.g., one year). Juvenile court decision-makers are often faced with the task of determining whether these behaviors might occur in the future and whether the "risk" is sufficiently great that some sort of intervention is necessary. Risk assessment can assist with these decisions for the following reasons:

- First, a risk assessment will *estimate the likelihood that continued delinquent behaviors will occur* for a youth if nothing is done to intervene. Specifically, a tool can indicate whether a youth is at relatively low or relatively high risk for reoffending. Many assessment tools today can do this with reasonable accuracy.

- Second, a risk assessment can *guide intervention planning* by indicating what areas may be the best targets for intervention in order to reduce the likelihood of reoffending for a youth. In other words, some risk assessments help answer the question: “What factors in that youth’s life or characteristics of the youth are likely driving the youth to offend and may lead to more offending?”. Importantly, in order for a risk assessment tool to facilitate intervention planning, it **must** contain dynamic risk factors, sometimes known as criminogenic needs factors.<sup>32</sup>
- Third, risk assessment provides *a standardized method of important data collection* for an agency that, at a minimum, can provide the prevalence of some problem areas of the youth so resources can be planned accordingly. Further, if implemented well, the risk assessment can provide a measure of the overall progress of youth in an agency’s care.

Another consideration is that juvenile justice programs today are urged to practice *evidence-based risk assessment*. There are two types of risk assessment tools described in this Guide: brief risk assessment tools and comprehensive risk assessment tools. Regardless of the type, there are specific criteria that make a tool evidence-based. An evidence-based assessment is one where the assessment process is conducted properly, the tool has sufficient research evidence, and policies have been implemented so the tool is used properly. Chapter 2 explains these concepts in more detail.

## What Does Risk Assessment NOT Accomplish?

There is often a misunderstanding among personnel in justice systems as to what the tool they are using was intended to do. There is no such thing as a “one size fits all” assessment tool. There is no single, valid assessment tool that was designed to identify every potential problem that a delinquent youth might have. Risk assessments are no exception, and thus, it is important to recognize what risk assessment tools **do not do**.

- *Risk assessment tools are NOT prescriptive.* In other words, a risk assessment tool will not tell the rater (also known as the assessor or user) exactly what course of action should be taken with the youth. The tool will not state that youth who achieve a particular score need to be put in a facility, for example. A particular score pattern does not mean the youth needs multi-systemic therapy and a mentoring program. Instead, the office policies and decision-making practices adopted by the agency through the process of risk assessment implementation will “prescribe” the services and interventions to be used with youth who obtain certain types of scores.<sup>33</sup>
- *Most risk assessment tools for youth were not developed to assess risk for sexual offending.* Risk assessment tools are developed to assess risk for particular outcomes, such as continued delinquency or physical aggression. Sexual violence and offending is a different category that requires a psychological evaluation or specialized risk assessment tools.<sup>34</sup> For general risk assessments, it is appropriate to use them with youth who have engaged in sexual offenses if the purpose is to gauge their risk for general reoffending or general violence. It is not appropriate to use these tools to gauge sexual reoffending risk. Many youth who engage in a sex offense will score low on general risk assessment

<sup>32</sup> The concepts about dynamic risk factors and criminogenic needs are related but slightly different. This is explained more in Chapter 2. Some risk assessment approaches bifurcate risk and needs assessment (meaning “criminogenic needs assessments”). This may be appropriate in some settings where time is limited and a “screening out” process for low risk youths is needed. But in other settings this approach may not be best practice. This is described in more detail in the FAQ in Chapter 2: “Is it Necessary to Separate Risk Assessments from Needs Assessments?”

<sup>33</sup> We should note that there are a few risk assessments on the market that claim to prescribe services and interventions based on the results of the assessment. However, it is not clear that the prescriptive part and service modules have been validated outside of one jurisdiction.

<sup>34</sup> For example, the J-SOAP-II - Prentky, R. A., & Righthand, S. (2003). *Juvenile Sex Offender Assessment Protocol: Manual*. Bridgewater, MA: Justice Resource Institute; or the ERASOR - Worling, J. R., & Curwen, T. (2001). *Estimate of Risk of Adolescent Sexual Offense Recidivism* (ERASOR; Version 2.0). In M. C. Calder H. Hanks, & K. J. Epps (Eds.), *Juveniles and children who sexually abuse: Frameworks for assessment* (pp. 372-397). Dorset, England: Russell House Publishing.

tools because the characteristics associated with general reoffending are not the same characteristics associated with continual sex offending (for example, deviant sexual arousal).

- *Risk assessments are NOT mental health assessments.* Risk assessment tools were not designed to identify youths' mental health problems or diagnoses. Mental health screening for all youth at specific juvenile justice points is essential, however, in order to identify who may be at risk of harming themselves or in immediate need of mental health treatment. For these decision points, we encourage agencies to adopt mental health screening to use in conjunction with a risk assessment.<sup>35</sup> Risk assessments by juvenile justice personnel also do not take the place of psychological evaluations, which will be needed for some youth.
- *Risk assessments typically do NOT (and **should not**) include items that are unrelated to future offending, like "well-being needs".* Some examples of well-being needs include special education and depression. Juvenile justice agencies that wish to identify these types of issues will need to use other tools to do so.
- *Risk assessment tools do **not** prescribe legal decisions.* These tools were not designed to specify the action a court should take. Rather these tools provide additional information, grounded in research, to enhance the decision-making process of the court.
- *The risk assessment tools described in this Guide are not appropriate for determinations of failure to appear.* In this Guide, we focus primarily on post-adjudication disposition decisions and, to some extent, decisions regarding diversion from formal processing, both of which consider defendants' risk for reoffending. The risk assessment tools used in these decisions differ from risk tools created for use in pre-trial detention decisions, which consider the *likelihood that a defendant will return to court* (or fail to appear) as well as the risk for reoffending. We will discuss detention decisions briefly later in the Guide but encourage the reader to see publications from the Anne E. Casey foundation about Risk Assessment Instruments (RAIs) for detention for more information.<sup>36</sup> It should be noted that many of the concepts described in Chapter 2 are relevant to the creation of RAIs.

## Eight Steps to Implementing a Risk Assessment System

The Guide is organized according to eight steps, which are outlined in detail in **Chapter III**. Most steps are required for effective implementation; however, some may not apply to all juvenile justice communities. Prior to describing the steps of implementation, **Chapter II** provides considerable background regarding concepts of risk assessment, such as the types of factors in tools, and how to select an evidence-based assessment tool. The chapter was included to be used as a reference. The Guide is accompanied by a number of example documents in the Appendices (attached in a CD) that users are welcome to modify and use. The eight steps are as follows:

### Step 1: Getting Ready

This step explains how to get the right team of people together and create an optimal environment to allow the tool to operate effectively.

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<sup>35</sup> National Center for Mental Health and Juvenile Justice (2006). *Mental health screening within juvenile justice: The next frontier*. Delmar, NY: National Center for Mental Health and Juvenile Justice, and John D. and Catherine T. MacArthur Foundation.

<sup>36</sup> Steinhart, D. (2006). *Juvenile detention risk assessment: A practice guide to juvenile detention reform*. Baltimore, MD: Anne E. Casey Foundation.

**Step 2: Establishing Stakeholder and Staff Buy-In**

This step describes how to obtain buy-in from the essential stakeholders (e.g., judges, defense attorneys, prosecutors, service agencies) and staff members. Stakeholders should consider the multiple assessments many juvenile justice-involved youth receive from other agencies to discuss the overlap across tools and how to minimize over-assessing youth and families. Several strategies for training and dissemination of information about risk assessment are provided.

**Step 3: Select and Prepare the Risk Assessment Tool**

This step covers how to select the best risk assessment tool for your agency and jurisdiction. This Guide does not provide recommendations for specific tools, because research is often creating better methods and advancing. Tools we may recommend today could change as new and improved tools become available, or more research improves the quality of existing tools that we would not currently define as evidence-based. Instead, the Guide provides case studies from states that implemented risk assessment tools statewide in their juvenile probation systems and points the reader to consultant groups and references where they can find a listing of available risk assessment tools.

**Step 4: Preparing Policies and Essential Documents**

Implementation of a risk assessment tool does not stop once an agency has simply selected the tool and trained probation staff how to complete it. Instead, it involves implementing an assessment system, which includes a structured process regarding how the tool will be used in various decisions. Step 4 involves developing the appropriate policies and essential documents to integrate risk assessment routinely into decisions as well as, designing a case plan format, a service matrix, and a protocol for how risk level will be used.

**Step 5: Training**

This step covers guidelines for training stakeholders and probation staff on the risk assessment tool and new policies and procedures, preferably using a train-the-trainer model. Probation staff and supervisors will receive additional training as they will be administering the risk assessment tool with youth.

**Step 6: Implement Pilot Test**

It is always a good idea to pilot test the risk assessment instrument in a couple of jurisdictions (for statewide initiatives) or with a few stakeholders and probation officers (for county-level initiatives) before it is fully implemented. This step describes the process and benefits of pilot testing for parties interested in rolling a tool out to an entire state and for parties operating just at the county-level.

**Step 7: Full Implementation**

Step 7 describes the process involved in rolling out the tool to the rest of a single probation office or the rest of the state.

**Step 8: On-going Tasks for Sustainability**

Maintaining the integrity of the risk assessment tool and use of risk assessment results in decisions is an on-going process. Step 8 describes how to sustain the benefits of this evidence-based practice.



# Chapter II: Concepts and Terms of Risk Assessment

This chapter was included to provide essential background information about risk assessment and many of the terms associated with risk assessment. The chapter can be used as a reference as jurisdictions are walking through the implementation process.

## What Do We Mean by Risk?

The term risk is used to refer to the potential for continued negative outcomes; most especially, future involvement in illegal behaviors.<sup>37</sup> The focus of this Guide is on *risk of reoffending or continued delinquent activity over a specific period of time* (e.g., one year). Juvenile court decision-makers are often faced with the task of determining whether these behaviors might occur in the future and whether the “risk” is sufficiently great that some sort of intervention is necessary.

When decision-makers face these choices, determining whether the risk is low or high often requires two considerations. One consideration is the *degree of harm* that would occur if the negative behavior happened. Thus negative behaviors that are more serious in their consequences (e.g., assault, robbery) are often said to be “greater risks” than less serious behaviors (e.g., shoplifting). The second consideration refers to the *likelihood* that the negative behaviors would occur if nothing is done to avert them. Here the term is used to refer to whether something is likely to happen, regardless of its impact if it does.

Ultimately, both of these considerations of risk are relevant for those who must decide how to respond to youth who have engaged in delinquent acts and might do so again. In these guidelines, however, we focus primarily on the second consideration of risk: *the likelihood of the negative behavior’s occurrence in the future during a specific period of time*. Moreover, because our focus is on juvenile justice, the negative behaviors to which we refer are risk for (a) continued delinquent activity or (b) official reoffending (that is, delinquent activity for which youth are arrested or adjudicated). Note the words “continued” and “reoffending” in this definition. Virtually all of the guidelines offered here pertain to efforts to determine risk of future negative behavior among youth who already have been identified (either by observation or official apprehension) as having engaged in delinquent behavior at least once in the past.

**Low risk** means simply that the individual is **unlikely** to commit an offense (or engage in a delinquent behavior) in the near future. This means that in the assessments that will be described later, the youth has been determined to have characteristics that are like those of youth who typically have not reoffended. There is considerable evidence at this point that youth who are at low risk have a low likelihood of reoffending even without receiving any intervention,<sup>38</sup> and some evidence that providing them with an intervention may in fact elevate their likelihood of reoffending.<sup>39</sup> It is important to remember, however, that **low risk** does not imply **no risk**. Conceivably, situations can arise in anyone’s life that may

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<sup>37</sup> Juvenile court decision-makers may be concerned with other issues such as the risk of children developing a serious mental illness or being expelled from school. However, this Guide does not focus on those kinds of risks.

<sup>38</sup> See Lipsey (2009) for meta-analytic results of programming in juvenile justice, which were examined separately for low and high risk youth.

<sup>39</sup> See Gatti et al. (2009) for a longitudinal study of youth indicating those with any juvenile justice involvement were at elevated risk of committing an adult offense, all else being equal. Also see McAra, L., & McVie, S. (2007). Youth justice? The impact of system contact on patterns of desistance from offending. *European Journal of Criminology*, 4, 315-345. This phenomenon has been referred to as the iatrogenic effects of juvenile justice, Grisso, T. (2007). Progress and perils in the juvenile justice and mental health movement. *Journal of the American Academy of Psychiatry and the Law*, 35, 158-167.



increase the likelihood of engaging in delinquent behavior. **High risk** refers to individuals for whom there is a **greater likelihood** of committing an offense in the near future if they do not receive appropriate intervention and supervision. Individuals classified as high risk have been determined to have characteristics that are like those of youth who have typically reoffended. **Moderate risk** is neither low nor high risk—youth for whom one might want to exercise caution, but for whom it is not as clear that they need interventions at the same level of intensity as those in the high risk category. Another way to think about moderate risk is that it is a group of youth whose reoffense rate is close to the average rate for young offenders. When these three terms are used, they have no specific meaning in terms of probabilities. They are *relative* terms. This means, for example, that youth may be considered “high risk” compared to other youth in similar circumstances; for example, those considered high risk are at greater risk for reoffending *compared to other youth appearing in juvenile courts*.

A final important concept about the term risk is that it encompasses factors related not only to the youth him or herself (e.g., antisocial attitudes), but also to his or her family (e.g., parental criminal history) and other situational or contextual concerns (e.g., living in a neighborhood with a high crime rate). Because the factors that raise a youth’s risk for reoffending are multiply determined, interventions that might be useful for reducing the youth’s risk cannot always be accomplished (e.g., a family might not be able to afford to move to a different neighborhood).

## What are Risk Assessments and Risk Assessment Tools?

Assessment is a process of information gathering for use in decision-making<sup>40</sup>—in this Guide, we focus on decision-making about the likelihood of future delinquent behavior and the management or “treatment” of that risk. Sometimes the word “assessment” is used to refer to a particular type of psychological test or tool. In contrast, these Guidelines define an assessment as a procedure that often will involve collection of many kinds of data with many tools.<sup>41</sup> An assessment tool is an instrument that synthesizes information about a type of problem or condition (e.g., mental disorder, learning disability). A *risk for reoffending assessment tool*, specifically, is an instrument developed to help answer the question: “Is this youth at relatively low or relatively high risk for reoffending?” and then may or may not address what is causing the youth to be at low or high risk for reoffending.<sup>42</sup>

It should be noted that there exist two types of tools to assess risk for reoffending. Brief risk assessment tools help to answer only one question – “What is the youth’s risk for reoffending?” These tools are short. They have tremendous value and often will be the preferred choice of tool for certain points in the juvenile justice process. Their purpose is to triage youth into categories to identify those at the highest priority for further assessment or attention versus those with lowest priority (who may warrant diversion). We will discuss this in detail later.

Alternatively, a comprehensive risk assessment tool generally involves an in-depth evaluation that typically requires specialized training for staff about how to complete the tool, an interview with the examinee and collateral informants (e.g.,

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40 Kazdin, A. E. (2000). *Psychotherapy for Children and Adolescents: Directions for Research and Practice*. New York: Oxford University Press.

41 Hart, S. D., Kropp, P. R., Laws, D. R., Klaver, J., Logan, C., & Watt, K. A. (2003). *The risk for sexual violence protocol (RSVP): Structured professional guidelines for assessing risk of sexual violence*. Vancouver, British Columbia, Canada: The Mental Health, Law, and Policy Institute, Simon Fraser University, Pacific Psychological Assessment Corporation, British Columbia Institute Against Family Violence; American Educational Research Association, American Psychological Association, & National Council on Measurement in Education. (1999). *Standards for educational and psychological testing*. Washington, DC: American Psychological Association.

42 For most risk assessment tools available for juvenile justice, risk level is typically determined as low, moderate, or high risk. Sometimes these risk categories are generated from an instrument’s total score, and sometimes these categories are based on a final professional judgment rating after considering all relevant factors in the youth’s life.

the youth and his or her parents), and a review of all existing file information or information from other collateral sources (records, other informants). Further, a comprehensive risk assessment tool will answer two questions: 1) “Is this youth at relatively low or relatively high risk for reoffending?”, AND 2) “What factors in this youth’s life or characteristics of this youth are likely driving the youth to offend and may lead to more offending?”. Comprehensive assessment tools generally guide intervention planning – and help determine the best course of action for reducing the youth’s risk for reoffending.

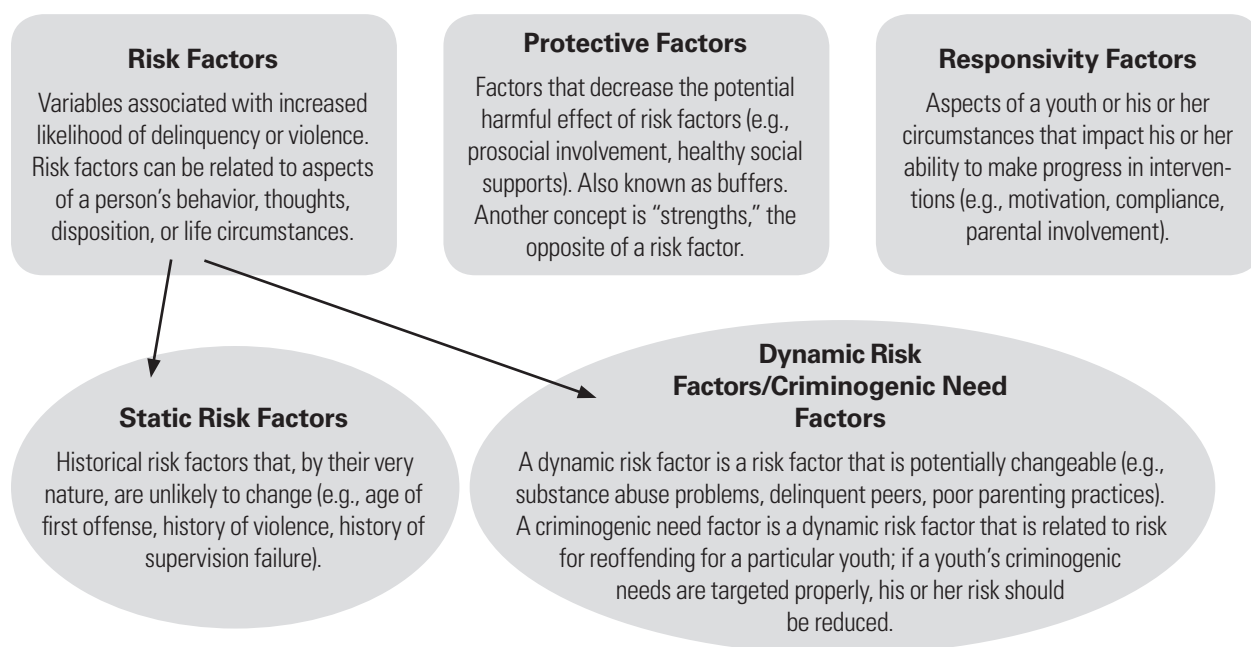
Putting these concepts together, we define *comprehensive risk assessment* as the process of evaluating youth to characterize the risk they will commit future delinquent acts, and developing interventions to manage or reduce that risk. In other words, the goal of a risk assessment is first to estimate and then to attempt to limit the likelihood that another delinquent incident will occur.

As we will note in more detail later, both education and psychology have developed standards that must be considered when conducting assessments or deciding whether an instrument is valid for use.<sup>43</sup>

## Types of Factors (Items) in Risk Assessment Tools

Risk assessment tools are made up of factors, or items, on which youth are rated. There are three basic types of factors: (a) risk factors, (b) protective factors, and (c) responsivity factors. Some of these factors enhance risk (i.e., risk factors and criminogenic needs) whereas others may reduce risk (i.e., protective factors). Another class of factors is more related to treatment planning (i.e., responsivity factors). We have included a flow chart to illustrate the connection between some factors.

### Graph 1: Types of Factors Commonly Found in Risk Assessment Tools



<sup>43</sup> American Educational Research Association, American Psychological Association, & National Council on Measurement in Education. (1999). *Standards for educational and psychological testing*. Washington, DC: APA.

Below we define each type of factor and provide examples of those with the strongest relation to later delinquent and aggressive behavior.<sup>44</sup>

### Risk Factor

A **risk factor** is any variable that is associated with an increased likelihood that a person will engage in continued delinquent activity (namely, delinquent offending or violence). Risk factors are variables that have been shown to have an association with these delinquent behaviors. Over the course of several decades, long-term research following samples of children into adulthood has identified a list of risk factors that consistently predict serious delinquency and violence.<sup>45</sup> We propose that these factors should appear in rationally designed (as opposed to statistically generated) risk assessment tools. Risk assessment literature generally refers to two types of risk factors, both of which are important to consider when assessing risk:

1. A **static risk factor** cannot be changed through intervention and generally cannot change at all except to get worse. For example, young age when a youth committed her first delinquent act is a risk factor that cannot be changed. Another is delinquency history. Although a youth can develop a more serious delinquency history over time, once the history exists it cannot be undone.

#### Examples of Static Risk Factors (from Lipsey & Derzon, 1998)

- Early initiation of violent behavior (does not require contact with the law)
- Early age of first offense/contact with the law (age 6 to 11)
- Young age at first substance use (age 6 to 11)
- History of violence & aggression/delinquent activity (frequency and severity)
- Parental criminality

2. A **dynamic risk factor** is a variable that is capable of change over time due to intervention or normal developmental processes. Some dynamic risk factors are capable of changing more quickly than others (e.g., an acute anger reaction can change quickly; anger that is a more stable, characterological trait does not). Important dynamic risk factors for youth include current poor parenting practices like inconsistent discipline, substance abuse, deviant peer relations, and poor academic achievement. These factors both predict reoffending and, in some circumstances, will aid in intervention planning.

Criminogenic need factors are synonymous with dynamic risk factors. These refer to factors that, when changed, are associated with changes in risk for reoffending. Criminogenic need<sup>46</sup> factors are critical because they represent factors that can

44 Factors in the tables were based on research from various meta-analyses and scholarly reviews, Hawkins, J. D., Herrenkohl, T. I., Farrington, D. P., Brewer, D., Catalano, R. F., Harachi, T. W., & Cothorn, L. (2000). Predictors of youth violence. *Juvenile Justice Bulletin*, Office of Juvenile Justice and Delinquency Prevention, 1-11; Lipsey, M.W., and Derzon, J.H. 1998. Predictors of violent or serious delinquency in adolescence and early adulthood (p. 86-105). In Eds. R. Loeber & D.P. Farrington, *Serious and Violent Juvenile Offenders: Risk Factors and Successful Interventions*. Thousand Oaks, CA: Sage Publications, Inc., pp. 86–105; Turner, M. G., Hartman, J. L., Exum, M. L., & Cullen, F. T. (2007). Examining the cumulative effects of protective factors: Resiliency among a national sample of high-risk youth. *Journal of Offender Rehabilitation*, 46, 81-111.

45 Lipsey, M. W., & Derzon, J. H. (1998). Hawkins, J. D., et al. (2000). Farrington, D. P. & West, D.J. (1971). A comparison between early delinquents and young aggressives. *British Journal of Criminology*, 11, 341-358. Farrington, D. P. (1989). *Early predictors of adolescent aggression and adult violence. Violence and Victims*, 4, 79–100.

46 We note that the term “criminogenic need” is not ideal for use with youth. First, the term came from the adult system where adults are “criminal” rather than “delinquent”. Second, it literally means “needs that make one a better criminal”. We use the term in this Guide only to be consistent with the risk assessment and justice fields, while we suggest to the justice field and scholars to work towards a different term.

be targeted for treatment or service intervention. It is important to note that criminogenic need factors have been identified as being relevant to reoffending at the **group** level. For an **individual** youth, however, only some criminogenic need factors will be 'driving' the youth's delinquency. This is why conducting an individualized assessment of the risk factors that are most relevant to a particular youth is critical. For example, two youth may have the criminogenic need factor 'substance use' present. For one youth, substance use could be related to her offending (e.g., if she becomes more impulsive when she uses drugs, which then leads to violence, or if she steals money or drugs to support her drug habit). For the other youth, substance use may not result in any delinquent or violent behavior.

Another reason to have dynamic risk factors in risk assessment tools is to make it possible to conduct re-assessments of youths' progress or changes in risk, which should lead to changes in the intervention plan. As described later in the developmental considerations section, risk for reoffending for most youth is not stable, and changes over time for a variety of reasons. Thus, having the ability to reassess youths' risk level and criminogenic needs regularly can be incredibly important for risk management and release planning. Consider the alternative. If a risk assessment tool classifies a particular youth as high risk and that tool contains only static (unchanging) risk factors, then how could we measure decreases in risk? There is a possible consequence of condemning the youth to a high risk classification that cannot be changed.

There also are variables known as **non-criminogenic needs**. These are dynamic factors that can change and may indicate a treatment need or problem for a youth, but the need has little to no influence on delinquent behavior. An example of a non-criminogenic factor would be low self-esteem – it may be desirable to increase a youth's self-esteem for his overall sense of well-being, but doing so generally will not lead to any changes in risk for delinquency or violence.<sup>47,48</sup> The reason is that low self-esteem is NOT a risk factor; it is not correlated with reoffending. Some mental illnesses (e.g., depression) are also non-criminogenic needs that do NOT increase the likelihood of reoffending. **Non-criminogenic needs should not be included in the total risk score on tools** but nevertheless may be very important for intervention planning (e.g., some mental health variables).<sup>49</sup> We discuss this in more detail when we talk about overrides and rater discretion.

There is one final, important note about risk factors: they have a cumulative effect. In other words, the more risk factors a youth has, the higher the risk. It is very unlikely that a youth having just one or two risk factors will be high risk.<sup>50</sup> For example, truancy is a risk factor that has been the focus of many policy changes because of concerns about this being a risk factor. However, most youth who are truant (and don't have other risk factors) are not truant due to behavior problem disorders or underlying delinquent attitudes. On the other hand, if truancy is accompanied by several other risk factors, then the youth is more likely to be at elevated risk for reoffending.

#### Examples of Dynamic Risk Factors (criminogenic needs; from Lipsey & Derzon, 1998)

- |  |   |
|--|---|
| • Lack of social ties (ages 12 to 14)                | • Negative peer associations (ages 12 to 14)          |
| • Poor parental management/Family problems           | • Antisocial/pro-criminal attitudes                   |
| • Hyperactivity/impulsivity/attentional problems     | • Poor school performance/behavior problems at school |
| • Community disorganization/neighborhood criminality |   |

47 Barry, Grafeman, Adler, & Pickard (2007). The relations among narcissism, self-esteem, and delinquency in a sample of at-risk adolescents. *Journal of Adolescence*, 30, 933-942.

48 Baumeister, R. F., Campbell, J. D., Krueger, J. I., & Vohs, K. D. (2003). Does high self-esteem cause better performance, interpersonal success, happiness, or healthier lifestyles? *Psychological Science in the Public Interest*, 4, 1-44.

49 Baird, C. (February 2009). *A question of evidence: A critique of risk assessment models used in the justice system*. Special Report. National Council on Crime and Delinquency.

50 In some cases, the presence of one or two factors may warrant a rating of high risk (e.g., active homicidal ideation coupled with active substance use). However, generally youth with these two risk factors will also have others.

### Protective Factors and Strengths

A protective factor is a variable that interacts with a risk factor to **decrease** the potential harmful effect of the risk factor. In other words, if a youth is at an elevated risk to offend due to the presence of a number of risk factors, protective factors act as a **buffer** that reduces the link between the risk factors and later offending for that youth.<sup>51</sup> Protective factors are **risk-reducing**. Another way to think about protective factors is as positive variables that help a youth deal with challenges more effectively. For example, living in a rough neighborhood is a risk factor, but the presence of supportive, involved parents may counteract the negative influences of the environment so as to reduce the youth's risk for engaging in delinquent acts. In order for us to consider something to be a protective factor, it should be out of the ordinary, or above average. For example, the mere presence of a grandparent in a youth's life is not a protective factor, whereas having a highly supportive grandparent who is a positive role model and spends time with the youth weekly is a protective factor. It also is important to note that the absence of a protective factor is not indicative of a bad outcome.

#### Examples of Protective Factors (see Turner et al., 2007)

- Easy temperament
- Good problem-solving ability
- Pro-social supports
- Strong commitment to school

Protective factors are not the opposite of risk factors. For example, poor performance in school is a risk factor, but good performance at school is not automatically a protective factor.<sup>52</sup> Exceptional performance at school, however, would be considered a protective factor. Strengths or protective factors are important for case planners to identify and attempt to enhance in youth as one method of decreasing risk.<sup>53</sup>

Protective factors and strengths are dynamic factors in the sense that they are capable of changing. This is an important characteristic because it leads one to think that if protective factors are targeted for enhancement in youth it may help reduce overall risk for delinquent behaviors. There is evidence to suggest that the more protective factors a youth has, the less likely that existing risk factors will influence his or her behavior, and consequently the less likely he or she will reoffend.<sup>54</sup> Protective factors can be important variables when working with particular youth.

### Responsivity Factors

Responsivity factors are additional items that sometimes appear in risk assessment instruments, so it is important to be familiar with the term. Generally, these are non-criminogenic factors that would not be appropriate to include in a total risk score; however, they are important to consider for intervention planning and possibly for making override decisions (we will discuss overrides later). Responsivity factors are personal characteristics of a youth, or of his/her circumstances, that can increase and/or decrease the youth's ability and motivation to improve from particular interventions. A key element of risk

#### Examples of Responsivity factors (see Hoge & Andrews, 2010)<sup>55</sup>

- Cognitive functioning
- Anxiety level
- Motivation for treatment
- Access to transportation

<sup>51</sup> Farrington, Loeber, & Ttofi (in press). Risk and Protective Factors for Offending. In B. C. Welsh & D. P. Farrington (Eds), *The Oxford Handbook of Crime Prevention*, Oxford: Oxford University Press.

<sup>52</sup> Farrington et al. (ibid) would refer to being 'good at school' as a "promotive" factors.

<sup>53</sup> There is discussion in the research about differences between the definitions of strengths and protective factors. For the purposes of risk assessment in juvenile justice we are using the terms interchangeably here.

<sup>54</sup> Turner, M. G., et al. (2007).

<sup>55</sup> Hoge, R.D. & Andrews, D.A. (2010). *Evaluation of risk for violence in juveniles*. New York: Oxford University Press.

## FAQ: How Do Tools Help Determine Risk Level?

There are two basic approaches risk assessment tools use to determine the risk level: the *actuarial approach* and the *structured professional judgment* (SPJ) approach. In the actuarial approach, the scores from the tool's items are weighted and summed, and then a formula is used to calculate risk level, generally by using a cutoff to the total score that designates high vs. moderate or low risk. In this approach, there is no room for the rater's discretion regarding the risk level. Some actuarial tools, such as the YLS/CMI, incorporate a "*professional override*" feature. An override permits raters to change the risk level that was provided by the tool's formula (either by increasing or decreasing) in those rare occasions when raters can document strong evidence that would justify doing so. Another way to think of overrides is rater discretion. In the SPJ approach, the rater considers a list of risk factors that research has shown to be related to reoffending or delinquency. The rater considers other risk factors unique to the particular case and then makes a decision about the youth's level of risk (e.g., low, moderate, or high).

We recommend that regardless of the approach of the risk assessment tool, users select tools that incorporate rater discretion and the rater discretion should always be guided or structured in some way. In other words, actuarial tools should be selected only if they permit an override when warranted.<sup>56</sup> All SPJ tools incorporate rater discretion regarding the final risk estimate.

There are two reasons why rater discretion is important. First, there are statistical reasons why a score-based tool will not be accurate for some individual youth. Risk assessment tools are designed based on group data (the 'norm') and some youth will not fit the 'norm.' Second, tools that incorporate some discretion permit the rater to account for risk factors that are important for a particular youth's case, but that may not be present in most risk assessment tools. Risk factors selected for inclusion in risk tools are generally based on group data indicating which factors have the best predictive accuracy within that group. However, there always will be some exceptions to the rule, which should be covered in good training on risk assessment.

<sup>56</sup> We recognize that supporters of strict adherence to an actuarial model would oppose the use of rater discretion [e.g., Meehl, P. E. (1954). *Clinical versus statistical prediction: A theoretical analysis and review of the evidence*. Minneapolis, MN: The University of Minneapolis Press. Grove, W. M., & Meehl, P. E. (1996). Comparative efficiency of informal (subjective, impressionistic) and formal (mechanical, algorithmic) prediction procedures: The clinical-statistical controversy. *Psychology, Public Policy, and Law*, 2, 293-323; Quinsey, V., Harris, G., Rice, M. and Cormier, C. (2006). *Violent offenders: Appraising and managing risk* (2nd ed.) Washington, DC: American Psychological Association.] Meta-analyses comparing juvenile tools that allow discretion to tools that prohibit discretion have indicated both approaches have comparable levels of predictive validity (e.g., Olver, M. E., Stockdale, K. C., & Wormith, J. S. [2009]. Risk assessment with young offenders: A meta-analysis of three assessment measures. *Criminal Justice and Behavior*, 36, 329-353). Moreover, from a legal perspective, an assessment that is based on the individual youth will be more relevant than an assessment that ignores individual level factors.

management is to maximize the effectiveness of any intervention offered to a youth. Therefore, it is important to consider whether there are certain characteristics about the youth or about the interventions that may hinder the intervention's effectiveness for reducing the youth's risk for delinquent behavior. Consider the case of cognitive behavioral therapy (CBT) programming (e.g., for anger management). Because CBT programming often involves activities that require reading skills, a youth who is illiterate or has a low reading ability will not benefit as much from this type of service unless he receives reading assistance throughout the treatment. Other examples of important responsivity factors include cultural factors, readiness for change (a youth's present motivational state relative to changing a specific behavior), and intelligence. Responsivity factors can be static (e.g., intelligence) or dynamic (e.g., readiness for change, mental health issues).

## Two Forms of Risk Assessment Tools

Risk assessment tools vary in their scope, with some being lengthy and detailed, and others very short and incomplete in terms of describing youth. First, "comprehensive" risk assessment tools provide coverage of a number of criminogenic needs because in addition to assessing risk, they provide richer information to inform intervention and placement decisions. In contrast, "brief" risk assessment tools typically consist of a short checklist of items, and they are designed only to sort youth into categories of low, moderate or high risk, not to offer treatment recommendations. The point of a brief risk tool generally is to sort people into categories to separate people who "do not have the problem in question" from those who "likely have the problem in question" and should be given a full assessment to determine if they "almost certainly have the problem in question." Specifically, an individual who is flagged as high risk on a short risk tool is probably high risk, but not definitely high risk. Unfortunately, there is no brief risk tool currently available that can identify low risk youth with high enough accuracy to say they "do not have the problem in question". Further, even though these risk tools are relatively short, many still contain dynamic risk factors that require a fair amount of information gathering to rate properly.<sup>57</sup> Nonetheless, as we will discuss later in this manual, there are many decision points in juvenile justice where a brief risk assessment tool may be preferable to a comprehensive assessment tool.

## What Is "Evidence-Based" Risk Assessment?

Juvenile justice programs today are urged to practice *evidence-based risk assessment*. Exactly what "evidence-based" means, however, is sometimes unclear to those involved in juvenile justice policy and practice. In fact, the term has had various meanings as it has evolved over the past two decades, and even today there is no universally-accepted meaning. Its earliest definitions arose in medicine in the 1990s, when it was described as "the conscientious, explicit, judicious use of current best evidence in making decisions about the care of individual patients."<sup>58</sup> As that definition implies, the term typically was applied to treatment decisions. As the concept evolved, it began to be applied to other practices, including diagnosis and assessment.

When planning and executing proper risk assessment procedures, the term "evidence-based" can be employed to describe desirable practices for three activities: (a) *the risk assessment process*, (b) *risk assessment instruments* used in that process, and (c) the development of *risk-related policies and procedures*. In this Guidelines document, the term "evidence-based" is used to

57 Examples – North Carolina Assessment of Risk (NCAR) and the Arizona Risk-Needs Assessment (ARNA); validity tested by Schwalbe, C. (2008). Risk assessment stability: A revalidation study of the *Arizona Risk/Needs Assessment Instrument*. *Research on Social Work Practice Online*, 1, 1–9.; Schwalbe, C., Fraser, M., Day, S., & Arnold, E. (2004). North Carolina Assessment of Risk (NCAR): Reliability and predictive validity with juvenile offenders. *Journal of Offender Rehabilitation*, 40, 1–22.; Schwalbe, C. S., Fraser, M. W., Day, S. H., & Cooley, V. (2006). Classifying juvenile offenders according to risk of recidivism: Predictive validity, race/ethnicity, and gender. *Criminal Justice and Behavior*, 33, 305–324.

58 Sackett, Rosenberg, Gray, Haynes, and Richardson (1996); Sackett, D. L., Straus, S. E., Richardson, W. S., Rosenberg, W., & Haynes, R. B. (2000). *Evidence based medicine: How to practice and teach EBM* (2nd ed.). London: Churchill Livingstone.



*Risk assessment is a process involving careful and systematic collection of data from various sources about a youth and the youth's circumstances, as well as some procedure for interpreting those data to arrive at a judgment about future risk and a course of action to respond to the youth.*

refer to “a” and “c” above, but for reasons explained later, the term “empirically-validated” (research demonstrating the tool predicts what it was intended to predict) fits better when defining risk assessment instruments (“b” above).

## 1. The Evidence-Based Risk Assessment Process

Risk assessment is not simply the use of a tool or test. *Risk assessment* is a process involving careful and systematic collection of data from various sources about a youth and the youth's circumstances, as well as some procedure for interpreting those data to arrive at a judgment about future risk and a course of action to respond to the youth.

The mere fact that one can describe the process that one uses to arrive at a risk assessment does not mean that there is anything valid or meaningful about the process or its outcome. Applying an evidence-based approach to the risk assessment process seeks to improve the chances for a meaningful judgment about the future risk that a case poses. Our definition for evidence-based risk assessment in juvenile justice programs is adapted from one that was developed recently by the American Psychological Association:<sup>59</sup>

**An evidence-based risk assessment process employs one or more standardized, empirically-validated risk assessment instruments and professional judgment, in order to collect and use characteristics of the youth and the youth's circumstances in making the best decisions for intervention and management of the case to reduce risk.**

There are several things to notice about this definition. First, it requires the use of at least one method for data collection and data processing that has some *known validity* (e.g., a valid instrument, meaning one that actually predicts what it is intended to predict). The concept of validity is discussed in the next section.

Second, the definition refers to the use of *professional judgment*. The term “professional” is used to refer to the fact that the persons who are using the risk assessment tool to make a decision must have appropriate *training* to do so. The term is not used to refer to any particular profession (e.g., psychologist). The most highly-validated risk tools can be misused due to poor understanding of their purpose. Moreover, the best tools do not necessarily lead automatically to a decision about risk intervention or management. The tools' results often require the independent judgment of the user in order to translate them into a decision. There is a need for proper training in the risk assessment process before applying one's “judgment” when using risk assessment data. Many risk assessment processes can be employed by persons with appropriate in-service training. Thus, “training” does not mean the need for graduate degrees in any particular profession. The purpose for its inclusion in the definition is to emphasize that a risk assessment process carried out by individuals without proper training does not meet evidence-based standards.

Third, the definition refers to a *standardized* risk assessment tool. “Standardized” means that the tool is *implemented* basically the same way every time that it is used, as described in its manual. If it is not implemented in a standardized manner, the tool's validity suffers, and the value of using the tool is lost.<sup>60</sup> For example, if the manual states that the items of the risk assessment tool are to be rated based on an interview with the youth in addition to collateral information, but the user only

*The purpose for its inclusion in the definition is to emphasize that a risk assessment process carried out by individuals without proper training does not meet evidence-based standards.*

<sup>59</sup> APA, 2006, P. 273: “the integration of the best available research with clinical expertise in the context of patient characteristics, culture, and preferences”. American Psychological Association Task Force on Evidence-Based Practice for Children and Adolescents. (2008). *Disseminating evidence-based practice for children and adolescents: A systems approach to enhancing care*. Washington, DC: American Psychological Association.

<sup>60</sup> Fixsen, D. L., Naoom, S. F., Blase, K. A., Friedman, R. M., & Wallace, F. (2005). *Implementation research: A synthesis of the literature* (No. FMHI Publication #231). Tampa, FL: University of South Florida, Louis de la Parte Florida Mental Health Institute, National Implementation Research Network.



*If research has shown a tool to have good validity when used in a specific way, it is unknown whether the tool will remain valid if used differently.*

conducts an interview with the youth and does not obtain collateral information, then the process is invalid. As another example, if a self-report questionnaire is intended to be filled out by a youth on his/her own, but the user instead reads the questions to the youth and circles the answers based on what the youth says aloud, this is not an evidence-based method. This is because if research has shown a tool to have good validity when used in a specific way, it is unknown whether the tool will remain valid if used differently. Later sections of the Guidelines will have much to say about implementation of risk assessment tools.

## 2. The Empirically-Validated Risk Assessment Tool

As just described, an evidence-based risk assessment process uses one or more *empirically-validated risk assessment tools*. Until fairly recently, discerning a youth's risk of future involvement in delinquent behaviors was performed in most juvenile justice programs without any tools at all, or with home-grown lists of "factors to consider." During the past decade, however, juvenile justice standards nationwide have recognized the need to employ tools for which research has demonstrated an ability to produce results that actually relate to future risk of aggression and other delinquent behaviors.<sup>61</sup> To use tools without such demonstrated value is wasteful of community resources and creates two other types of costly risk—the risk of unfair decisions about how to manage youths' delinquent activity, and the risk of failing to protect the public.

What, then, is an empirically-validated risk assessment tool? What type of research evidence do we need? How do we know it is good enough? There is no one definition, but the following criterion represents the consensus of the experts that participated in the development of these Guidelines. The criterion offered here has four components, and a risk assessment tool is expected to satisfy all of them in order to be defined as empirically-validated and to make a proper addition to an evidence-based assessment process.

### ***The tool is replicable.***

This component refers to the capacity for a tool to be administered in the same way (therefore, "replicated") whenever it is used. The component is closely tied to the concept of "standardization," meaning that there is a "right" way to implement the tool, and that it must be implemented in that way in every case. This necessarily requires that the tool have a *manual*, describing clearly a number of key specifications for its use: for example, (a) the specific population (e.g., ages of youth) for which it has been developed, (b) how it was developed, (c) what it claims to measure and for what purpose, (d) detailed instructions for administering the tool, (e) instructions on how to score it (if applicable), and (f) guidance in how to use the scores when they are obtained. If a tool does not have a manual to describe how to use it, it will not be possible to use the tool in a standardized, empirically-validated way, even if the tool has been empirically-validated in all of the ways that are described below.

### ***The tool contains empirically-supported risk factors.***

As noted earlier, risk factors are the items that comprise the risk tool (e.g., "number of prior arrests for assault"). Often these factors have been selected for use in a tool because research has shown that each of them has some relation to risk of future delinquent behaviors. Rarely will any individual factor provide adequate estimates of future negative or delinquent activity when used alone, but the factors gain their strength by their combined use within a single tool. The manual

<sup>61</sup> Citations to federal and advocacy standards or declarations regarding the need to use empirically-validated risk tools specifically in juvenile justice Council of Juvenile Correctional Administrators (2001). *Performance-based standards for juvenile correction and detention facilities*. Braintree, MA: Author. [Source <http://www.performance-standards.org>]. American Prosecutors Research Institute (2006). *A prosecutors guide to psychological evaluations and competency challenges in juvenile court*. Alexandria, VA: Author. Office of Juvenile Justice and Delinquency Prevention. (May, 1995). Guide for implementing the comprehensive strategy for serious, violent, and chronic juvenile offenders. *Juvenile Justice Bulletin*, 1-269. Author.

## FAQ: Why Are Overrides Necessary?

An override might be necessary because a) additional risk factors are present that enhance the youth's risk, or b) considerable protective factors are present that reduce the risk. For example, homicidal ideation is not included in most risk assessment tools but if a youth is actively stating that he or she intends to kill a specific individual, that youth necessarily should be seen as high risk for the time being. Alternatively, a youth with a number of risk factors who recently developed considerable protective factors may be rated lower in risk. For example, consider a youth who is rated as being at high risk and whose father is physically absent from her life. Now consider that the youth's father, with whom she has a very supportive relationship, just returned from overseas deployment. It is possible that the presence of the youth's father could have a buffering impact on her risk level. However, such a nuance could not be impactful without rater discretion. In actuarial tools, such discretion is provided by way of an override option. The concept of "override" does not apply to SPJ tools because these tools already have discretion "built in" in terms of how they are intended to be used, as described above.<sup>62</sup>

Overrides should not be used regularly to adjust the outcomes of a valid risk assessment tool. Over the long run, the chance for error is minimized by accepting the results identified by the scores. However, some overrides will be essential. Overrides should occur only in unusual circumstances (such as those described above). We recommend two practices to employ every time that an examiner uses the override option: (a) the reason for considering an override should be discussed with a supervisor or designated co-worker; and (b) the examiner's explanation for the override should be documented in the case file. Probation offices are urged to re-examine their risk assessment policies and practices if they find that the office's override cases (the "override rate") exceed 5% - 10% of total risk assessment cases.

<sup>62</sup> There is research support for this proposition. First, meta-analyses in both adult and youth risk assessment have demonstrated that tools using the structured professional judgment approach have comparable predictive accuracy to actuarial tools when using the SPJ tools' scores (Yang, Wong, & Coid, [2010]. *Psychological Bulletin*, 136, 740-767. Olver, et al. [2009]). Further, when an SPJ decision is compared to actuarial tool scores – the predictive validity is still comparable according to meta-analytic findings (Guy, L. S. [2008]. *Performance indicators of the structured professional judgment approach for assessing risk for violence to others: A meta-analytic survey*. Unpublished dissertation, Simon Fraser University, Burnaby, BC, Canada.). Second, there is evidence that both the final risk decision in an SPJ tool (for a review using the SAVRY as an example, see Borum, R., Lodewijks, H., Bartel, P., & Forth, A. [2010]. *Structured Assessment of Violence Risk in Youth [SAVRY]*. In R. K. Otto & K. S. Douglas (eds), *Handbook of Violence Risk Assessment* pp. 63-80. New York: Routledge, Taylor & Francis Group.) and the override decision in an actuarial tool (for an example using the YLS/CMI, see Guy, L., & Vincent, G. [2011, March], *Interrater reliability of the YLS/CMI*. Presented at the annual conference of the American Psychology-Law Society, Miami, FL.) have comparable inter-rater reliability to a formula driven approach.

for a risk assessment tool should describe how the factors were selected. It is important to look for evidence that the tool's developers selected factors that research has shown to be related to future negative behaviors and delinquent activity.

***The tool has demonstrated reliability in multiple studies, some of which were conducted by independent parties.***

Reliability refers to the degree to which the tool's scores are consistent across scorers with a given case.<sup>63</sup> One of the most important types of reliability for risk assessment tools is the degree to which different examiners would obtain similar scores or make similar ratings if they apply the tool to the same youth at the same time. If this "inter-rater reliability" is good, it gives one confidence that there is likely to be less error created by examiner bias or rating rules that are too vague.<sup>64</sup> These Guidelines recommend that reliability can be trusted when there have been several encouraging tests of inter-rater reliability conducted in juvenile justice settings by researchers who are independent of the developer of the tool—that is, researchers not involved in the tool's initial development or having a proprietary interest in the tool or training on the tool.<sup>65</sup> In addition, ideally at least one of the studies will have been conducted "in the field"—that is, in a real-world setting involving the same types of raters, the same facilities, and the same youth with whom the tool would normally be applied.

***The tool has demonstrated predictive validity in multiple studies, some of which were conducted by independent parties.***

A risk assessment tool must have evidence that it can predict the thing that it claims to predict—for example, future aggression or official reoffending. That evidence should be demonstrated in research that has examined the degree to which youth who scored higher on the tool engaged in the behaviors more often during some future time. As with evidence for reliability, these Guidelines view tools as being empirically validated when acceptable validity has been demonstrated not only in research by the tool's developers, but also in studies performed by independent researchers who were not involved in the development of the tool or who do not benefit financially from sale of the tool.

No risk assessment tool can predict perfectly which youth will or won't engage in future delinquent activity. Some tools, however, perform better than others. Researchers have various ways to describe the degree of predictive validity of a risk assessment tool. Some of these are relatively simple and others are complex. The preferred method of describing predic-

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<sup>63</sup> Test developers recognize several types of reliability: for example, "internal consistency" (the degree to which the factors are related to each other) and "test-retest reliability" (the degree to which scores for a given individual are about the same when the tool is administered twice within a short time). Here we focus only on inter-scorer or inter-rater reliability.

<sup>64</sup> The index of inter-rater reliability most often used is called the intra-class correlation coefficient (ICC). Users can have confidence in risk assessment tools that report ICC figures above .60 at the minimum; greater confidence is suggested by ICC figures above .75 (Cicchetti, D. V., & Sparrow, S. S. [1981]. Developing criteria for establishing interrater reliability of specific items: Applications to assessment of adaptive behavior. *American Journal of Mental Deficiency, 86*, 127-137).

<sup>65</sup> There are three reasons why testing from an independent party is important. First, the classic work of Rosenthal showed again and again the effects of unintended bias by persons who engaged in research to test hypotheses in which they had a stake. See Rosenthal, R. & Rubin, D. B., (1978). Interpersonal Expectancy Effects: The First 345 Studies. *The Behavioural and Brain Sciences*, vol. III, 377-386; and Rosenthal, R. (1963). On the social psychology of the psychological experiment: The experimenter's hypothesis as unintended determinant of experimental results. *American Scientist, 51*, 268-283. Second, in the treatment evaluation literature, evaluations conducted by independent parties are required for a treatment to be considered an evidence-based practice (Blue Prints for Violence) due to research indicating an "allegiance effect". In other words, those with an investment in the treatment tend to find and report more positive results than researchers who have no stakes in the treatment. See Luborsky, L., Rosenthal, R., Diguer, L., Andrusyna, T. P., Berman, J. S., Levitt, J. T., et al. (2002). The dodo bird verdict is alive and well—mostly. *Clinical Psychology: Science and Practice, 9*, 2–12. Third, there is some evidence that this allegiance effect also applies to validation research for assessment tools. See Blair, P. R., Marcus, D. K., & Boccacchi, M. T. (2008). Is there an allegiance effect for assessment instruments? Actuarial risk assessment as an exemplar. *Clinical Psychology: Science and Practice, 15*, 347-360. But also see Lillienfeld, S. O. & Jones, M. K. (2008). Allegiance effects in assessment: Unresolved questions, potential explanations, and constructive remedies. *Clinical Psychology: Science and Practice, 15*, 361-365.

tive accuracy is Receiver Operating Characteristic curves (ROCs) and the area under that curve (AUC). The AUC is an index of the tool's overall accuracy, in this case, ability to correctly identify a youth who will re-offend.<sup>66</sup>

There are several additional matters to consider when examining whether independent studies have demonstrated acceptable validity of a risk assessment tool. It is important to determine whether the validity studies involved youth who are like those with whom one wishes to use the tool. Thus, youth in the studies should be fairly representative of one's own population of youth in terms of age and ethnic/cultural composition. Ideally the studies will provide separate results for boys and girls. In addition, some risk assessment tools have been developed for a particular task at a particular point in juvenile justice processing: for example, risk of reoffending if not placed in pretrial detention.

Similarly, some tools are modified versions of a previously validated tool. The validity of the original tool cannot always be presumed to be the same for the modified version, and will depend in part on the extent of the modifications that were made. Typically it will be important to see new studies of the modified version to determine its validity. The exception is when an instrument has a set of base items that have been validated and cannot be modified (e.g., Risk and Resiliency Checklist).

**In summary**, a risk assessment tool can be considered empirically-validated if: 1) it is replicable, 2) it uses empirically-supported risk factors, 3) its inter-rater reliability has been demonstrated in multiple studies, and 4) its predictive validity has been demonstrated in multiple studies, some of which were conducted by independent researchers. A great many risk assessment tools in use today fall short of these criteria. This does not necessarily mean that they should not be considered. We refer to tools that satisfy some but not all of the components in this definition as "promising tools." As described later in these Guidelines, a promising tool is sometimes worth considering, given the range of practical considerations that enter into the selection of assessment tools in juvenile justice practice.

### 3. Evidence-Based Development of Risk Assessment Policies and Procedures

A third area in which an evidence-based approach to risk assessment and management is important is in the development of general policies and procedures for using the results of those assessments. How will a youth's risk assessment results influence what happens to the youth? To whom will results be communicated, and what will be the responsibilities of those who receive them in terms of implementing risk management practices? How will the system know whether the policies and procedures that regulate the system's use of risk assessment methods are achieving the system's objectives?

These are questions for lawmakers, juvenile justice administrators, and sometimes the judicial system. Adherence to an evidence-based approach to policy development means that the content of the policies and procedures should be based on research evidence. Sound development and modification of risk assessment policies at this systems level require information regarding the *effectiveness* of risk assessment and its results. Policy about risk assessment necessarily is driven by broad objectives and mandates for juvenile justice. These mandates typically focus on the value of the system's practices for positive youth development and public safety. Effective policies about risk assessment should help the system fulfill these mandates.

It is in this context that one can speak of *evidence-based development of risk assessment policies*. Some authorities have recommended that juvenile justice policy should include the objective, balanced, and responsible use of current research and the

<sup>66</sup> AUCs can range from 0 (perfect negative prediction), to .50 (chance prediction), to 1.0 (perfect positive prediction). A given AUC represents the probability that a randomly chosen youth who actually does reoffend will fall above any given cut-off on the risk tool, and that a youth who actually does not reoffend will score below the cut-off. AUCs for an acceptable screening tool would be between 0.70 and 0.90. An AUC of .70, for example, means that there is a 70% chance that a youth who actually reoffends would score above the tool's cut-off score, and a youth who did not actually reoffend would score below the cut-off. Swets, J. A. (1988). Measuring the accuracy of diagnostic systems. *Science*, 240, 1285–1293.

## FAQ: Is it Necessary to Separate Risk Assessments from Needs Assessments?

For many years in juvenile justice, there has been a school of thought that juvenile justice agencies should separate risk assessment from needs assessment. Under this school of thought, the risk assessment tool is one that has been validated to predict reoffending, whereas the needs assessment tool is a consensus-based instrument created within each jurisdiction to assess the important needs of youth for guiding treatment. The reasoning underlying this thinking is that risk and need items should not be combined into a single composite measure.<sup>67</sup> In other words, the idea is that risk items and need items should not be summed within one tool to create the score that results in a youth's risk level. The concern is that need factors will decrease the overall accuracy of a tool if the need factors are combined with the risk factors into a single score. The logic expressed by proponents of this view makes sense, but **only if the need factors in question are not related to risk for reoffending.**

Unfortunately, the way individuals have interpreted this philosophy has resulted in considerable confusion. The problem is that one would be hard-pressed to find a risk assessment tool that does NOT include some items that are indeed need factors if one defines needs as *criminogenic needs*. Based on the research that has occurred in delinquency for many years, a valid risk assessment tool generally **will include** items that measure criminogenic needs – meaning need factors that are related to reoffending. If all of the items included in a risk tool are related to reoffending, there is no sensible reason to separate risk factors from criminogenic need factors in the final score resulting from an assessment tool. Another detail that has added to the confusion is a new wave of risk assessment tools in the last ten years that do not fit into the scheme of separating risk and needs. Some people refer to these as risk/needs assessments tools. A **risk/needs assessment tool** incorporates both static and dynamic factors (i.e., dynamic risk factors, or criminogenic needs; some risk/needs tools also include dynamic protective factors). A risk/needs tool uses both types of factors at the same time in the computation of the total “risk score” or assignment of the final risk level classification. Examples of evidence-based youth risk/needs assessment tools include the *Youth Level of Service/Case Management Inventory (YLS/CMI)*<sup>68</sup> and the *Structured Assessment of Violence Risk for Youth (SAVRY)*.<sup>69</sup> Other tools with some validity evidence include the *Washington State Juvenile Court Assessment (WSJCA)*<sup>70</sup> and the *Risk & Resiliency Checklist (RRC)*.<sup>71</sup> Risk/needs assessment tools can come from either the actuarial or SPJ model. These tools have evidence that they predict who will reoffend and their items are thought to relate to future offending. Therefore, we recommend that these simply be seen as **risk assessment tools** because the tools **predict reoffending and continued delinquent activity.**

Another advantage of the risk assessment tools that combine risk and need factors is that they provide guidance for treatment/intervention planning by including dynamic items that have a known association with risk. Moreover, as noted by many individuals, the needs-only assessment tools have not been validated. Further, the items on these needs assessment tools typically were selected on the basis of consensus of stakeholders rather than on research evidence. Consequently, the items included in these tools may not target areas known to increase risk for reoffending (e.g. delinquent attitudes, personality traits, inconsistent discipline in the home).

Given the advent of validated assessments that incorporate both risk factors and criminogenic need factors, we offer the following two recommendations. First, juvenile justice agencies should keep **risk assessment** separate from **other assessments that address non-criminogenic needs** but may be important for a variety of reasons (i.e., needs that are unrelated to delinquent activity, such as some mental health problems, low self-esteem, and pregnancy).

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67 Baird, C. (February, 2009)

68 Hoge, R. D., & Andrews, D. A. (2006, 2010).

69 Borum, R., Bartel, P., & Forth, A. (2006). *Structured Assessment of Violence Risk in Youth (SAVRY)*. Florida: Psychological Assessment Resources, Inc.

70 Barnoski, R. (2004). *Assessing risk for re-offense: Validating the Washington State Juvenile Court Assessment* (Report No. 04-03-1201). Olympia: Washington State Institute for Public Policy. Barnoski, R. (2004). *Washington State Juvenile Court Assessment manual, Version 2.1* (Report No. 04-03-1203). Olympia: Washington State Institute for Public Policy.

71 Turner, S., Fain, T., & Sehgal, A. (2005). *Validation of the risk and resiliency assessment tool for juveniles in the Los Angeles county probation system*. Santa Monica, CA: Rand Corporation.

best available data when forming policies about risk assessment and risk management.<sup>72</sup> The use of sound research to guide policy can be applied at two levels. *First*, an evidence-based approach calls for the use of *existing research evidence* when deciding on a policy or practice. Is there evidence that past use of a particular risk assessment policy or practice has improved other juvenile justice systems' abilities to meet important objectives, such as a reduction in reoffending and in risk to victims? *Second*, an evidence-based approach suggests that when policies and procedures are implemented, one needs to *create new research evidence*—that is, to evaluate their outcome, using research methods and strategies that will provide empirical evidence regarding their effectiveness. An evidence-based approach to policy regarding risk assessment and management does not merely lead to the selection of the best methods and the presumption that its objectives will be achieved. It includes a commitment to collecting evidence that will test the effectiveness of those methods. An evidence-based approach to policy recognizes the need for on-going data collection to drive policy change and continuous improvement.

## Cultural Issues

Considering the impact of culture is an important component of the American Psychological Association's statement on evidence-based practice. There are several issues related to conducting a "culturally competent" risk assessment. One set of issues has to do with the cultural competence of the rater and the other set has to do with the performance of the tool when used with youth from cultural groups that are different than those for which the tool was developed.

In consideration of the cultural competence of the rater, it is possible that individuals completing the assessment with a youth may hold certain attitudes or beliefs that influence their perceptions of and interactions with people from racial and ethnic groups different from their own. This in turn could affect the amount and quality of information that is gathered and used to rate items. One way to check whether a tool will be hindered by this is to examine the inter-rater agreement of the tool when used with youth from diverse cultural groups as well as when used from cultural groups that are different from that of the rater(s).

Regarding the validity of the tool for cultural groups, if a tool is culturally "biased," its ability to categorize the risk level of youth will vary based on the youths' culture. It is important for a tool to be examined for measurement bias<sup>73</sup> or differences in its ability to predict reoffending among different racial and ethnic groups. Tools that include risk factors that are based on official arrest records (e.g., number of prior arrests, age of first arrest) will be particularly susceptible to racial bias given the racial disparities that exist in arrest patterns.<sup>74</sup>

Most of the more widely used, validated risk assessment tools have been studied to examine their predictive validity for Whites, African-American/Blacks, and Hispanics. For example, the *Youth Level of Service/Case Management Inventory* (YLS/CMI)<sup>75</sup> contains norm tables for African-American/Black youth.

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<sup>72</sup> Community Resources for Justice (2009). *Implementing Evidence-Based Policy and Practice in Community Corrections*, Second Edition.

<sup>73</sup> Item response theory methods are one ideal way of identifying measurement bias but this is difficult to do with risk assessment tools for statistical reasons. Another method is to counteract measurement bias by conducting statistical analyses to weight the tool's items and/or adjust the cutoff for different cultural groups (for an example with the WSJCA see Barnowski, 1998).

<sup>74</sup> Harcourt, Bernard E. 2010. *Risk as a Proxy for Race*. John M. Olin Law and Economics Working Paper No. 535 and Public Law and Legal Theory Working Paper No. 323. The Law School, The University of Chicago.

<sup>75</sup> Hoge, R.D., & Andrews, D. A. (2010) *Youth Level of Service Case Management Inventory 2.0*. North Tonawanda, New York: Multi-Health Systems.

## Putting it All Together

Given all the matters described above—developmental concerns, the science on risk for delinquent activity, and the notion of empirically validated instruments—what should juvenile justice programs consider when selecting risk assessment tools? Preference should go to risk assessment instruments that:

- **Contain criminogenic needs** factors because they are dynamic in nature, which means they are capable of changing (e.g., substance abuse problems). Because they can change, they should be used to identify the specific factors to be targeted for intervention/services. Also owing to their dynamic nature, they permit reassessment, thereby providing a measure of change in risk level,
- **Contain protective and/or responsivity factors** to consider when assessing risk, considering overrides, and developing case plans (e.g., recommending services that can be effective despite a youth's cognitive limitations),
- **Have established acceptable predictive validity and inter-rater reliability** for the population on which they are being used (e.g., girls, ethnic/cultural groups of youth), and
- **Permit some rater/examiner discretion** to account for idiosyncratic risk factors for a particular youth (e.g., if a youth is threatening to hurt a specific person).





# Chapter III: Steps in Developing and Implementing a Risk Assessment System

Adoption of a risk assessment tool will not lead to any changes in the way youth are processed or handled in an agency or juvenile court if the tool is not implemented properly. The implementation of a risk assessment tool—how it is put in place, operated, and maintained—is at least as important as the tool itself. The implementation process is wide-ranging, in that it includes attention to policy development, staff attitudes, operational instructions, monitoring, and evaluation of outcomes. The aim of the process is to create an environment that will ensure the tool is used in a way that will allow the system to experience its benefits. Implementation starts with creating an environment that will allow the tool to operate effectively and thus to help the system achieve its goals.

## Step 1: Getting Ready

This step covers guidelines for preparing for successful implementation of risk assessment. Most activities are required for effective implementation; however, some were included as “aspirational” (marked by an “\*”). Some activities will not apply to everyone or will not be feasible in a specific jurisdiction. Thus, text boxes are included that describe potential modifications. Specifically, this step covers the following areas:

- Achieving system readiness,
- Building the leadership and the human resources needed (including obtaining a neutral expert and a university partner\*),
- Identifying an assessment coordinator or point person,
- Creating a workplan,
- Identifying what data are currently available and preparing the data system, and
- Selecting sites for pilot testing.

### Achieving System Readiness

Growing a good crop begins with preparing the soil. The best quality seed will not thrive in hard clay, sand, or stony ground. Similarly, no evidence-based risk assessment tool will achieve its objectives without a willing environment. “Implementation” is not merely the process of putting a tool in place. It begins with a process for preparing the place itself. Preparing an environment for adoption and use of a risk assessment tool requires thinking at a number of different levels of a system.<sup>76</sup> We can label them the *administrative* level, the *operations* level, and the *staff* level.

#### Administrative Readiness

The *administrative* level of readiness includes people who are responsible for establishing policy and providing the directives that will authorize a system’s use of a risk assessment tool. Administrators (judges, probation chiefs, commissioners, agency directors) differ in their readiness to take on this task. There are two main reasons for this. As a matter of style, some people are simply more innovative than others.<sup>77</sup> Some are creative and open to trying new technologies or methods that show promise in advancing the system’s objectives. Others decide to adopt new practices after other systems have

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<sup>76</sup> Adapted from Proctor et al. (2009)

<sup>77</sup> Rogers, E. (2003). *Diffusion of innovations* (5th edition). New York: Free Press.

*Another key issue will be consideration of assessments conducted on youth and families in the other systems in which youth are involved (e.g., child welfare) and the intersection with risk assessment in juvenile justice. One of the challenges in working with these crossover youth is the layering of assessments and potential duplication.*

demonstrated their value. Still others resist this growing trend until it either subsides or—if it becomes a dominant practice in their field—they are forced to adopt it. In any case, there can be no successful adoption of an evidence-based risk assessment method without an initial motivation at this administrative level to do so.

What motivates early and late adopters of a new method usually involves complex factors. They include such diverse forces as a director's creative desire to seek the best way to achieve broader goals, financial incentives (or disincentives), new legislative or regulatory directives, or an intent to reduce potential liability. The initiative might sometimes arise from an imaginative leader, at other times from community pressure on a system to meet its obligations. In short, there are many ways for administrative readiness to begin or to come to fruition.

However it arrives, the inclination to change must be relatively strong in order to drive the rest of the implementation process (e.g., supervisors of probation offices). This is because it will require a good deal of effort and commitment for administrators to engage participants at the other levels of the system where the change will be put into operation. In addition, no system can implement evidenced-based methods without attention to their acceptance by other systems on which the method will have an impact. In the case of a probation department, its process of considering an evidence-based risk assessment tool requires buy-in from the judiciary, prosecutors, defense attorneys, and perhaps other child-serving agencies in the community. How to engage their interest in the innovation is discussed in Step 2. Another key issue will be consideration of assessments conducted on youth and families in the other systems in which youth are involved (e.g., child welfare) and the intersection with risk assessment in juvenile justice. One of the challenges in working with these crossover youth is the layering of assessments and potential duplication. Administrative readiness includes a willingness to sell the innovation internally and negotiate its use with external partners.

### Operations Readiness

The *operations level* is represented by directors or supervisors of the agency within the system with responsibility for administering the tool. All administrators are aware that merely providing directives for operational changes will not guarantee successful implementation. Administration's intent to use new risk assessment methods must be sold at the operations level in order to enlist the enthusiasm of those who will oversee the manner in which assessment actually takes place.

To prepare at the operations level for an evidence-based practice, at least two factors will be key.<sup>78</sup> One is the creation of an "evidence-based attitude." Experts in this area note that "agency organizational culture may wield the greatest influence on acceptance of empirically-supported [interventions] and the willingness and capacity of a provider organization to implement" an intervention in actual practice.<sup>79</sup> To create an evidence-based culture, administrators must demonstrate to managers the advantages of using a tool that actually is known to measure the thing that it says it measures. The other key is to engage operations personnel to help administrators foresee barriers to implementation of a risk assessment tool that might not have been apparent to administrators. Attending to those matters before trying to put the tool in place can avoid resistance as well as costly and frustrating failures that might otherwise arise later on. We discuss barriers in Steps 2 and 4. Some of the information to teach leaders and key players in the jurisdiction about the evidence-based approach of risk assessment includes:

1. Research demonstrating that youth have better outcomes when decisions about placement and services are made based on their overall risk level,

<sup>78</sup> Guevara, M., & Solomon, E. (2009). *Implementing evidence-based practices in community corrections*. Washington, DC: National Institute of Corrections.

<sup>79</sup> See p. 28, Proctor et al. (2009).

*Staff want to know the ease with which the tool can be administered and used, how much time it takes, whether it allows for reduction or elimination of some other task in the intake or assessment process, and whether it will allow them to do their job better. These are precisely the things that administrators should consider when preparing to select a tool.*

2. The ability for some override discretion when using any risk assessment tool. There is the need to stress that the expertise and judgment of key players is respected and needed within some parameters, and
3. The notion that risk assessment should be adopted along with a service matrix that structures case management decisions about the selection of effective programs and services.

It is often at the level of administrative and operations discussions that the organization will encounter a simple principle: implementation of an evidence-based risk assessment tool results in changes of policy and operations that extend beyond administration of the tool itself. It is inevitable that “inserting” a tool into a court decision-making (at the systems level) or case-planning process (at an agency level) will both require and create changes in the broader system in which the tool is used. For example, risk tools often classify youth according to low, medium and high levels of intervention needed. But have the agency’s services themselves been classified? Are there “low,” “medium,” and “high” intervention options, and how well are they defined? If the tool begins identifying a reduced number of youth as “high risk,” what system adjustments will be required regarding the (now unnecessary) use of the more intense interventions? Once a risk assessment tool is in place, it does not merely classify youth. Its use begins to have a dynamic impact on the system in which it operates. Administrative and operations personnel need to anticipate these changes together.

## Staff Readiness

The *staff* level refers to those who will actually administer the tool day-to-day and use its results to inform court decisions and/or make decisions about youths’ placement or treatment. They may be the case workers in a probation office, or a juvenile correctional organization’s intake classification personnel. A risk assessment tool cannot be put into place until work has been done to prepare these personnel for the planned change in their work practices. Staff members’ skepticism about such changes is inevitable, but it can also be helpful to the process. Things that staff especially want to know about a proposed risk assessment tool is the ease with which the tool can be administered and used, how much time it takes, whether it allows for reduction or elimination of some other task in the intake or assessment process, and whether it will allow them to do their job better. These are precisely the things that administrators should consider when preparing to select a tool.

Staff readiness also requires administration’s assurance that staff will be given adequate training. Training to implement evidence-based risk assessment will have several objectives.<sup>80</sup> As described in Step 5, instruction needs to include details about the design and nature of the tool, its content, specifically how information is gathered in order to rate or score it, and what its scores mean. But it is just as important for training to build the attitudinal foundation for the tool’s use. The training must draw staff toward the value and mind-set of evidence-based practice in order for them to anticipate how a risk tool will improve the overall outcomes of their work. Staff members especially need to be shown how the tool will allow them to experience satisfaction and feel competent in their job. This may require a demonstration of its value, either through other agencies’ experiences with the tool or with a pilot project offering results that can be described during training.

## Building the Leadership

We recommend that, if possible, two leadership committees be formed to spearhead the activities involved with implementation of the risk assessment tool. One committee, the **Steering Committee**, should comprise the essential system stakeholders to frame the direction, while the other committee, the **Implementation Committee**, should comprise agency personnel responsible for administering the tool. The procedures described below could be seen as the “Cadillac version” for implementation. A county-level agency likely would not want or need such large committees. Therefore, modifications are suggested as necessary.

<sup>80</sup> Hoge, M., Huey, L., & O’Connell, M. (2004). Best practices in behavioral health workforce education and training. *Administration and Policy in Mental Health*, 32, 91-106.

### Steering Committee

The first group should be a cross-disciplinary **Steering Committee**. Its membership should contain key stakeholders who work in juvenile justice: for example, the director or chief of the juvenile facility or appointed representative, juvenile probation agency staff supervisors, a juvenile court judge, a representative from the public defender's office, a representative from the prosecutor's office, a few probation staff, a contracted service provider. It may be a good idea to also include some third parties, such as a university partner and possibly a neutral expert in risk assessment (discussed later). Having representatives from each of the major stakeholder groups involved in the planning phase is critical for establishing buy-in for using risk assessments to inform juvenile court decision-making. Additionally, it is important to have representatives of supervisors and staff members from the agencies who directly work with youth and who will actually complete the assessments. They are in the best position to know what is feasible. Including a university partner can be very helpful to cover data monitoring and outcome reporting issues. Finally, having a neutral expert in risk assessment who can guide the process based on what has worked in other jurisdictions offers a great deal of support and may help to mediate any tensions that could arise.

The charge of the Steering Committee is to be the overarching decision-makers and champions for the initiative. The Steering Committee is also responsible for working with the Implementation Committee to ensure that judges and attorneys in the system receive adequate training on the risk assessment tool and process. They can discuss the challenges to adopting a risk assessment tool in their system (e.g., how to get others to use the tool) and discuss resolutions. They should be engaged in a conversation about tool selection by the Implementation Committee. The Steering Committee may also influence legislation that mandates evidence-based decision-making for case management and dispositions in juvenile justice. The committee might also design a strategic plan or charter that describes the mission or vision of adopting evidence-based practices in the state or county (see Appendix I.1). This mission memorializes the group commitment to shared values towards the cultural shift, a key to successful implementation.<sup>81</sup> Finally, it is largely the job of the steering committee to inventory and consider other assessments juvenile justice-involved youth may be required to complete in other systems; mainly, child welfare. We suggest a consultant be used to help determine the overlap across assessments and the best procedures for minimizing the burden to the systems and families.

### Identification of a Neutral Expert in Risk Assessment

An objective expert in risk assessment and implementation can be an essential member of the Steering and Implementation Committees. This expert should educate the committee about the criteria for an evidence-based risk assessment and review with them a number of tool options that fit these criteria (if such tools exist) and fit the needs of the system and agency. The expert can also advise the committees as to how risk assessment overlaps or compliments other assessments youth are receiving within the juvenile justice system and other systems.<sup>82</sup> Experts are typically found at universities but some organizations also offer this expertise. Several methods can be used to identify an expert, including word-of-mouth from colleagues in juvenile justice in other states (such as members of the advisory group for this Guide, internet searches for experts in assessment in juvenile justice, and authors of articles of risk assessment tools).

81 Shortell, S. M., R. H. Jones, A. W. Rademaker, R. R. Gillies, D. S. Dranove, E. F. Hughes, P. P. Budetti, K. S. Reynolds, & C. F. Huang. (2000.) Assessing the Impact of Total Quality Management and Organizational Culture on Multiple Outcomes of Care for Coronary Artery Bypass Graft Surgery Patients. *Medical Care* 38, 207–217.

82 The issue of multiple assessments for cross-over youth is beyond the scope of this Guide. There are a variety of assessments that may be used (e.g., needs assessment, case management tools, mental health assessments) by multiple systems and the requirements for assessments vary widely across jurisdictions. Our advice is to use a consultant to help navigate this issue within your jurisdiction. Also see Herz, D., Lee, P., Lutz, L., Stewart, M., Tuell, J., & Wiig, J. (March 2012). *Addressing the needs of multi-system youth: Strengthening the connection between child welfare and juvenile justice*. Center for Juvenile Justice Reform & Robert F. Kennedy's Children's Action Corps. <http://www.modelsforchange.net/publications/332>

### Getting Help from University Partners\*

Public agencies have much to gain through partnerships with universities, particularly in difficult economic times when many juvenile justice agencies cannot afford to sustain a research and evaluation department. Juvenile justice agencies are encouraged to identify universities in their area with a social science research department that may have specialty in justice issues, such as psychology, criminology, or criminal justice. Universities can act as a neutral party to assist with identification of evidence-based tools and programs and the implementation of research activities. See Appendix I.2 for examples of Memorandums of Agreement, which include data sharing protocols.

### Implementation Committee

The second committee is an **Implementation Committee**. This committee should have some members who sit on the Steering Committee, but it primarily should be tasked with overseeing the implementation of the risk assessment at the agency level on the ground. The Implementation Committee can occur at either the state level or county level (or both if necessary). This committee should have strong leadership from agency champions who are respected and followed. We recommend that this committee also include one or two individuals with a high rank in the specific juvenile justice agency (e.g., chief or director, a regional manager, a director of programs/services), the designated assessment coordinator(s) (described in more detail later), some probation staff, a university partner, the neutral risk assessment expert, and the agency's in-house research director (or a quality assurance representative) if one exists. If the organization has a "convert"—an individual who was initially opposed to adopting a risk assessment tool but recently was sold on the idea—he or she is an ideal person to invite onto the Implementation Committee. Initially this committee should also include the expert or consultant hired by the state to assist with the implementation of risk assessment, if applicable.

The charge of the Implementation Committee is to (a) select the risk assessment tool that will be adopted, and (b) design and oversee the work plan and activities that are crucial for adopting and implementing the risk assessment tool effectively. The members of this committee should represent people on the ground so they will know what is feasible to put in place. In addition, the neutral expert in risk assessment will be invaluable in assisting with the selection of the best tool for the jurisdiction. It is helpful to have a university partner on this committee who can work with the in-house research director or quality assurance representative to develop or enhance the data system.

### Identifying an Assessment Coordinator or Point Person

Organizations that mobilize and commit the essential resources to oversee the implementation of a risk assessment process will be more successful than others.<sup>83</sup> One key resource is an Assessment Coordinator(s). Implementation of a risk assessment tool will require having an individual (or two individuals) appointed to oversee the initiative and all of the activities it entails. The number of designated parties, the amount of time they have to devote to the implementation efforts, and whether the agency should create a new position or simply utilize a current staff position will depend on the size of the agency. If the tool is to be adopted statewide, we recommend an individual be identified who can devote about half of their time to act as the assessment coordinator. County-based agencies likely will not require an actual assessment coordinator position but will still benefit from having a party designated to oversee the implementation efforts.

An organization should analyze the leadership that exists for this position and develop the job description as necessary. Some examples of job descriptions that have worked in other states are included in Appendix I.4 and 1.5. A go-to person for the effort will be essential, but the amount of time necessary and actual job description will vary depending on the

83 Ganz, M. (2000). Resources and resourcefulness: Strategic capacity in the unionization of California agriculture, 1959-1966. *American Journal of Sociology*, 105, 1003-1062.

## Chapter 3

needs and resources of the organization. An assessment coordinator is necessary to ensure policies and procedures are revised appropriately, help create the materials necessary for implementing a risk assessment (e.g., interview scripts, case plan formats), organize training on the risk assessment tool, and ensure a quality assurance plan is created. Basically the coordinator oversees the work plan and fields questions from staff after they are trained on the tool. The coordinator(s) also will be needed to monitor questions from parties once the tools are in place, which can take considerable time for the first couple of years.

### Modifications to the Leadership Recommendations When Few Resources are Available

If implementation is occurring within a single county, the group responsible may be simply the office administrator and a designated party who coordinates and oversees all of the activities. Having an expert in risk assessment can also greatly strengthen the success of the initiative. Regardless of the size of the agency, in our experience it is essential to designate someone to be in charge of the coordination and permit them the time to devote to these activities.

## Creating a Work Plan

A solid work plan outlines activities, timelines and responsible parties. The point of the work plan is to plan resources needed ahead of time and to keep the work generally on track. The plan is generally constructed by the assessment coordinator or point person in conjunction with the Implementation Committee. Important components of the work plan are described throughout this Guide and there are examples of effective work plans in Appendix I.3. Sometimes it is difficult to complete a comprehensive work plan until a risk assessment tool has been selected, in which case this activity would be completed under Step 3.

## Preparing the Data System

Data collection and evaluation should be discussed up-front as an essential consideration of the implementation process. There is a need for cost-effectiveness when using public funds, so inclusion of costs in data tracking would be beneficial. Most agencies or juvenile justice offices have some sort of computerized data reporting system in place, although the quality of these systems varies widely. The task during the “getting ready” phase is to identify what data are currently available and to consider what modifications of the IT system would be needed to gather the right data for evaluation and case management purposes. A university partner and/or risk assessment expert can be helpful advisors for this process.

## Selecting Sites for Pilot Testing

The purpose of pilot testing is to create the opportunity for a few counties to work out any bugs in procedures, develop good model policy templates and interview scripts, and begin the process for data tracking. Pilot counties (or individual staff, for single agencies) should be the first to receive staff training. They should implement the risk assessment for several months before the risk assessment is rolled out to other counties.

For state-wide implementation of the risk assessment tool, for example in all juvenile courts and/or probation offices in the state, a core group of pilot counties (or regions, districts, etc.) should be selected that will implement the risk assessment tool first. An effort should be made to select pilot counties that differ with respect to whether they are urban vs. rural, and regarding the density of case processing. For individual counties or non-state agencies, pilot testing should involve training a small group of stakeholders about the tool and a few staff members on how to use the risk assessment, having them use it for a few months, and then obtaining their feedback before rolling it out to the whole county.

*We recommend that the judge representative on the Steering Committee partner with a content expert (e.g., the risk assessment consultant) to provide an orientation training to judges throughout the jurisdiction. Similarly, the same procedure should be conducted for prosecutor and defense attorney groups.*

## Step 2: Establishing Stakeholder and Organizational Buy-In

Step 2 describes how to engage the system, including essential stakeholders (e.g., judges, defense attorneys, prosecutors, service agencies) and staff members. Several strategies for training in and dissemination of information about risk assessment are provided. Again, steps that could be considered aspirational are indicated by an “\*”. The following topics are covered:

- Establishing court readiness and
- Establishing organizational and staff buy-in.

### Establishing Court Readiness

Previously we mentioned the importance of including a judge, head of the public defender’s office, and the head of the district attorney’s office on the Steering Committee. This section refers to enlisting the engagement of judges and attorneys as a whole. We recommend that the judge representative on the Steering Committee partner with a content expert (e.g., the risk assessment consultant) to provide an orientation training to judges throughout the jurisdiction. Similarly, the same procedure should be conducted for prosecutor and defense attorney groups.

**Why it’s important.** Risk assessment tools usually are implemented by probation departments. Nevertheless, there are good reasons to involve judges, defense attorneys and prosecutors in this implementation. This allows them to ask questions, offer input, and learn how the tools will benefit their decisions about kids. Participating in the process and learning about the research behind risk assessment helps them understand it and may reduce their initial skepticism and increase their support. It is important to recognize that judges and attorneys are the court actors who will be asked to use the results of the risk assessment tool to inform their decisions about youth. Consulting the potential users is simply the right thing to do, and failure to do it risks their misunderstanding or resistance at a later stage.

**How to do it.** Deliberate and meaningful engagement of judges and attorneys at this point in the implementation process should begin with a presentation containing the following components (see presentation in Appendix I.6):

- Research showing how risk assessment tools can facilitate both community safety and youth success,
- Overview of the risk-need-responsivity approach and the research evidence for this approach,
- Expected outcomes of implementing a risk assessment tool in probation, and
- Education about what it means when a tool is empirically validated versus a tool that has not been validated<sup>84</sup>, and the essential elements for selecting a good tool in general.

*Consulting the potential users is simply the right thing to do, and failure to do it risks their misunderstanding or resistance at a later stage.*

<sup>84</sup> For example, many tools — particularly detention risk assessments—were created using a *consensus driven process*, meaning a group of informed individuals selected the items to be contained in the tool based on their agreement of the items’ value, but without consulting the research literature. These tools often do not get validated. It is important for attorneys and judges to know the distinction.



Judges should be assured that everyone recognizes judicial control regarding how the results of the risk assessment tool will be used. They may wish to consider it as additional, reliable information to weigh when they are making disposition (not adjudication) decisions, or they can give it special weight. Similarly, defense attorneys and prosecutors must understand that the risk assessment tool does not “make or break” the defense or prosecution’s case, but rather adds valuable information to inform the decisions they make about how to handle a case. In their roles, defense attorneys and prosecutors should be encouraged to challenge the results of the tool when they believe this is appropriate. If either side diminishes the importance of the results of risk assessment altogether (as opposed to in just individual cases), however, it will be more difficult for the probation officer to advocate for its use at disposition. Early engagement of judges and attorneys in risk assessment tool implementation provides an opportunity to underscore the message that using a risk assessment tool enhances and does not replace individualized decision making in juvenile court, and when used appropriately, a risk assessment can improve community safety and lead to more successful outcomes for youth.

Training with attorneys and judges extends beyond this brief initial orientation at Step 2. Additional training is discussed under Step 5: Training, which occurs after the jurisdiction has selected their risk assessment tool.

### Establishing Organizational and Staff Buy-In

There is a better chance of obtaining buy-in from the organization if administrators, supervisors, and some front-line staff members are engaged in the process early. Doing so will maximize the feasibility of the eventual changes in procedures by creating a feedback loop between the Implementation Committee members and people on the ground who will be responsible for conducting risk assessments.

When communicating with parties at all levels, it is important to emphasize that the goal is to help youth and families while protecting the safety of the community. Be upfront about the fact that risk assessment and the resulting case management practices may be different than the way staff members currently think about best practices. Putting a sound risk assessment tool in place will be the first step in that process, but there will be other changes involved, such as a shift in case planning. Several keys to establishing organizational buy-in are described here, including surveying staff members, and conducting orientation training with staff and supervisors.

#### Survey Current Practices in the Agency\*

We suggest starting with a survey of members of the organization (or organizations, for statewide initiatives), including staff members, supervisors, and administrators. The survey should be done before the Implementation Committee has made specific decisions about a new risk assessment process and selection of a risk assessment tool. The information obtained from the survey can play an important part in those decisions.

The point of the survey is to obtain information from staff and supervisors about current assessment practices and assessment needs prior to adopting a risk assessment tool. This will ensure that their opinions are reflected in the tool selection and in the implementation procedures. Another objective of the survey is to obtain information about staff’s current decision-making practices related to case processing and planning. Some areas to cover include how they currently go about conducting intakes or assessing youth, what circumstances factor into their recommendations to the court regarding disposition, how they derive a case plan, and how they determine levels of supervision. This is also an opportunity to get their perspectives about which practices seem to work and what improvements they think should be made. This information can go a long way in shaping policies (Step 4) and training activities (Step 5).

It may be best to hire someone from outside the agency to conduct the survey, such as a risk assessment expert or a university partner. The neutral parties may be able to get more candid information from personnel than one of their colleagues or supervisors. Responses also could be collected anonymously via a written or online survey. These surveys are not always feasible, particularly when the agency is not using any consultants. However, this practice can go a long way towards engaging personnel in the change and they will feel a sense of ownership in the process. An example survey is included in Appendix V2.

### **Conduct Orientation Training with Administrators and Supervisors**

Once the surveys are completed and the risk assessment tool has been selected by the Implementation Committee, it will be important to inform all staff about adopting risk assessment. The orientation training typically is about 90 minutes and covers the basics of risk assessment, why it is important, how it will improve their work with youth, how it will enhance their ability to protect public safety, and the long-term goals for changing case planning. We recommend using a decision-al-balance approach: asking staff about the pluses and minuses of staying the same versus the pluses and minuses of the proposed changes. Information obtained from the survey of personnel will be very helpful here.

Something to include in the orientation training is how adoption of the risk assessment instrument will change the day-to-day activities of supervisors and staff. Organizations will be more likely to achieve buy-in from staff members if the new risk assessment procedures eliminate or replace work staff members are already expected to do. So the orientation training should cover these issues as well. Even if the risk assessment procedures have not yet been established, the orientation training can be a vehicle for obtaining the staff's input about work that could be reduced or replaced. It is difficult to obtain staff buy-in if organizations just continue adding to the workload without removing existing work.

Obtaining buy-in from administrators and supervisors is crucial because they can buffer any initial resistance from line staff. If the supervisors do not buy into the adoption of the new risk assessment process, that attitude will be conveyed to the staff. It is important to conduct the orientation training with them first. This is a good opportunity to solicit feedback about potential barriers to the changes. Some agencies may wish to have a parallel training about systems change for administrators.

### **Conduct the Orientation Training with Staff Members**

We recommend the orientation be conducted jointly by a neutral consultant (a risk assessment expert or university partner) in conjunction with the assessment coordinator, who is a person that works in the trenches and is best suited to speak the language of the staff. This orientation training presents an opportunity to solicit staff feedback about the infrastructure that will be needed to maximize the effectiveness of adopting the risk assessment tool. Supervisors should be present because their leadership and the attitude they present will be crucial.

It is important to remember that cultural shifts and adoption of evidence-based practices take time. This is a process that will not happen overnight. It is important for administrators and staff to keep in mind that they are striving for progress, not perfection. Be prepared to reiterate the reasons for these reforms and the long-term goals of adopting a risk assessment at every staff meeting, every training, and during staff performance evaluations throughout the implementation process. This will help to reinforce the goals for staff and it promotes sustainability.

*Organizations will be more likely to achieve buy-in from staff members if the new risk assessment procedures eliminate or replace work staff members are already expected to do.*

### Anticipated Barriers to Implementation from the Organization and Stakeholders

Research from studies of probation has described the common barriers to implementing risk assessment as noted by staff, supervisors, and administrators.<sup>85</sup> The Implementation Committee should consider these issues in the design of the policies and procedures for implementing risk assessment practices. Common barriers include (a) trying too quickly get a tool in place without consideration for buy-in from staff and essential stakeholders (e.g., judges, attorneys), (b) failing to choose appropriate tools for the agency's purposes, (c) failing to train staff how to assimilate risk assessment information into their decision-making<sup>86</sup>, and (d) neglecting concerns about loss of discretion by staff and limited resources<sup>87</sup>.

On a positive note, our research funded by the MacArthur Foundation used most aspects of implementation described in this Guide and found positive outcomes. We interviewed over 100 probation officers and administrators from six different probation departments before and after they implemented an evidence-based risk assessment tool. Results indicated that, first, some barriers to use of a risk assessment that were anticipated by administrators and staff prior to implementation never actually became a problem (e.g., devaluing the PO, resistance to change). Second, other barriers that were identified by staff shortly after they started using the tool seemed to become less of a problem as they gained more experience with the tool (e.g., items being hard to rate). The amount of time it took to complete the assessment remained a barrier ten months after starting to use the tool but it did decrease. Lacking buy-in from judges and attorneys was perceived to be a strong barrier.<sup>88</sup> New adopters of risk assessment tools can avoid this barrier by including judges and attorneys early in the process.

### Survey of Probation & Administrators (n=100)

Barriers	Pre-Implementation	Use of Risk Assessment for 3 Months	Use of Risk Assessment for 10 Months
Time – takes too long	40%	46.2%	38%
Devalues Probation Officer	21.1%	6.5%	4.3%
Resistance to Change	18.9%	5.4%	5.4%
Hard to rate	6.7%	19.4%	9.8%
Judges/Attorneys Buy-in	3.3%	16.1%	15.2%

## Step 3: Select and Prepare the Risk Assessment Tool

Step 3 covers the procedures involved in selecting the best tool for your system. This Guide does not provide recommendations for specific tools because the research on which tools are most effective is fluid. Tools recommended today could change a year from now as new and improved tools become available or more research comes out on existing tools that cannot yet be defined as evidence-based. Instead, this Guide points the reader to other references where they can find a listing and description of available tools. The following topics are covered in this step:

- Selecting an Appropriate Risk Assessment Tool,
- Identifying an Evidence-Based Assessment Tool,
- Working with Test Publishers, and
- Developing an Interview Script (if applicable).

<sup>85</sup> Shook, J. L. & Sarri, R. C. (2007). Vincent et al. (2012c).

<sup>86</sup> Bonta et al. (2001). Young et al. (2006).

<sup>87</sup> Ferguson (2002).

<sup>88</sup> Vincent et al. (2012c).

## Selecting an Appropriate Risk Assessment Tool

There are several risk assessment tools with some research evidence (e.g., NCAR, WSJCA, YASI, RRC). The two tools with the most research behind them presently are the YLS/CMI and the SAVRY. Case study examples are presented at the end of this chapter that describe how these tools have been implemented statewide in two types of organizational structures: with and without a centralized agency overseeing probation.

Several methods have been used to select risk assessment tools that have proved effective. One strong recommendation is that the selection of the tool be done by the Implementation Committee. This should go a long way towards establishing buy-in from the appropriate probation staff in the beginning. Some approaches this committee can take to identify potential tools for use include:

1. Seek technical assistance from an organization or expert who specializes in juvenile justice and has a background in screening and assessment. The organization or expert can present a list of risk assessment tool options that are evidence-based.
2. Conduct one or two site visits to model Juvenile Justice sites in the country known for excellence who are also “adopters” of risk assessment. This may provide peer-based technical assistance.
3. Review current resource guides and/or websites that review risk assessment tools for juvenile justice. Some examples are:

The Interagency Advisory Committee on Adult and Juvenile Correctional Treatment, Juvenile Screening and Assessment Subcommittee. (2007, March). *Colorado reference guide, juvenile screening and assessment instruments : Mental health, substance abuse, abuse/neglect and risk/classification*. Retrieved from the Colorado State Publications Library website: <http://hdl.handle.net/10176/co:1154>.

Hannah-Moffat, K. & Maurutto, P. (2003, April). *Youth risk/need assessment: An overview of issues and practices*. Retrieved from the Canadian Department of Justice website: [http://www.justice.gc.ca/eng/pi/rs/rep-rap/2003/rr03\\_yj4-rr03\\_jj4/rr03\\_yj4.pdf](http://www.justice.gc.ca/eng/pi/rs/rep-rap/2003/rr03_yj4-rr03_jj4/rr03_yj4.pdf).

Vincent, G. M. (2011). *Screening and Assessment in Juvenile Justice Systems: Identifying Mental Health Needs and Risk of Reoffending*. Washington, DC: Technical Assistance Partnership for Child and Family Mental Health.

Vincent, G. M., Terry, A., & Maney, S. (2009). Risk/Needs tools for antisocial behavior and violence among youthful populations. In J. Andrade (Ed.) *Handbook of Violence Risk Assessment and Treatment for Forensic Mental Health Practitioners* (pp. 337-424). New York: Springer.

Grisso, T., Vincent, G. M., & Seagrave, D. [Eds.] (2005). *Mental Health Screening and Assessment for Juvenile Justice*. New York: Guilford Press.

4. Establish a local university partner to assist with this task – preferably one that has a background in both psychometrics and justice research. Such experts are most likely to be found in departments of Psychology or Criminology and related fields.

### Identifying an Evidence-Based Assessment Tool

In this section we list the details committees should consider when selecting a risk assessment tool. But first we must emphasize the importance of the decision point where organizations plan to implement the tool.

*Decision-Point Relevance:* The tool must be relevant for the specific assessment question, which is dependent on the decision-point. Most risk assessment tools have been developed and validated in a manner that makes them appropriate for some decision points and not for others. In general (see Chapter II: Two Types of Risk Assessment Tools):

- **A brief risk assessment tool should be used at decision points where level of risk is the only question.**
- **A comprehensive risk assessment tool should be chosen for decision points at which some sort of case planning will be necessary based in part on level of risk.**

This Guide emphasizes questions that are relevant at the probation intake, pre-disposition, or post-disposition probation decision points. Although we recommend comprehensive risk assessment tools for use by probation, sometimes it may be more feasible to use a brief risk assessment tool (sometimes referred to as a “screening tool”) to weed out youth who may not need a longer assessment (see Text Box A). Individuals interested in how tool selection differs for other decision-points should read Text Box B.

*Feasibility:* Jurisdictions should consider the feasibility of completing the tool given the resources available and the skill set of their staff. Instruments vary in the *level of expertise required of the examiner* and the amount of information required to complete the assessment.

*A manual:* A tool should have a test manual that contains scoring criteria and/or detailed item descriptions to structure the administration. Ideally the manual also will cover training requirements for individuals who will be conducting the assessments. An interview guide may be available for some tools, which can be useful.

*Empirically-based, rationally-selected risk factors:* A tool should contain risk factors that have been empirically demonstrated to have an association with future crime, violence, and antisocial behaviors among youth.

*Costs:* Juvenile justice systems and/or agencies should consider the financial costs involved in adopting each risk assessment tool. Areas to be explored include costs of purchasing test manuals, training, software if applicable, per case costs for administering the instrument (some charge for each risk assessment paper form whereas others charge for each software administration), and the availability and costs of support around implementation.

*Reliability:* The tool should have some reported evidence for inter-rater reliability as described in Chapter II. Evidence for inter-rater reliability is critical to provide confidence that the tool will be completed consistently across raters. The concept of inter-rater reliability only applies to tools that rely on a professional to rate the instrument. It does not apply to self-report tools completed by a youth. However, use of a purely self-report method for a risk assessment is rare and not recommended.

*Validity:* As described in Chapter II, a risk assessment tool must have evidence that it predicts recidivism and/or violence. When evaluating a tool, it is important to be familiar with this research, including the actual outcomes tested (e.g., institutional violence, community violence, official re-arrests, self-reported delinquent behavior), the methods used (e.g., prospective studies that assess “future” delinquency are superior to retrospective studies that assess “prior” delinquency), and the populations on which the tool was tested (e.g., setting, racial and ethnic breakdown, gender). We recommend that at least two studies of the tool’s validity for predicting recidivism or delinquent behavior should exist.

# TEXT BOX A

## Use of Brief Risk Assessment Tools as a Screening Process Post-Adjudication to Conserve Resources

One of the most critical decision points for implementation of a comprehensive risk assessment tool is post-adjudication, pre-disposition. The purpose at this stage is to help make disposition recommendations (for example, low and moderate risk youth are generally ineligible for placement unless indicated by other pressing needs) and to assist with service planning. Because it takes time to conduct assessments with integrity, agencies with limited resources and large numbers of adjudications may wish to conserve resources by implementing a brief risk assessment tool.

In this sense, the purpose of the brief tool would be to help ‘screen out’ the youth who are low risk. Youth who are low risk but were already adjudicated should be considered for the least restrictive disposition and lowest level of supervision and service intensity.<sup>89</sup> Thus, if a brief tool is adopted by an agency – particularly one operating on a statewide level or one operating on a smaller scale but with few staff – they could reserve the comprehensive risk assessment for use with only potentially moderate to high risk youth. The brief risk tool should not be used to guide treatment planning. Also, brief tools should be used only for making decisions about level of supervision if there is research that supports the tool’s validity for this purpose. A brief tool is likely to have many false positives. In this case, a false positive would mean saying a youth was moderate or high

risk when they are in fact low risk. An assessment should be conducted with these youth who are likely moderate to high risk to be sure.<sup>90</sup>

Generally, it is our stance that it is preferable to complete a comprehensive assessment with every youth post-adjudication. However, in times of limited resources, it is acceptable to use a brief risk assessment tool to reduce the number of youth who will be assessed. It can be costly to complete a comprehensive risk assessment with every adjudicated youth (in terms of staff time, training, and tool purchase costs). We must be clear that we are speaking about **adjudicated** youth only. For decision points dealing with pre-adjudicated youth (e.g., probation intake or other venues for pre-adjudication/post-arrest diversion, detention) it is most appropriate to use only a brief risk tool rather than a comprehensive assessment tool for reasons related to self-incrimination and assessment tool integrity unless there are legal protections in place.

One significant limitation is that few brief risk assessment tools have been validated for use across jurisdictions. However, there are some valid jurisdiction-specific brief tools, such as the Arizona Risk-Needs Assessment (ARNA)<sup>91</sup> and the North Carolina Risk Assessment (NCAR).<sup>92</sup> As such, we recommend states and agencies follow one of the approaches noted in the Local Validation of Risk Assessment Tools Discussion (Text Box D).

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<sup>89</sup> Please note this isn’t always the case. We recognize that some low risk offenders will have committed very serious offenses or have other reasons that they may require a disposition that removes them from the home.

<sup>90</sup> The WSJCA and the YASI are examples of tools that use this framework.

<sup>91</sup> See Schwalbe (2008).

<sup>92</sup> See Schwalbe et al. (2006).

## Chapter 3

The issue of *validation across racial and ethnic groups* warrants further discussion. Because youth of color are over-represented in the juvenile justice system,<sup>93</sup> it is crucial that the risk assessment tool have established predictive validity for racial and ethnic minority youth. The consequence of using a tool that is not validated for youth of color is that it may over-identify some of these individuals as high risk (or low risk), which could influence decisions about community services versus confinement. Fortunately, there are many risk assessment tools with good data about their predictive validity for African American and Hispanic youth, although there are less data for other groups. For jurisdictions, this means scrutinizing the research to make sure the tool will not be biased against the population it serves.

*Training:* Preference should go to assessment tools that lend themselves to trainers in which train individuals in a system who may later train others in the system—often called “train-the-trainer.” Training trainers within a system will cut costs because training from the expert should only be required initially. Also, research has shown that a train-the-trainer model is associated with better inter-rater reliability.<sup>94</sup>

*Availability of software:* It is preferable to have the assessment integrated into a data system to enable tracking of data on the tool. Some developers of risk assessments offer software or web-based assessments, whereas others will negotiate agreements for agencies to develop their own software. The costs of both approaches should be balanced. A computerized or web-based system, however, should not be the primary factor considered when selecting a tool. For example, it would be problematic to use a tool that is sold with elaborate software that calculates the recidivism risk estimate in a way that is not transparent to the user. A basic data tracking system can be created with relatively minimal resources for any validated paper-and-pencil based risk assessment tool.

### Working With Test Publishers

Once the Implementation Committee has narrowed down its choices for a risk assessment tool, the next step may involve negotiating with the publisher of the tool. The publisher is the group that sells and markets the assessment tool, for example, Multi-Health Systems, Orbis Partners, or PAR to name a few. Questions to ask the publishers of tests include: What kind of support can they provide? Can the tool be purchased at a reduced cost because it’s being used by a whole system or agency? What kind of training can they provide for free, given that the system will be buying their instrument? Do they have a support system that can offer help-desk advice during or after the implementation of the tool?

### Developing an Interview Script (if applicable)

Most comprehensive risk assessment tools are rated based on data gathered from numerous sources, including file information (e.g., school records, arrest records, psychological evaluations) and interviews with parents and youth. Many risk assessment tools come with a recommended interview script that can be integrated into an office’s existing intake interview scripts. If such a script does not exist, it is crucial that the agency create one to enhance consistency among staff, ideally with some assistance from a consultant. Questions can be structured in a manner that will lead to obtaining the most accurate information. Poor interview scripts or questions can lead to misinterpretation and inaccuracies. Good interview scripts will increase reliability.

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<sup>93</sup> Engen R, Steen S, Bridges G. (2002). Racial disparities in the punishment of youth: A theoretical and empirical assessment of the literature. *Social Problems*, 49,194-220.

<sup>94</sup> Vincent et al. (2012b)



## Step 4: Preparing Policies and Essential Documents for Use of Risk Assessment in Decision-Making

Risk assessment is merely the first step in a more comprehensive process designed to address the youth's level of risk. Implementation of a risk assessment tool does not involve only the selection of a tool, training stakeholders about it, and training staff how to complete it. Instead, it involves implementing an assessment system, which includes a structured process regarding how the tool will be used in various decisions. In Step 4, which is possibly the most important and most labor intensive step, we describe some approaches to maximize decision-making about a response to youths' level of risk that are consistent with risk-need-responsivity principles:

- Developing policies for use of the risk assessment in various decisions,
- Communicating risk assessment information to the courts, and engaging judges and attorneys in checks and balances,
- Using risk assessment when assigning supervision levels,
- Developing a method for matching services to youths' needs and risk level,
- Establishing strategies for working with service providers,
- Developing a case plan format,
- Psychological evaluations vs. comprehensive risk assessments conducted by juvenile justice, and
- Developing procedures for on-going monitoring and reassessment of youth.

Before discussing the specific parts of this step, it is helpful to provide a brief overview about the philosophy of use of risk in decision-making. Research suggests that juvenile justice systems will improve their chances of deterring reoffending if they allow their court-based and case management decisions to be based not only on the law, but to be guided by the youth's level of risk for delinquent behavior, criminogenic needs, and responsivity factors (see Chapter II on the Risk-Need-Responsivity approach). The following is an overview of how these principles may be translated into practice (Note: There will always be cases that are exceptions to the guidelines provided below).

1. High risk youth are more likely to reoffend than their peers, but not all high risk youth will reoffend. High risk youth could be considered eligible for confinement in a secure facility (e.g., secure detention facility), but **the mere fact that a youth is at high risk does not mean the youth cannot be safely managed in the community**.<sup>95</sup> Whether they are confined in a secure facility or managed in the community, high risk youth require relatively more intensive interventions and more frequent monitoring from personnel.
2. Low risk youth have the lowest likelihood of reoffending even if we do not intervene with them. These youth actually may be more likely to reoffend if they are confined with higher risk youth due to issues with *peer contagion*<sup>95</sup> (when youth are negatively influenced by their more delinquently-minded peers). **Thus, the less we do with low risk youth the better.** Confinement for these individuals is not recommended. Low risk youth, generally, do not require many services and need only limited contact with probation officers. But low risk does not mean no risk. Even though the frequency is extremely low, it is inevitable that a few low risk youth will get into trouble because they may find themselves in situations that stimulate delinquent activity (e.g., they suddenly develop a drug problem, they get pressured into joining a gang). For this reason, agencies should consider how they will respond to the public when a low

95 Bayer, P. Hjalmarsson, R., & Pozen, D. (Feb, 2009). Building criminal capital behind bars: Peer effects in juvenile corrections. *The Quarterly Journal of Economics*, 105-147. Dishion, T. J., McCord, J., & Poulin, F. (1999). When interventions harm: Peer groups and problem behavior. *American Psychologist*, 54, 755-764.



risk youth reoffends. Eliminating or replacing a valid risk assessment tool or adopting policies of placing all youth on intensive supervision are not desirable responses. One or two adverse events, no matter how serious, do not indicate that a risk assessment system is “not working.”

3. If systems can follow these guidelines, they will save money by devoting more time and resources to the youth with greater needs and less time and fewer resources to the others. In other words, the **dose of services and monitoring should be matched to the risk level and criminogenic needs of the youth.**

It is also important to recognize that decision making about youth can only be guided by risk assessment tools, not determined by them. **Risk assessment tools do not dictate action.** Even when research suggests that a particular score should lead to a particular decision or action, sometimes that action will not be appropriate because of the legal framework. For example, if a low risk youth commits a serious offense, he or she may be required by the law to have a higher level of supervision (e.g., to be confined) than suggested by their risk assessment. The general principle, though, is this: for low risk youth in juvenile justice, confinement and extensive services should be the rare exception.

### Developing Office Policies for Use of Risk Assessment

Once the tool is selected, the next step is for the Implementation Committee to draft an office policy about how the risk assessment will be completed and how information will be used. It is important that a working draft of this policy be completed sometime after the orientation trainings in order to incorporate staff and supervisor input, but before staff are trained how to conduct the risk assessment. Staff will be curious about how they will be expected to use the tool, how often they will be conducting a risk assessment with each youth, and with which youth they will be conducting the assessment. It is best to be in a position to review these details with them while they receive training on the risk assessment instrument.

Policies should include information about each of the following (see Appendix II.2, II.3, and II.4):

- Requirements for staff training
- Administration of the risk assessment tool – when, by whom, and to which youth
- Use and communication of risk assessment results — how they are to be communicated in pre-disposition or diversion recommendations (depending on the decision point), used in out-of-home placement recommendations and release decisions, used in assigning levels of supervision, and used in case planning
- Use of overrides –Overrides were described in Chapter II as a method for deviating from the risk level assigned by a tool’s total score. Another way to think about the concept of override is within the context of “overriding” the decision or action plan that would normally occur as a result of the risk score generated by the tool. For example, if the risk assessment tool indicates a particular youth to be at high risk, and the office policy is that youth at high risk go to detention, the decision-maker may override this decision due to mitigating circumstances (e.g., there is high parental monitoring) and instead release the youth.
- Communication of information to courts and service providers
- When re-assessments are to be conducted
- How quality assurance will be conducted by supervisors
- How quality assurance will be conducted via data reporting

In general, as jurisdictions create these policies they need to decide what information judges, defense attorneys, and prosecutors typically should receive when a risk assessment tool is used in their jurisdiction. Should they receive the youth's scores on each of the tool's items? Should they receive only the rating of risk (i.e., low risk, moderate risk, high risk)? Should they receive a narrative description of the results with strengths and problem areas discussed? **These questions need to be answered before a jurisdiction implements a risk assessment tool at any point.**

### **How Can Risk Assessment Be Used at Each Decision Point?**

The most effective methods for implementing risk assessment tools at any decision point include establishing agency or system-wide policies regarding how risk assessment will be used at each point of implementation. But these policies must be established thoughtfully, balancing the protection of youths' rights and protection for the public's safety.

As stated earlier, much more is known about quality use of risk assessment for disposition decisions and post-dispositional planning than is known about use at other decision points. Use of risk assessment has been studied considerably more in courts and in probation than it has been studied in diversion decisions, detention decisions, or correctional programming. Thus, this Guide has focused on disposition and post-dispositional planning. However, we offer some information about use and the limited research for other decision points here to assist systems in thinking about risk assessment at other decision points in Text Box B.

### **Communicating Risk Assessment Information to the Courts and Engaging Judges and Attorneys in Checks and Balances**

At disposition the court decides whether a youth should be placed on probation or committed to custody of the court or the state's youth commission. This decision is based in part on the purposes clause in the jurisdiction. Often the court will weigh rehabilitative needs of the youth with public safety considerations. In balanced and restorative justice jurisdictions the court considers accountability of the youth, community safety, and competence development of the youth. This section describes how a risk assessment tool can be used to inform this decision, as well as other case processing decisions.

### **How Can a Risk Assessment Tool Inform this Decision?**

A comprehensive risk assessment tool offers information that is highly relevant to the disposition decision. It describes the youth's risk to public safety, the factors driving the youth's delinquency and risk to public safety, and, as a result, information that can guide decisions as to how that risk can be best managed. Only comprehensive risk assessment tools should be used at this stage because the youth's criminogenic need areas (or dynamic risk factors) are essential elements of this decision. It is much less effective to use a brief risk assessment that only provides a risk level without providing recommendations as to how to address or manage the youth's dynamic risk factors, if the youth is at high or moderate risk.

Risk assessment cannot guide disposition in jurisdictions with sentencing guidelines that tie sentencing to the offense committed. However, in these cases there still may be value in conducting the risk assessment prior to the disposition hearing to the extent that there is flexibility in the selection of disposition conditions.

### **What Information Should the Judge, Defense Attorney and Prosecutor Receive?**

At the disposition stage, with the use of comprehensive risk assessment tools, judges should be given more information than at any other stage to help inform their decisions. We recommend that systems and/or agencies develop and adopt a standard template for how risk assessment information will be communicated to judges and attorneys in *pre-disposition reports* (a report conducted post-adjudication but prior to disposition to provide information and recommendations to the court). The template will carry more weight if it is developed with input from the judges and attorneys to ensure they are receiving the information they

# TEXT BOX B

## Use of Risk Assessment at Different Decision Points

Screening and assessment methods should be tied to a particular *decision-point*, or a point in the juvenile justice decision-making process.<sup>96</sup> The decision point will have a large impact on the resources and amount of information available to conduct the assessment. Moreover, different decision points are associated with different assessment questions. At *intake*, for example, the question may be whether the youth is appropriate for diversion from the juvenile justice system. At detention, the primary question is whether the youth needs secure pretrial detention to prevent recidivism or failure to appear in court. With respect to *judicial processing*, the question might be in regard to waiver to adult court or transfer back to juvenile court. At *disposition*, several questions are relevant, including the appropriate placement (community or custody), security level, and subsequent treatment or service plans for the youth. Disposition decisions require the court to consider both the most appropriate sanctions and interventions with the best potential for reducing the likelihood of delinquent behaviors in the future.<sup>97</sup> Community re-entry or *aftercare* planning can benefit from risk assessment to determine the essential level of monitoring and interventions for the youth while in the community. Here we describe how tool selection and policies will differ for other decision-points.

### Diversion

At intake/diversion the decision is made about whether a youth will be formally processed in the juvenile court system. After establishing legal sufficiency, the decision to divert may be based, at least in part, on the youth's risk to public safety. The point at which diversion decisions are made varies across states. For some, the typical point is probation intake, for others it is the prosecutor's office.

There is little research on use of empirically validated risk tools at this decision point. If a jurisdiction develops or is

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<sup>96</sup> Grisso (2005); Mulvey (2005)

<sup>97</sup> Grisso (2005)

considering a tool for this decision point it is recommended that brief risk assessment tools be used, rather than comprehensive risk assessment tools for two reasons: (1) it is typically not feasible to conduct a thorough assessment at this stage because of the large number of youth and the time involved, and (2) comprehensive tools require accurate information about areas that may compel the youth to incriminate himself or herself, such as whether they use illegal substances and have a history of violent behavior. The brief risk assessment tools typically do not require as detailed information; however, they also may not be as accurate in estimating risk level and may not be useful for developing an intervention strategy.

Because a youth may provide self-incriminating statements during an assessment, we recommend strong protections be put in place to prevent the youth from becoming further entrenched in the legal system because of his or her participation in the assessment. For example, a few states have put progressive legislation in place to prevent any information obtained during an intake assessment from reaching decision-makers prior to adjudication (see Appendix II.1 for examples of model legislation).

### Pre-Trial Detention

At pre-trial detention, the court decides whether a youth will be released or held in a locked facility awaiting adjudication proceedings. The two main factors in this decision typically are whether the youth is a risk of failure to appear (FTA) and whether the youth is a danger to himself or others. A brief risk assessment tool (similar to a screening tool) may help inform this decision.

Many jurisdictions have produced reports showing that implementation of a risk tool to make pre-trial detention decisions led to significant reductions in the number of youth detained. However, very few tools have been empirically demonstrated to accurately measure risk (meaning one does not know if youth identified as high risk actually have a higher probability of reoffending than youth designated as low risk). Many jurisdictions have created brief risk assessment tools that are completed by a front-line staff member (either detention intake or probation staff) to determine youths' risk for reoffending, and a few have done so for FTA as well. When developing or choosing a risk tool at this decision point, jurisdictions should review their

statutes to determine which issues are relevant for the risk assessment tool and ensure it is designed and validated to predict risk of one or both of these outcomes (depending on the jurisdiction) over a very short period of time. Research indicates that different risk factors contribute to each issue. To our knowledge, there currently is only one instrument with some validation research that provides separate risk level determinations for FTA and reoffending. That is the detention screening instrument used in New York City.<sup>98</sup>

## Adjudication

At adjudication the court decides whether a young person violated the law and thereby committed a delinquent act. A risk assessment tool should NOT be used for the adjudication decision. Adjudication should be based only on the evidence and facts of the case, not the youth's likelihood of engaging in future delinquency. It would be improper to raise the results of any risk assessment tool during the adjudication hearing.

## Corrections Post-Disposition

In corrections post-disposition decision points, either facilities or courts decide whether a youth should be released from a program and re-enter the community. This decision is based on many factors but includes the youth's success in the program and reports from program staff.

A risk assessment tool can offer information that is highly relevant to this decision. It describes the youth's risk to public safety, the factors that may be contributing to the youth's delinquency and risk to public safety, and as a result, information that can guide decisions about whether a youth is ready to return to the community. A correctional

facility might use a combination of a classification tool (often brief risk assessments) for purposes of determining where or at what security level to place the youth and to measure youth's progress over short time periods. This would be accompanied by a comprehensive risk assessment for case planning.

Research demonstrating that tools have been validated for classification or release decisions in juvenile corrections is limited and there is little if any research on implementation of risk assessment in corrections. A complicating factor is the ability to conduct accurate re-assessments of a youth's risk of reoffending in the community while he or she has been incarcerated. A few risk assessment tools have been validated for use in correctional settings in so far as demonstrating that they predict institutional misconduct and violence (e.g., the SAVRY<sup>99</sup> and the YLS/CMI<sup>100</sup>). In addition, the most recent version of the YLS/CMI includes norms for youth in correctional settings. A few tools were created specifically for use in correctional settings (see versions of the Ohio Youth Assessment Scales<sup>101</sup>).

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98 Fratello, J., Salsich, A., & Mogulescu, S. (2011). *Juvenile Detention Reform in New York City: Measuring Risk through Research*. Vera Institute of Justice, New York, NY.

99 Lodewijks, H. P. B., Doreleijers, T. A. H., de Ruiter, C., & Borum, R. (2008). Predictive validity of the Structured Assessment of Violence Risk in Youth (SAVRY) during residential treatment. *International Journal of Law and Psychiatry*, 31, 263-271.

100 Holsinger, A. M., Lowenkamp, C. T., & Latessa, E. J. (2006). Predicting institutional misconduct using the Youth Level of Service/Case Management Inventory. *American Journal of Criminal Justice*, 30, 267-284.

101 Latessa, E., Lovins, B., & Ostrowski, K. (July 2009). *The Ohio Youth Assessment System: Final Report*. Center for Criminal Justice Research, University of Cincinnati, Cincinnati, OH.

*Actual scores of every item in the instrument or the risk assessment scoring sheet should not be included in pre-disposition reports.*

need. Probation officers must be trained in this template. An example is provided in Appendix III.4. Guidelines for the elements from the risk assessment tool to include in the template, and in turn, the pre-disposition report, are as follows:

- A brief statement about the risk assessment tool that was used and the sources of information relied upon (e.g., youth was interviewed, parents were interviewed, all records reviewed, and any interviews from collateral informants).
- The categorical rating (e.g., low, moderate, or high risk) for the outcome measured by the tool (e.g., violence, serious delinquency). Even more important than the simple categorical rating is a clear explanation about which risk and protective factors were important to making the rating for the youth, and why they are important. The ability to engage in and communicate a case formulation is a critical skill that should be covered by the expert risk assessment trainer.
- The criminogenic need areas (i.e., dynamic risk factors) that were rated as High and in some cases Moderate (how this is measured will depend on the risk assessment tool used and how it has been implemented). It is essential that this information be provided to the judges because this speaks to whether or not the youth can be safely managed and treated in the community.
- Any protective factors or strengths that are present, as well as any responsivity factors (e.g., readiness for treatment, reading difficulty, access to transportation) that may affect the benefits the youth will receive from treatment.
- Based on the above, the probation officer's recommendation for the disposition. Most importantly, this should address whether the youth is suitable for probation or eligible for an out-of-home placement.
- Based on the above, the probation officer's recommendations regarding services that could be put in place in the community to address the youth's criminogenic needs.

What **should not** be included in a pre-disposition report?

- Scores of every item in the instrument or the risk assessment scoring sheet should not be included in pre-disposition reports. Interpretation of results and the significance that various risk factors carry in a given case at a given time often requires training beyond that which will be provided to the stakeholders in the system. An understanding of the nature of static and dynamic risk factors (see Chapter II) is necessary in order to not assign excessive value to any one factor. For example, many valid risk assessment tools will contain an item such as "History of Violence." If a youth rates high on that item, it may be difficult to avoid developing a bias that the youth is high risk, which may not be the case. One's history of violence is a static risk factor and a high score on an item assessing this cannot be changed, even if the youth has not been violent in many years or already has received effective treatment for this problem.

### Addressing Potential Barriers

In jurisdictions with limited resources and considerable case loads, completing a pre-disposition report on every adjudicated youth is not feasible. In some of these jurisdictions, judges may be quite used to assigning standard conditions for every youth on probation, which often will involve services the youth is expected to complete (NOTE: by *services* we are referring specifically to programs designed for treatment or rehabilitation, rather than sanctions such as community service or restitution). Standard probation conditions or blanket court orders are counter-productive options for compensating for the lack of information about a youth at adjudication and are not conducive to adopting a risk assessment tool. Without a pre-disposition report that includes the results of the risk assessment tool, the services included in dispositional orders likely will not have been based on validated evidence of the youth's risk, need, and protective factors. The services ordered by the judge are the services the youth must complete or they will be in violation of their probation so it is critical to engage the Steering Committee in these discussions as early as possible to overcome these barriers. Otherwise, the system will be forced to limit the use of the risk assessment to probation case planning after the court decision, which is less impactful.

There are still several ways to influence the integration of assessment data into case planning when pre-disposition reports are not available:

- Probation offices can work to gain the confidence of their judges to permit the probation officer to plan the youth's services post-disposition.
- If the above change is not possible with the courts, probation offices can consider allocating resources in a manner that will make either pre-disposition reports or dispositional review hearings more feasible. There is little point in devoting time to conducting a risk assessment if the results will not be incorporated into youths' case planning. Two methods for enhancing the feasibility of conducting more pre-disposition reports in a short period of time are
  - Implementing an Assessment or Intake Unit in probation (see Text Box C), or
  - Adopting a brief risk assessment tool that can be used as a screening procedure to "screen in" the highest risk cases that warrant a comprehensive risk assessment (see Text Box A).

*Intensive supervision may work to reduce reoffending for some (i.e., high risk youth) but not for all probationers.*

### Using Risk Assessment When Assigning Supervision Levels

Intensive supervision may work to reduce reoffending for some (i.e., high risk youth) but not for all probationers. Probation officers have choices regarding the type of supervision program and level of contact to which they assign youth on their caseload. As with all interventions, RNR principles should be used to guide this task. In the context of thinking about who should receive which level of supervision, the risk principle is most relevant. Research consistently has shown that larger reductions in recidivism are observed with interventions directed towards high, rather than low, risk youth. For example, in a comprehensive data analysis of 548 studies examining delinquency interventions delivered between 1958 and 2002, Lipsey (2009)<sup>102</sup> reported that interventions applied to high-risk delinquents on average had larger reductions in recidivism compared to interventions delivered to low-risk delinquents. With respect to supervision level, after statistically controlling for youths' risk level, there was no association between recidivism and level of supervision.

Moreover, delivering intensive services and supervision to low risk offenders actually could have a negative impact. In one study conducted with adults, intensive rehabilitation supervision resulted in a 17% increase in the recidivism rates of the lower-risk offenders, but a 20% reduction in recidivism among higher-risk offenders.<sup>103</sup> Similar findings have been reported with juveniles,<sup>104</sup> but to a lesser extent than among adults. With youth, one reason that low risk youth receiving intensive services may be at increased risk over time is the peer contagion problem described earlier.<sup>105</sup>

What this means for juvenile justice is that the level of monitoring assigned to a youth should be in line with the level of risk if it is to have any impact – and more importantly, if it is to avoid having a negative impact. We strongly recommend that each agency specify in their risk assessment and case management policies exactly how risk level should be used to

<sup>102</sup> Lipsey (2009).

<sup>103</sup> Bonta, J., Wallace-Capretta, S., & Rooney, J. (2000). A quasi-experimental evaluation of an intensive rehabilitation supervision program. *Criminal Justice and Behavior*, 27, 312-329.

<sup>104</sup> Andrews, D. (1987). *Implications of classification for treatment of juveniles*. Paper presented to the American Probation and Parole Association. Salt Lake City, Utah, August. As cited in: Krisberg, B., Neuenfeldt, D., Wiebush, R., & Rodriguez, O. (1994). *Juvenile Intensive Supervision: Planning Guide*. Report prepared by the The Office of Juvenile Justice and Delinquency Prevention.

<sup>105</sup> Bayer et al. (2009). Dishion et al. (1999).



# TEXT BOX C

## Recommendations for Designing Probation Assessment or Intake Units

### Description of Intake or Assessment Units

An assessment unit should comprise two or three probation officers with specialized training in the selected screening and/or assessment tools whose only responsibility is conducting risk screening/assessment with adjudicated youth for whom a pre-disposition investigation (PDI) is ordered. This unit also could be tasked with performing the initial social history for adjudicated youth assigned to probation when a PDI is not ordered. As such, an “assessment unit” differs from what is typically referred to as an “intake unit” in that intake units see youth prior to adjudication, whereas the assessment units we describe in this report typically see youth post-adjudication/ pre-disposition.

### Standards for Probation Assessments

According to the original *Standards Relating to the Juvenile Probation Function: Intake and Predisposition Investigative Services* (Joint Commission on Juvenile Justice Standards, Institute of Judicial Administration, American Bar Association, 1980),<sup>106</sup> in order to conduct a quality assessment that will lead to an appropriate disposition and service plan, examiners should identify a youth’s needs (particularly major mental health needs and criminogenic needs), risk of future aggression or offending, and a treatment or rehabilitation plan. This requires consideration of a variety of factors, most of which are assessed by any evidence-based risk/needs assessment tool developed for youth along with a mental health screening.

According to data from probation officers, the number of hours required for interviewing the youth and family, gathering collateral information, scoring an assessment tool, and producing a PDI report ranges considerably from 1 to 25 hours, averaging 4.5 to 6 hours. Less time is required for a brief social history report than a PDI.<sup>107</sup>

## Procedural Recommendations from the Joint Commission on Juvenile Justice Standards

The original Joint Commission on Juvenile Justice Standards (1980) offered guidance regarding the development of pre-disposition assessments. When officers are inadequately trained or have such limited time that they can only conduct a superficial investigation due to heavy caseloads, then the accuracy of an assessment and integrity of the tools used are both compromised. On the other hand, if the officers take more time conducting adequate and valid assessments, they might be left with insufficient time to manage their caseloads. For these reasons, the above referenced commission suggested some standards, the most relevant of which are paraphrased below (from Part 4.1).

- A. Whenever possible, intake screening, predisposition investigations, and supervision of juveniles should be treated as specialized functions.** Functional specialization eliminates the need for every officer to perform all three functions, thus fragmenting their time and risking that they will perform all three functions poorly. Specialization allows administrators to plug officers into the position best suited to their skills and interests.
- B. Agencies ordinarily should not assign supervision duties as well as intake screening and predisposition investigative duties to the same individual. Such agencies should either establish separate units for each of these three functions or establish one unit with the responsibility for predisposition investigation/assessment and another unit with the responsibility for supervision of juvenile probationers.** Combining the intake and investigative function with the probation supervision function can lead to role conflict. Officers who supervise juvenile probationers play a more “therapeutic” role. If the officer who is assigned to supervise the

<sup>106</sup> Joint Commission on Juvenile Justice Standards, Institute of Judicial Administration, American Bar Association (1980).

<sup>107</sup> Vincent, G. M. (unpublished data). *Risk-Needs Assessment in Juvenile Probation Implementation Study*.

juvenile has previously had contact with the juvenile in connection with the assessment, the officer may have a difficult time being objective or the youth and family may have resentment from the report that could inhibit the case manager relationship.

- C. It should be noted that this standard for a separate unit can vary based on the size of a particular probation office.** Some rural locations have only one or two officers. In such cases, one obviously cannot assign only one role to each officer.

## Advantages of an Assessment Unit

Officers have time to hone their skills and become experts at screening and assessment and reporting, which can lead to:

- Increased efficiency and shorter assessment time,
- Maintaining the integrity of any tool put in place, meaning the assessments will maintain their validity and will be completed reliably,
- Greater job satisfaction that comes from assigning employees duties that match their skill sets, and
- Increased ease for regular booster trainings and reliability checks for the assessment work because the agency will be dealing with a smaller group of staff.

## Potential Drawbacks of an Assessment Unit

Complete separation of assessment and field officer functions has a few potential drawbacks:

- Assessment officers may lose touch with the evolving nature of rehabilitation options in the community and recommend service plans that are not feasible,
- Field officers may not make good use of assessment information because they do not understand it, and
- Continuity of care might be disrupted because field officers will not have the benefit of conducting the assessment with the youth when they first are assigned to their caseload. The initial assessment interview and information gathering from the family helps probation officers to become familiar with a case and develop rapport.

## Suggested Procedures for Developing an Assessment Unit

The following procedures should maximize the benefits of an Assessment Unit in juvenile probation offices while also minimizing the aforementioned drawbacks:

- **Cross-training between assessment officer and field officer:** If the office uses a risk/needs assessment tool, **all officers** (that is, those who are in the Assessment unit and those who are in the field) should be trained how to complete the assessment tool. This is necessary in order for field officers to 1) conduct reassessments of youth on their caseload, and 2) know how to interpret the assessment information.
- **Staffing for individualized service plan (or case plan) development:** Cases can be staffed with the field officer, supervisor, and assessment officer to generate the individualized service plan (aka, case plan). Because assessment officers could lose touch with field practices and make unrealistic recommendations, the field officers should take a primary role for development of case plans, which in turn should stem from the PDI or social history completed by an assessment officer.
- **Implementation of feedback mechanism:** Agencies can develop a feedback mechanism for field officers to report back to assessment officers about the utility of the assessment reports/ PDIs – including where more or less emphasis would be helpful. Agencies should structure this process. For example, it could be discussed at quarterly staff meetings or the feedback can occur during staffing for the case plan.
- **Field officers review the case plan with the youth and family:** This procedure would address the concern about continuity of care if the field officers are designated to review the plan with the youth and family. Field officers could conduct a brief interview with the family and youth during their first home or office visit as well as review the case plan. The time saved by field officers by not doing assessments/full social histories could increase time in the field.
- **Flexibility:** Flexibility in allowing staff to move from one unit to the other under proper supervision can have advantages for both job satisfaction and cross-training.



assign supervision level. Low risk youth may be seen only once a month or every other month (or even receive just monthly telephone contact), whereas high risk cases should be seen considerably more often. Probation officers and other public service workers are often tempted to spend more time with low risk youth because these youth tend to be more receptive to help and therefore are easier and more satisfying for probation officers to work with. As such, probation officers may be tempted to view the supervision levels determined by policy as ‘minimums’ but choose to see the lower risk youth more often than is required. *As research indicates, the mere frequency with which low risk youth visit a probation office may increase their chances of reoffending because it increases their contact with higher risk youth (see again the research on peer contagion). As such, we would discourage this practice.*

### Matching Risk Level and Criminogenic Needs to Effective Services

The ideal outcome of evidence-based risk assessment is linking the needs of youth with proper services that meet their criminogenic needs. The risk, need, and responsivity principles are all relevant here. There are two objectives. First, youth at the highest overall level of risk for reoffending should receive the most intensive services, and those at lowest risk should receive the least intensive services. Second, good matching between criminogenic needs and the nature of the services that youth are provided has been shown to be considerably more important in reducing reoffending and improving public safety than merely providing “more” services.<sup>108</sup> In fact, mandating the youth’s participation in too many services can have unintended negative consequences (e.g., inability to attend all services because of time or transportation obstacles). We recommend that youth participate in at most two or three services at any given time (see below).

Ensuring that this match between youths’ risk/needs and the services to be provided requires a systematic process. One approach some agencies have used is to create a **Service Referral Matrix** that categorizes services according to a low, moderate, or high level of intensity within each criminogenic need area. The criminogenic need areas are dictated by the risk assessment tool in place. Commonly these areas include aggression, substance abuse, family problems, school/educational needs, antisocial peer associations, and antisocial attitudes or disruptive behaviors. As risk or need increases, the matrix reflects an increased intensity of services that would be appropriate for referral. Thus the matrix can be used to identify proper services based on the individual youth’s criminogenic need areas (guides selection of the type of service) and level of risk for reoffending (relates to the necessary intensity of the service).

### Example Service Referral Matrix (created for the MacArthur Models for Change Initiative)<sup>109</sup>

	Disruptive Behavior	Substance Abuse	Family Issues	School/Education
<b>LOW Risk/Need</b>	Low Risk indicates low probability of future risk, violence and/or delinquent behavior. Enhance protective factors by actively recognizing strengths and strategically building upon pre-existing strengths. Remember, increased exposure to the juvenile justice system increases risk for low risk juveniles.			
<b>MODERATE Risk/Need</b>	Community-based cognitive-behavioral skills interventions	Brief targeted educational trt; refer for assessment	Community-based evidence-based practices (e.g. FFT, BSFT)	School level interventions and plans (e.g. SBLC, IEP, etc.)
<b>HIGH Risk/Need</b>	Intensive community or residential options	Refer to appropriate trt provider for possible outpt or inpt treatment	Intensive family intervention services (e.g. MST, MDFT, etc)	Intensive in-school options and/or alternative educational placements

<sup>108</sup> Vieira et al. (2009)

<sup>109</sup> Phillippi, S., Vincent, G., & Shufelt, J. (2011). *Service Matrix: Linking Results of Screening and Assessment with Appropriate Services*. Louisiana Models for Change Brief.

*What this means for juvenile justice is that the level of monitoring assigned to a youth should be in line with the level of risk if it is to have any impact – and more importantly, if it is to avoid having a negative impact. We strongly recommend that each agency specify in their risk assessment and case management policies exactly how risk level should be used to assign supervision level.*

The table above provides a partial example of a service referral matrix. The columns represent criminogenic need areas and the rows represent the level of risk. Each cell provides a description of the type of services probation officers or case managers should consider for youth whose risk and needs assessment places them in that “box” on the matrix. For example, for a youth with moderate risk whose greatest needs are in the area of “Family Issues,” the matrix highlights for the probation officer the recommendation to assign some sort of community-based, evidence-based family-oriented program, such as Functional Family Therapy. This youth may have strong needs in other domains as well, which may require additional services.

Which specific treatments are listed within each of the matrix boxes depends on which services are available in the community or juvenile justice residential facilities. Therefore, the Implementation Committee or individuals within each agency (for statewide initiatives) will need to conduct an inventory of their services with the specific programs and agencies available locally, then fill in each cell of their service referral matrix with those local services. The service matrix, together with the chart of related services, then becomes a resource for staff members who are responsible for generating case plans (see a complete template in Appendix III.3).

Typically this “inventory” of services must be done at two levels. One is within the juvenile justice system itself. What services and programs are provided within its residential secure and non-secure facilities? How do those differ across facilities (thus suggesting different placements for youth with different criminogenic needs)? The second level is an inventory of community-based services. Often this can be accomplished by surveying service providers commonly used by the juvenile justice agency and other agencies in which these youth are often involved (e.g., Child Welfare agencies), inquiring about what need areas they address with which services. Provide them with a list of definitions of the need areas first, and then conduct a detailed survey. Many service providers have a tendency to feel that they address many need areas when that is not necessarily the case. Also, ask the service providers about the hours per week youth would spend in programming in order to sort services in order of intensity (high risk youth should receive the highest intensity services) and whether the intervention is delivered using an individual or group format. This can provide the raw material for a list of services to go with the service referral matrix, allowing the Implementation Committee to sort services according to the criminogenic need areas that the services address.

The process of surveying service providers and completing the service matrix will enable the juvenile justice agency to identify gaps in service areas in the community. This can lead to long-range planning and strategies for strengthening the community’s services in those specific areas.

It is likely that not all service agencies that respond to such a survey will be suitable for inclusion in the service referral matrix. Preference should go to services and programs that are evidence-based. Services that have a history of showing poor treatment outcomes should either not be included in the matrix or can be ranked in some way so that they are not the top choice. Sometimes agencies that have not achieved an evidence-based or promising status are still the best available options due to the family’s insurance coverage or transportation issues. The survey itself, therefore, might include

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an assessment of the community services identified to determine whether the particular agency offers appropriate and potentially effective services for the needs it claims to address. An excellent, research-based guide for performing such evaluations is the Standardized Program Evaluation Protocol (SPEP).<sup>110</sup>

### Working with Service Providers

A survey to develop a service referral matrix obviously requires that one first identify service providers in the community that have the potential to become resources for juvenile justice personnel. These service providers might include a wide range of programs involving mental health treatment, youth recreation programs, substance use programs, education-based programs, and non-profit child-welfare programs (e.g., Big Brothers/Big Sisters). In order for the referral process to work well, the Implementation Committee is urged to do more than simply survey these service providers. It is best to think of establishing an on-going collaboration with them. There are a variety of ways to do this.

First, an agency can create among service providers a sense of identity as a referral resource for the risk assessment referral process. For example, after identifying the most likely community services to which youth will be referred, the Implementation Committee can develop and send a list of the services to the community service agencies as a whole, thus establishing them as a selected group of referral services that the Implementation Committee will use in the risk/needs referral process.

A second strategy is to develop and provide a brief training for service providers. This training can describe and explain to them the risk assessment process that has been adopted by the juvenile justice agency, the importance of criminogenic needs to the service planning, and information about how the risk assessment is being used in decisions. Such training can have several benefits. It helps to establish a common language between the juvenile justice personnel and the service providers. The providers participating in the case plan would benefit from understanding the language used on the risk assessment tool and understanding why they have been selected as a referral for a particular youth (that is, which need areas should be targeted). Training also might reduce the concerns that some community service providers could have regarding referral of overly “disruptive” youth to their agencies.

A third strategy is for the Steering Committee to work towards putting necessary protections in place for sharing of risk assessment information from probation. Once confidentiality issues are addressed, the Implementation Committee can develop a standard format for sharing risk assessment information with providers. The format for sharing information might include the following:

- Always providing the risk level (rather than a risk score)
- Precautions about providing scores on static risk factors (e.g., that scores may “follow” the youth across agencies and time, even after their risk has been reduced by successful services)
- The need to communicate information about factors that increase or decrease the youth’s risk and can be targeted for intervention

<sup>110</sup> Lipsey, M. W., Howell, J. C., Kelly, M. R., Chapman, G., & Carver, D. (December 2010). *Improving the Effectiveness of Juvenile Justice Programs: A New Perspective on Evidence-Based Practice*. Center for Juvenile Justice Reform, Georgetown University: Washington, DC.

## Developing a Standard Case Plan Format

Sound case planning is an essential feature of implementing a risk assessment tool if an agency wants this tool to have any impact on the future of the youth. Case planning is a significant component of the job of probation officers, case managers, and other related juvenile justice personnel. It can be used as a contract between the probation officer (or related juvenile justice personnel) and the youth; a vehicle for holding the probation officer, youth, and parents accountable; and a mechanism for outcome data tracking. To review staff training procedures and strategies for completing case planning would be well outside the scope of this manual. Indeed it is a manual in itself. Instead, we will cover some basic guidelines of case planning and how it relates to risk assessment, while directing users to other sources for obtaining extensive training in case planning.<sup>111</sup>

The typical aims of a probation case plan are: a) to document any court-imposed sanctions that the youth is expected to complete (e.g., restitution, community service) to hold them accountable for their offense; b) to document the level of supervision or amount of contact the youth will receive from the probation office, facility, or other department; and c) to list each domain or need area for services (e.g., mental health, substance abuse, family-related services, school services), the specific services to which the youth will be referred, and the timeframe in which the youth is expected to complete the services. It is important to engage the youth and the family in this process, possibly using motivational interviewing techniques (as described in Step 5), because the case plan ideally should be a mutually agreed-upon document, at least with respect to the services to increase feasibility.<sup>112</sup> The focus of this section is prescribing services.

First, it is crucial that agencies develop a standard case plan format containing need/service area domains that directly link back to the assessment (see Appendix III.2 for example templates). If an agency is using a comprehensive risk assessment tool, the tool will identify criminogenic needs. These are the areas, at a minimum, to be addressed in the case plan. The case plan should be set up according to these areas (e.g., problems at school, in the family, with substance abuse) so that probation officers will assess whether each domain is a need area for the particular youth. This will promote thinking about the important criminogenic needs and enable staff to see how case planning relates to assessment information.

Second, case plans should be developmentally appropriate. It would be very difficult for an adolescent to abide by 20 different conditions and complete multiple services at the same time. They are typically dependent on their parents to attend appointments. They have school schedules. They also have a tendency towards somewhat impulsive decision-making. Case planning should consider these limitations, which relates back to the *responsivity principle*. One should also prioritize services that address areas where the youth is currently most receptive to change, because this maximizes the likelihood that the youth will experience success. There are a few guidelines agencies can follow to promote success.

1. **If it's not broken, don't fix it.** Orders or stipulations do not belong in a case plan if the youth is not having problems in that area. For example, if school behavior is not an identified problem that is contributing to the youth's delinquency, then there is no need for the probation officer to contact the youth's teachers weekly. This may actually lead to more harm than good because the school will know the youth committed an offense. If substance abuse is not a criminogenic need area identified for the youth (i.e., if it does not relate to the youth's delinquency), regular urine screening does not belong in the case plan.

<sup>111</sup> The Carey Group. (2012). *Carey Blue Guides*. Author.

<sup>112</sup> Taxman, F. S., Yancey, C., and Bilanin, J. E. (2006). *Proactive Community Supervision in Maryland: Changing Offender Outcomes*. Retrieved from <http://nicic.org/Library/021333>.

*In some cases a psychological evaluation should be ordered before a case plan is set, particularly when mental health or major substance abuse issues are in question . . . .  
The psychologist's recommendations should be incorporated into the case plan.*

2. **Set a cut off for the maximum number of services that can be managed at one time.** Case planning policies should clearly state that only the most significant criminogenic need areas for a particular youth should be addressed in the case plan, with a maximum of two or three service programs assigned at any one time. If the youth has many criminogenic need areas rated as a moderate to high problem by the risk assessment, these areas should be managed in order of priority. The criminogenic needs that are the highest priority are those that most directly drive the youth's delinquent behavior and have the greatest likelihood of success based on information about responsivity. The table in Chapter II provides a list of criminogenic needs ranked in order of the strength of their relation to later offending based on data about groups of youth. If a youth has all of these criminogenic needs, the table may be of some help in deciding which to prioritize first. But research generally cannot dictate how to prioritize areas for intervention with specific youth. Rather, this decision will flow from the probation officer's careful risk assessment of the youth.
3. **The dosage of services depends on risk and need.** The case management plan should be commensurate with the youth's level of risk. Low risk youth do not need much in the way of services, moderate risk youth may need more services (or at least more intensive services) and supervision, and high risk youth require the most intensity with respect to hours of service and contact with the probation officer. Agencies, particularly probation, are often inclined to provide a service of some sort to every youth on their case load. Instead, individuals working with low risk youth should encourage them to engage in activities that will strengthen their protective factors (e.g., joining a boys or girls club, sports, working for better grades, big brothers or sisters). In turn, this can strengthen their resiliency to delinquent behaviors and negative peers.<sup>113</sup> *However, mandating participation in activities that promote protective factors as part of the case plan is not recommended according to our advisory group members.*

### Psychological Evaluations vs Comprehensive Risk Assessments Conducted by Juvenile Justice

Criminogenic needs are not the only issues to be addressed in a case plan. For example, some youth will have mental health needs that lead to services or inpatient types of treatment. Therefore, in some cases a psychological evaluation should be ordered before a case plan is set, particularly when mental health or major substance abuse issues are in question. Often, a pre-disposition report from a psychologist (or other licensed mental health professional) will have been ordered by a judge or requested by a defense attorney. The psychologist's recommendations should be incorporated into the case plan. It is important to keep in mind that most mental health issues are responsivity factors and some mental health symptoms are risk factors (e.g., attention deficit problems). If the psychological evaluation is at odds with the risk assessment in some way, we recommend the juvenile justice personnel speak with the psychologist if such communications are permitted.

### Developing Procedures for On-Going Monitoring and Reassessment of Youth

Once a youth's level of risk has been assessed in the initial evaluation, subsequent evaluations should be completed to determine changes in risk as a function of any intervention received or the passage of time. The frequency of these follow-up risk assessments should be established as risk assessment implementation policy. In general, until more research is

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<sup>113</sup> Pollard, Hawkins, & Arthur (1999) argued that focusing on promotive and protective factors and on building resilience of children was a more positive approach, and more attractive to communities, than reducing risk factors, which emphasized deficits and problems.

conducted in this area, we recommend these occur every six months or if there is a major life change for the youth (e.g., a probation violation has led to possible incarceration, new offense was committed, death of a parent).

Static risk factors on a risk assessment tool generally will change little, if at all. If change does occur, it usually is in the direction of increased risk (e.g., a youth's delinquency history could worsen in the time between the initial assessment and re-evaluation because she committed her first act of violence). The main emphasis of any re-assessment, therefore, will be on the dynamic risk factors. Risk can, and for most will, decrease over time particularly as a result of successful intervention strategies.<sup>114</sup> Re-assessments of risk should be done in conjunction with updating the case plan. *If the youth has completed his or her services, and the risk level has decreased, particularly within the youth's criminogenic need areas, a recommendation for early termination of probation could be considered*, or at the least, the frequency of supervision and service participation could be decreased. This practice is in the interest of judicial economy. Further, terminating supervision early could be supported by good case management techniques that include identifying other supports for the youth that will continue after supervision is complete. Try not to use resources when resources are not needed.

## Step 5: Training

Step 5 covers guidelines for training stakeholders and staff on the risk assessment tool and new office policies and procedures established to implement the risk assessment, preferably using a train-the-trainer model. The following topics are covered:

- Selecting master trainers (start with training only pilot sites, if applicable),
- Training master trainers how to complete the risk assessment,
- Training master trainers how to use risk assessment in case management decisions,
- Training judges and attorney stakeholders,
- Conducting supervisor training to establish competencies and leadership skills\*
- Training staff in motivational interviewing\*

Although probation staff will receive more intensive and detailed training than stakeholders, both groups can use the master trainer model described below.

We recommend three specialized types of training for all supervisors and staff members who will be affected by the implementation of the risk assessment tool. Sufficient time should pass between each training session so they can hone their skills in an area before moving on to the next one. These trainings are:

1. Conducting the risk assessment
2. Conducting supervisor training
3. Using results of the risk assessment in decisions and case planning

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<sup>114</sup> We acknowledge little research has been done in this area by measuring change in risk factors. However, this is an active area of research focus.

### Selecting Master Trainers for Probation Staff

The selection of master trainers (or coaches) should be done thoughtfully with **at least two master trainers per office** (more if the office has 30 or more staff who will be conducting assessments). Characteristics of good master trainers include the following:

- Attention to organization
- Attention to detail
- High level of respect within the agency
- Strong interpersonal skills
- Presentation skills
- Ability to assess trainee performance
- Ability to provide constructive feedback

### Training Master Trainers How to Complete the Risk Assessment

The starting point is to train staff on the risk assessment tool. We recommend using a train-the-trainer model whereby a few staff members will be selected as local *master trainers* to receive training from a risk assessment expert.<sup>115</sup> Preference goes to experts and companies that conduct training that cover administration of the tool as well as how to train others to administer it. The local trainers then go on to train other staff within their system. Research has indicated that staff members trained on how to conduct a risk assessment by peer master trainers had more reliable ratings than staff trained by an expert.<sup>116</sup> We believe this is because peer master trainers speak the same language as their fellow staff members and they understand obstacles to implementation that exist.

The probation staff master trainers should receive a very comprehensive training that includes:

- a. general principles of risk assessment with youth,
- b. the risk assessment tool,
- c. interviewing techniques essential for rating the instrument,
- d. some training in the policy regarding use of risk assessment information, and
- e. follow-up practice case training.

Generally, an expert is needed to provide the training for 'a' thru 'c' and 'e' initially. These experts are often the tool developers or consultants who are qualified trainers on the risk assessment tool. We recommend the master trainer training for 'd' be conducted by the assessment coordinator or an administrator because this training is better understood if it comes from a peer who knows the system. The practice case training ('e'), should be done by the risk assessment expert initially, but the master trainers should learn how to do this for their own staff because such "booster training" will eventually occur at least annually.

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<sup>115</sup> For county-level agencies, we suggest having all staff trained by the expert but master trainers will still be necessary for training of new staff.

<sup>116</sup> Vincent et al. (2012b).



The initial training of master trainers for probation staff should cover all of the following:

- *Interviewing and information gathering techniques.* Youth and parents should be interviewed both separately and together. The reason it is important for part of the interview to be separate is that youth may report information to the professional that they might not say with a parent present. Conducting part of the interview together permits the professional to observe the interaction between the parent and youth (for example, does the parent have little authority over the child or is the parent over-bearing). Most risk tools require putting together information gathered from various sources, such as case files and interviews. Interviews, in particular, will vary in the quality of information obtained as they depend on an interviewer's skill in establishing rapport, knowing which questions to ask, and knowing how to ask them. Therefore, achieving sound implementation requires consideration of the assessment activities that produce the information necessary to complete the risk assessment instrument. If staff members do not follow the guidelines for obtaining information to complete the assessment, then the integrity and predictive validity of the assessment tool are in jeopardy.
- *Rating practice cases.* As part of the training procedures for most sound risk assessment tools, master trainers will be expected to perform ratings on the tool for a couple of practice cases. In training workshops, most expert trainers will use paper-based cases with gold-standard "consensus" ratings made by experts.
- *Rating three additional post-workshop practice cases.* Based on our experience, we strongly recommend the master trainers **rate an additional three standardized practice paper-based cases after** the workshop and obtain feedback on their ratings before they train other staff. Usually the expert trainer for the instrument will have some extra, post-workshop cases to use for this purpose. If not, the agency could request that the expert trainer work with them to develop practice cases. Master trainers' ratings should be evaluated by the expert and feedback should be provided after they complete each case before moving onto the next one so they can learn from mistakes. They should be required to attain a minimum level of proficiency on these practice cases before they are considered to have completed training. We generally recommend they attain agreement on at least 90% of the item ratings on the final two practice cases.
- *Training on the office policy and goals.* In addition to learning how to rate the risk assessment tool, at least one-half day of this initial training should be devoted to teaching master trainers about the long term goals of adopting the risk assessment tool and the *policy for its use*. For all types of risk assessment, it is important to acknowledge that a major long-term goal is to increase safety for the community or youth/staff in the juvenile justice setting. This goal is advanced by making better decisions about youth, their risks, and their needs, which leads to more effective interventions. For pre-adjudication use, the goal of the risk assessment may be to divert low risk youth from formal processing. For post-adjudication use, these goals typically involve making better decisions about interventions, level of supervision, and linking youth to appropriate services at the appropriate level of intensity. Staff trainees also will want to know about the policies addressing when the risk assessment will be conducted and with whom, so it is important the master trainers know this.

Once the master trainers have completed all the training (including post-workshop practice cases), they should hold a full-day training on the risk assessment tool and policy for its use for the rest of the staff and staff supervisors in their respective offices. Each staff member should also complete three additional practice paper-based cases and achieve a minimum proficiency (set by the agency) before conducting the risk assessment on new youth cases.



Some agencies institute a **master trainer certification process** whereby individuals are ‘certified’ after they have completed their training and additional practice vignettes. This provides documentation for individuals’ qualifications. Some incentives for staff who wish to become master trainers should be instituted, such as a slight increase in pay, reduced case load, etc. Master trainers will have an extra workload because they will be expected to train the rest of the staff in the office and any new hires on an on-going basis, as well as to conduct booster trainings at least once a year.

### Training Master Trainers How to Use Risk Assessment in Decisions

In this second training, master trainers should learn how the tool will be used in decision making and by the probation agency. It is better to do this sometime after training on the risk assessment tool’s administration (one or two months after). Staff members need to know the “pieces” before being able to grasp how the “pieces” are put together for decisions. Before this second training can be conducted, it will be necessary to have established the policies in Step 4; namely regarding, a) how risk assessment information will be communicated to courts, b) how risk level will be used to guide levels of supervision, and c) establishing a case plan format that fits the particular risk assessment tool.

This training also should include a review of the long-term goals of implementing the risk assessment tool at the particular decision point (e.g., to link youth to evidence-based programming that will best address their specific needs, to place only high risk youth out-of-the-home whenever possible, to divert low risk youth from formal processing) and the process involved in decision-making. It is helpful to use a practice case on which the master trainers have already agreed regarding the best rating for each item and risk level, and the proper use of the policies that have been developed for “translating” assessment results to placement decisions or case plans. Have the staff provide their recommendations for the case (e.g., pre-dispositional report recommendations, supervision level) and complete their case plan for the youth.

### Training Judges and Attorney Stakeholders

Training of judges and attorney stakeholders should be conducted by the same expert that provided training on the tool to staff, paired with a judge (for judges’ training), defense attorney, or prosecutor. The attorneys and judge trainers can be either those on the Steering Committee, or judges and attorneys selected to be master-trainer(s), using the same selection process for master trainers as described above. A peer-trainer model is preferred, such that a judge master trainer trains other judges. The initial training for stakeholders should cover all of the following:

- *Research on the effectiveness of a risk assessment process in juvenile court.* This includes research related to the potential outcomes of implementation in juvenile probation and potential cost-savings.
- *The concepts of the risk-needs-responsivity approach* and the research supporting the approach.
- *Overview of the risk assessment tool selected for use in the jurisdiction.* The trainers should describe why the jurisdiction chose the tool and allow the judges and attorneys to ask questions about its use. Even more helpful will be offering judges and attorneys who were not involved in the Steering Committee the opportunity to familiarize themselves with the actual tool. Having a better understanding of the research behind the use of a particular risk assessment tool, as well as the tool itself, will provide judges and attorneys with a more sophisticated understanding of the benefits and limitations of a tool for their jurisdiction in general, and for individual youth in particular.
- *Plans for the tool’s use in the jurisdiction.* Stakeholders should be provided a training on how the tool will be implemented with individual youth, including the items that will be assessed, the questions and sources used to rate the

risk assessment, the system policies put in place, how the risk assessment will be used to inform decisions, and what information the judges and attorneys should expect to receive when the risk assessment is used.

- *How the risk assessment tool fits with other tools being used in the jurisdiction.*
- *How judges and attorneys have a role to play in the checks and balances of the individuals responsible for conducting risk assessment.*<sup>117</sup> For example, they could assess the degree to which the findings of the tool are consistent with the case plan and service referrals made by the probation officer. This is another reason that the most effective implementation efforts will involve education of the judiciary, prosecutors, and public defenders for quality control purposes in addition to securing their collaboration.
- *Specific questions attorneys and judges should ask when they review pre-disposition reports and/or youth progress reports:*
  - Was all the essential information (e.g., parent/ caretaker interview, youth interview, and records such as school reports, prior service providers, and psychological evaluations) gathered to complete a valid assessment? Or, did the juvenile justice personnel simply interview the youth and take his or her word for it?
  - Are the overall level of risk and most important critical intervention need areas provided in the report?
  - Is the juvenile justice personnel recommending a course of action that fits the level of risk? For example, are high risk youth being recommended for intensive supervision? Are low risk youth being recommended for minimal attention? If not, is there a good justification for deviating from this expected pattern?
  - Are the results of the assessment, mainly the critical intervention need areas identified for the youth, at odds with the proposed service or case plan?
  - For progress reporting, has the youth been receiving services that should address their specific criminogenic needs? Has the overall level of risk for the youth decreased?

### Training Supervisors to Establish Competencies and Leadership Skills\*

Supervisors will be responsible for quality assurance and signing off on each youth's risk assessment and case plan conducted by staff. This means they need to become substantive experts, making it essential that they receive all the training in how to do ratings with the tool and translate those ratings into placement or case management decisions. However, supervisors need more than the standard risk assessment training to perform their role. They will need support and tips about how to check the accuracy of completed risk assessments without spending hours on each one. They should become experts in how to construct a case plan and assign services to youth based on the criminogenic needs and risk level so that they can check supervisee's case plans.

More importantly, however, supervisors will be most effective if they receive training in leadership skills and are assisted in developing essential competencies for supervisors. Supervisors can be powerful agents who influence staff to perform well and who effectively address resistance staff have to the changes. There are specialized trainings available for supervisor competencies.<sup>118</sup>

<sup>117</sup> Mulvey, E. P., & Iselin, A.R. (2008). Improving professional judgments of risk and amenability in juvenile justice. *The Future of Children*, 18, 35-57.

<sup>118</sup> This type of training is provided by Orbis Partners and the Carey Group, just to name a few.

### Training Staff in Motivational Interviewing\*

Many agencies opt to hone their staffs' case planning skills by also providing training in motivational interviewing (MI). MI is helpful for quality case management planning purposes. It is a counseling approach, or form of collaborative conversation, developed to motivate clients to change behavior.<sup>119</sup> MI was designed to strengthen one's motivation for and movement toward a specific goal by eliciting and exploring the person's reasons for change. That is, MI focuses on addressing and then resolving ambivalence about making a change, which is reasoned to help the youth actually move toward change.

MI may be especially useful in juvenile justice settings<sup>120</sup> because it accepts the reality that clients are at different levels of readiness to change their particular behavior. Some youth might never have considered needing to make a change, and as such may be unmotivated to engage in any intervention (especially mandated ones), whereas other juveniles may have tried to make changes, but unsuccessfully. MI may be useful in both types of situations. A probation officer using MI strategies would attempt to help youth think differently about their behavior, to reflect on the advantages of changing it (using the adolescents' own words), and eventually to move towards implementing a change successfully.

### Step 6: Implement Pilot Test

It is always a good idea to pilot test the risk assessment process in selected sites (or with selected staff) for several months before it is fully implemented. The purpose of pilot testing is to create the opportunity to work out any bugs in procedures, develop good model policy templates and interview scripts, and begin the process for data tracking. The initial staff survey and a subsequent follow-up survey can serve as a formative evaluation that is used to adjust procedures as necessary. Other forms of data that can be tracked are described in the Quality Assurance section. Step 6 describes the process and benefits of pilot testing for parties interested in rolling a tool out to an entire state and for parties operating just at the county-level by covering the following topics:

- Conducting follow-up survey with staff and administrators,
- Conducting quality assurance and data checks,
- Locally validate the risk assessment tool if necessary (see Text Box D to determine if you have a tool that requires this procedure)\*

### Conducting Follow-up Survey with Staff and Administrators

Following up with staff involved in the pilot process will further strengthen buy-in from the organization and will likely solicit feedback that can improve the new procedures. One way is to conduct a follow-up survey of administrators, supervisors, and staff three to six months following the pilot testing phase. The purpose is to identify the pros and cons of procedures put in place and then to actually address the cons. Feedback should be provided to all parties about the results of the survey. Importantly, if improvements or adjustments can be made following this survey, staff will have more confidence that their input is important. Again we recommend this formative evaluation be conducted by an outside expert or university partner. Consistent themes or questions that arise can be managed by the assessment coordinator tracking a list of FAQs that each staff and/or agency can access.

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119 Miller, W.R., & Rollnick, S. (1991). *Motivational interviewing: Preparing people to change addictive behavior*. New York: Guilford Press. Miller, W.R., & Rollnick, S. (2002). *Motivational interviewing: Preparing people for change (2nd ed.)*. New York: Guilford Press.

120 Feldstein, S. W., & Ginsburg, J. I. D. (2006). Motivational interviewing with dually diagnosed adolescents in juvenile justice settings. *Brief Treatment and Crisis Intervention*, 6, 218-233.

# TEXT BOX D

## Rationale for Guidelines Pertaining to Local Validation

A difficult question is often raised about validation of risk assessment tools for use in juvenile justice settings. When a juvenile justice site intends to adopt a risk assessment tool, is it adequate to rely on the general validation of the tool that already has been completed? Or should one engage in efforts to validate the tool “locally?” The meaning and necessity of **local validation** has been a source of confusion. As noted earlier in this Guide, validation has a specific meaning: establishing the risk assessment tool’s predictive validity of scores or risk classifications for identifying those who are re-arrested or re-convicted. This is not to be confused with efforts to determine whether the tool is being completed reliably and properly (e.g., using correct sources of information for the assessment) in one’s own jurisdiction, which is always necessary.

The logic for “local validation” begins with the presumption that communities or court jurisdictions may differ in the types of youths that enter their juvenile justice systems. Local validation is a way to ensure that the tool will predict re-offending with one’s own youth, who might be different in various ways from samples that were used in the tool’s general validation. Another goal of local validation is to examine whether a tool functions in an organization where some of these procedural issues may be different, such as arrest patterns in the jurisdiction, the organization’s access to records, etc.

Our recommendations about local validation of tools rest on two primary issues. First, the notion of local validation applies only to tools a) that are score-based, meaning a cut-off score is used to establish who is Low, Moderate, or High risk; and/or b) that result in an estimate of the probability that a youth will re-offend. The following is an example of a probability estimate: “John Doe scored a 30 on the Mississippi Risk Assessment, meaning there is an 85% to 95% chance that he will reoffend within one year.” With respect to score based tools (‘a’ above), these tools should be considered for local validation to determine whether the

total score cutoffs or weighting of items (few tools use this approach) need to be adjusted for that jurisdiction or more importantly, the specific juvenile justice setting.<sup>121</sup>

With respect to tools offering estimates of probability (‘b’ above), we strongly recommend agencies **do not use any** probability estimates provided in tools. Research has shown that these do not hold up for new samples of youth. If an agency is forced to use a score-based tool that has not been validated in a few jurisdictions<sup>122</sup>, it will be essential that the agency complete a study to validate the tool on their own population and adjust accordingly (and then conduct a second study). Even if the agency’s sample is quite similar to the tool’s validation sample, the predictive strength of the tool is likely to decline, for statistical reasons that are beyond the scope of this manual.<sup>123</sup> Many of the brief risk assessment tools typically were designed in ways that focus simply on prediction, which decreases their validity in communities with youth who differ in any way from the tool’s initial validation sample. Tools that were developed using items with known, rational associations with reoffending (e.g., antisocial peers, poor parental monitoring) are less susceptible to such problems.

Second, there are tools that fit into category ‘a’ above that already have been validated and/or normed not merely with one sample, but in many jurisdictions with various populations of youth (e.g., pre-adjudication, correctional, post-disposition) and that defined and measured reoffending in different ways (e.g., violent or non-violent convictions, any re-arrest). Generally, an organization can have faith that a tool will appropriately rank youth in their population if the research on the tool provides evidence of validity in a wide

121 Researchers and psychometricians would actually refer to this process as calibration rather than local validation.

122 We define jurisdiction as a juvenile court region. When we say a tool should be validated in multiple jurisdictions, these should differ in terms of their racial/ethnic breakdown and hopefully arrest patterns.

123 See scientific findings and literature about *shrinkage*, a concept that is used to describe the statistical reduction in the strength of an association between two variables when tested in a new sample. In other words, an actuarial risk assessment tool will be a stronger predictor of reoffending in the original sample than it is in a second sample. See Larson, S. C. (1931), The shrinkage of coefficient of multiple correlation. *Journal of Educational Psychology*, 22, 45-55; Cohen, J., & Cohen, P. (1983). *Applied multiple regression/correlation analysis for the behavioral sciences*. Hillsdale, NJ: Lawrence Erlbaum Associates, Inc.; Monahan, J., Steadman, H. J., Robbins, P. C., Appelbaum, P., Banks, S., Grisso, T., et al. (2005). An actuarial model of violence risk assessment for persons with mental disorders. *Psychiatric Services*, 56, 810-815.

variety of settings and communities. By ‘ranking youth’ we mean higher scorers on the tool will be more likely to re-offend than lower scorers on the tool regardless of the validity of the cut-offs defining High, Moderate, and Low risk in one’s jurisdiction. Agencies could have one of these tools in place until they have conducted their own local validation study to generate appropriate cutoffs for risk classifications.

There are two scenarios in which **local validation is not required** (although it is still recommended).

1. If an agency uses **a score-based risk assessment tool that already has been validated in at least three different jurisdictions with a similar population, setting, and definition of reoffending as the JJ agency, local validation is not required.** By score-based tools, we mean that a cut-off score is used to classify youth as being at Low, Moderate, or High risk. Regarding the different conditions, we mean that the tool has been cross-validated with the relevant demographic groups (i.e., gender, race/ethnicity) and with youth from the relevant setting (probation, pre-adjudication, etc). Unless a tool has been proven to be valid in multiple cross-validations, one should be concerned that the total score cutoffs or weighting of items (although few risk assessment tools weight items) need to be adjusted for their jurisdiction. However, when several (e.g., at least three) cross-validations of the tool have occurred under such conditions (an example of a tool that has more than three, peer-reviewed cross-validations is the YLS/CMI), and the tool’s cutoff scores seem to work well, then local validation is not a requirement because the agency can have faith that the tool will appropriately rank order youth as Low, Moderate, or High risk in their jurisdiction.
2. The second scenario is when an agency selects a **structured professional judgment (SPJ) tool (an example is the SAVRY) that was developed for use with a population similar to that of the agency and has evidence of multiple validations in similar settings.** This is because **the concept of local validation<sup>124</sup> is irrelevant for SPJ tools.** The problems related to establishing cutoff scores and selecting items

that are associated with score-based instruments simply are not applicable within the SPJ framework.

There are at least two scenarios when **local validation is required.**

1. If an agency uses a tool that was created and validated with a similar population, but **in only one other jurisdiction**, local validation will be required because the cutoffs may need to be adjusted. In such situations, the single cross-validation study should have been conducted in a setting similar to that of the agency (i.e., youth pre-adjudication, post-disposition, probationers, or youth in an facility). Also, there should be similarities between the cross-validation research and the JJ agency regarding how reoffending is defined and measured. **In general, we do not recommend adopting a tool that has only been validated in a single locale unless the tool is the only option available.** This issue will arise most often with brief risk assessment tools because research with most of these across jurisdictions has been limited (an exception is the Washington State Juvenile Court Assessment/YASI/PACT prescreen). Under such circumstances, we suggest that agencies consult with an expert or a local university partner to determine if local validation is necessary.
2. An agency may consider developing a new tool locally. **Constructing an entirely new tool is strongly discouraged unless the agency needs a risk assessment for a very special population for which a validated instrument does not already exist.** If an agency decides to create a tool from scratch, **local validation is a must** and consultation with an expert, such as a local university partner, would be required for this task.

A point that is worth reiterating is that local validation refers only to determining whether scores on the tool predict reoffending or other negative outcomes in one’s own jurisdiction. As identified in the situations above, local validation is not always necessary. However, what is always necessary is ensuring that the tool is being completed consistently in one’s own jurisdiction. This matter of inter-rater reliability and standardized data gathering is an important implementation issue that will be discussed later in these Guidelines.

<sup>124</sup> Here again we are referring to the concept of calibration.

*Staff input into the QA process will be essential. If staff members are suddenly required to have supervision in areas where they used to have autonomy, this could prompt a poor response.*

## Conducting Quality Assurance and Data Checks

A method for quality assurance (QA) should be included in the office policy and tested during the pilot phase (see Appendix II.4 for examples). QA should involve checking whether the tool is being completed properly. At least three components of QA should be assessed: performance of staff using the tool, audits by supervisors, and group data checks. The point is for the QA to continue well into implementation. It is not only for piloting the tool.

### Is the Tool Being Completed in a Reliable Manner?

One aspect of quality assurance is ensuring the tool is completed in a reliable manner. This is essential during the pilot phase and throughout use of the tool. The main concern is inter-rater reliability (IRR). IRR refers to the consistency with which the same information is rated by different raters. If individual staff members are not rating the tool reliably, then their assessment results will not be accurate. Inaccurate assessment results can cause problems for a variety of reasons. It can lead to improper intervention planning for a particular youth and inaccurate data reporting down the road. Research has indicated that it is not uncommon for a few individuals to have difficulty rating a tool reliably, but that training and monitoring efforts may minimize this.

During the pilot phase, the goal should be to assess IRR in a fairly thorough manner. A university partner or expert can assist here. For agencies that do not have such relationships, one procedure is to have staff and/or supervisors observe other staff while they interview a youth. Both staff members should then independently review the file information (when applicable), complete the risk assessment, and compare scores. Each staff person should be observed and compared for two to three cases. The assessment coordinator should record all assessment scores (from both raters) and identify any staff members who seem to be consistently different from others so they can receive additional training.

### Supervisor Case Audits

A case audit is a simple check on whether each case is being conducted in the manner that the assessment process describes. An agency may choose to have a checklist of steps in the process: interviewing, records reviewed, and other steps in the procedure. Many agencies have a staff member who is responsible for conducting quality assurance who can periodically review case files. If the agency does not have this type of position, the supervisors might be responsible for conducting case audits.

Numerous tasks are performed in the process of completing a risk assessment. For example, attempts should be made to collect information from a variety of collateral sources and certain information should be gathered during interviews with the youth and her family. In addition, staff could be expected to apply certain interviewing skills. Reports could be expected to include specific information, to exclude other types of information, and to communicate findings in a certain way. Risk assessment tools should be rated in certain ways that supervisors can be trained to check. Finally, supervisors should check that the services in the case plans have been assigned in a manner that addresses the youths' identified target areas (criminogenic needs).

For probation offices, we suggest agencies adopt a policy that requires supervisors to sign off on the case plans set by each of their staff to ensure case plans are in alignment with the risk assessment. Other agencies may choose to require that a supervisor sign off on certain tasks as they occur for each case. If there is a quality assurance person, files also could be audited after the fact. A critical reason for completing such detailed supervision is to create opportunities to identify deficits in practice so that each staff member continually can improve his or her skills. Staff input into the QA process will be essential. If staff members are suddenly required to have supervision in areas where they used to have autonomy, this could prompt a poor response.



### Group Data Checking

An entire manual could be written on procedures for developing a data system to track outcomes for the youth with whom a jurisdiction works. We cover only the essentials here. The data system should allow the generation of reports that identify the cases processed, broken out by race, gender, and age. Types of information that should be recorded in the data system every time someone enters an assessment for a particular youth include: (a) the youth characteristics (e.g., gender, race, ethnicity/race, age), (b) the point in case processing when the tool was administered (e.g., at intake, post-disposition, etc.), (c) whether it was an initial or re-assessment, (d) the date of the administration, and (e) whether the tool could not be rated because of insufficient information gathered or available (i.e., an invalid administration).

Depending on the specific tool an agency is using, examples of information regarding the tool's scores that should be calculated at the group level for the purpose of generating reports include:

- The total score,
- The overall risk level classification, meaning whether the youth is Low, Moderate, or High Risk. Depending on the tool this is either assigned by the person who completed the assessment (the rater) or it is calculated based on the total score,
- Scale scores or scores that represent the specific criminogenic need areas.

Agencies will want to generate group data reports with the above information in order to check some of the following questions:

- What is the percentage of youth who fall at Low, Moderate, or High risk?
- Do the percentages at each risk level differ for youth of color specifically? If so, it may mean there is some bias in the ratings on the tool – but it does not always mean this.
- How many assessments were invalid? If more than 5 to 10% are invalid, this is too high and should signal the need for a change in procedures.
- Are staff members completing the assessments on all youth as per the policy set by the office? In other words, if youth should be administered the risk assessment tool after adjudication but before their disposition, is this what is really happening?

Using information gathered and lessons learned from the pilot period, the risk assessment implementation procedures and policies may need to be adjusted prior to beginning full implementation.

## Step 7: Full Implementation (to rest of state or rest of agency/office)

Step 7 involves rolling out the risk assessment tool to the rest of the agency, whether that is a single county or the whole state. The procedures should involve some or all of the following:

1. For statewide implementation, master trainers from the pilot test site will become some of the local or state experts. They should train master trainers in the rest of the state how to complete the risk assessment and how to use it in decision-making. At least two master trainers from each office/county should be selected to receive this training, using the criteria outlined in Step 5. This should be at least a two-day training, but possibly three days and would be organized by the assessment coordinator. Participants should be provided with many templates/examples of policies, case plans, etc.

2. Master trainers will work with the office administrators to change office policies and develop the essential forms as needed.
3. Once the local master trainers have completed training and three to five follow-up practice cases with feedback, they are ready to train the staff members in their own offices about how to complete the risk assessment tool and how to use it in decision-making. Each staff member should be required to complete additional post-training practice cases to which they receive feedback from the master trainers.
4. In conjunction with staff training on the risk assessment from the master trainers, the office administrators should be present to train staff in the changes to office policies that will accompany adoption of the risk assessment tool.
5. The agency should build the office data tracking system and routinely conduct quality assurance procedures.
6. Then the agency should administer the risk assessment routinely to youth as per the policy.

## Step 8: On-going Tasks for Sustainability

Maintaining the integrity of the risk assessment tool and use of risk assessment results in decisions is an on-going process. Step 8 describes how to sustain the benefits of this evidence-based practice by covering the following topics:

- Continuing efforts to promote sustainability at multiple levels,
- Conducting booster training for staff every 6 months,
- Engaging in on-going data monitoring for use of risk assessment in decision-making and outcomes
- Conducting on-going assessments of inter-rater reliability of staff and providing additional training to specific staff members\*

### Continuing Efforts to Promote Sustainability at Multiple Levels

By *sustainability* we mean ensuring long-term, durable changes in practice.<sup>125</sup> On-going quality assurance and data tracking always will be important. In addition to having good data tracking systems that show outcomes, practices can be put in place at any one or all of the legislative, organization, and staff levels. Changes in leadership occur over time, and agencies will need to consider how to protect reform efforts during such transitions. This is an important task for the Steering Committee. But other issues may be important to enhance the chances for sustainability.

#### Staff Level

So how does an organization build incentives to ensure accurate completion and implementation of risk assessment tools by staff members? This may be particularly difficult for staff members who have been with the agency for some time and are continuing to receive increased expectations adding to their workload. One method for promoting sustainability is to have a process in place for obtaining staff feedback on a regular basis following implementation about how the risk assessment and case plan processes can be improved. If feedback is obtained from staff, it also will be essential to address their concerns.

<sup>125</sup> For an excellent guidebook about for strategies to promote sustainability, Child Welfare League of America, National Center for Mental Health and Juvenile Justice, and Technical Assistance Collaborative, Inc. see *Sustaining change: A Models for Change guidebook*. (June 2010). <http://www.modelsforchange.net/publications/listing.html>



Another method is to build competence in completing the risk assessment into the job requirements and yearly performance evaluations. Staff members could be evaluated regarding their ability to properly rate risk assessment tools.

### Organizational Level

Having a sound office policy in the policy and procedures manual (Step 4) is one way of mandating and sustaining use of any assessment procedure. However, sustainability will be easier if an organizational philosophy of using best practice structured tools for decision-making is championed. This is preferable to being wedded to one specific tool that may not be state-of-the-art five years down the road. Organizations should consider re-examining their “toolbox” every few years because evidence grows and the tools get better. The review should involve examining how useful the tools are to the organization, attending to the outcome data since the risk assessment was adopted (consulting both the scientific literature as well as quality assurance reports completed locally; see below), and reviewing new tool versions. This will ensure a sustained philosophy of using best practice tools that match the organization’s needs. This is another good task for a university partner.

### Legislative Level

Another way to enhance adherence to cultural and procedural changes is to embed the changes in regulatory policies and procedures. One mechanism that has been used by some states to promote sustainability is adopting legislation that requires juvenile justice agencies to complete a risk assessment with every young offender. Should legislative efforts be undertaken, we recommend that the legislation not mandate use of a specific risk assessment tool. This is because research is a dynamic entity that is always moving forward. If research evidence indicates that an existing tool’s validity could be enhanced by modifying the tool, or if a better tool becomes available, having legislation that mandates use of certain (older) tools would be hindering. The best policy here is for states to adopt legislation that emphasizes the need for an evidence-based risk assessment tool, rather than naming a specific tool.

*Should legislative efforts be undertaken, we recommend that the legislation not mandate use of a specific risk assessment tool.*

### Conducting Booster Training Every Six Months

We recommend all staff receive booster training every six months. For probation or correctional staff, the booster trainings should also cover providing recommendations based on results of the risk assessment, and completing or updating a case plan. Booster training is crucial to avoid a decrease in the accuracy of ratings on the risk assessment over time, which is a common human tendency. There are a couple of ways booster trainings can be performed.

One way is to hold six month booster trainings with all staff in a group. They would complete a practice case from start to finish—reading the file information, rating the risk assessment tool, providing recommendations, and completing a case plan. Of course this would require agencies to develop practice cases for this purpose, preferably based on real youth cases seen by staff in their office. The master trainers should establish in advance the consensus ratings (meaning the best ratings as agreed upon by more than one rater) on the risk assessment for each case. A more feasible but less standardized (and possibly less effective) method would be to elect a staff member to present one of their own recent cases to the group and have everyone rate it.

Occasionally some staff will require more direction and individual attention to become reliable and accurate raters. In such cases, supervisors or master trainers may want to review cases with these staff monthly, which may involve observing some of their interviews.

### Engaging in On-Going Data Monitoring for Use of Risk Assessment in Decision-Making and Outcomes

On-going data monitoring will be important for (a) ensuring the tool is being used in decision-making in a manner that is consistent with best practice, and (b) reporting outcomes. Providing an exhaustive list of data needs would be outside the scope of this Guide. We suggest working with the agency's research and development department, a university partner, or a consultant to determine the optimal data reporting needs. Some examples are provided below.

Information regarding how risk level is associated with certain outcomes of interest can be generated. For example, agencies could consider reporting the following for youth by risk level:

- the frequencies of each type of disposition received or the administration timing,
- the frequency of out-of-home placements during the course of probation,
- the number of services received, and
- assigned supervision or classification levels.

Some recommended possibilities for data tracking include:

- Compare initial risk assessments to re-assessments to determine whether risk seems to be decreasing for youth as a whole,
- Examine reoffending rates based on new arrests or new petitions,
- Review lengths of probation or confinement by risk level and over time, and
- Report changes in risk level and/or reports of re-offense rates for all youth referred to particular services as a method for reviewing service performance.

Importantly, data reports should include either initial risk assessments or re-assessments (i.e., they should not be combined). In addition to providing a method for tracking important information for each office and across an agency, findings from these aggregate data reports also could be presented to staff as part of a "feedback loop" to improve practice. Staff morale also could be enhanced by awareness that the agency's goals are being met (as demonstrated through data that came out of their direct efforts).

### Conducting On-Going Assessments of Inter-Rater Reliability\*

On-going monitoring of inter-rater reliability could vary depending on the resources (time, money) available. As one example of a program with limited resources, a supervisor or master trainer could independently rate a case for each staff (be it probation officers, intake workers, etc.) each year. The supervisor could select the cases after they already have been completed by the staff member, make independent ratings based on file information, and review the ratings with the staff member. Another way to check reliability is during the biannual booster trainings. If staff members rate a practice case created by the agency, they can submit their ratings for review by supervisors. Any staff member who rates cases considerably higher or lower than other staff members should receive feedback and be asked to do another case.

# Case Summary 1

## Louisiana Case Example:

### Statewide Implementation in a State WITH a Centralized Agency Overseeing Juvenile Probation

#### Step 1: Getting Ready

In late 2007, the executive staff of the Louisiana Department of Public Safety and Corrections, Youth Services, Office of Juvenile Justice (OJJ) decided that it was time to identify and adopt a new risk assessment tool that would assist their probation staff in case planning. They had a homegrown risk assessment tool in place for years; however, they had been receiving feedback that judges were not satisfied with the tool because it merely assigned a risk score without providing an indication of youths' needs or how to reduce risk. Probation staff echoed this concern noting that (a) the tool did not help guide their case management and (b) many did not find the tool to be credible as noted by a significant number of over-rides.

A few factors contributed to the *system's readiness* for change. First, the state had operated with a homegrown risk assessment for many years, so stakeholders were already somewhat familiar with the concept and purpose of risk assessment. Second, the existing risk tool had never been validated and there was widespread recognition of its limitations. Third and most importantly, the state had been selected for the MacArthur Models for Change (MfC) Initiative, which came with funding for juvenile justice reform efforts. The state's lead entity, Dr. Debra DePrato, located at the Board of Regents, had convened stakeholders as part of this initiative and assisted them in deciding that adoption of evidence-based screening and assessment practices was a priority throughout the state juvenile justice system. The lead entity acted as an outside neutral convener throughout this initiative, which was one of the keys to success. For other states, a take home message would be to have a neutral champion of the initiative who is a respected leader in the state and can convene many stakeholder groups.

OJJ has full authority over juvenile probation in all but six parishes, which maintain local probation offices and have

separate juvenile courts. OJJ has full authority over juvenile corrections throughout the state. In the six parishes with local probation departments, more serious youth offenders are disposed to the custody of OJJ, which then makes the decision with the input of the courts about whether to place the youth in a non-secure or secure facility.

At the neutral convener's suggestion, OJJ requested guidance from the National Youth Screening and Assessment Project (NYSAP), a national technical assistance center for assisting juvenile justice agencies with screening and assessment, to help them select and implement a risk/needs assessment tool for use in two circumstances. These were (a) post-adjudication/pre-disposition reports for recommendations to the court, and (b) post-dispositional planning for youth on probation. NYSAP met with OJJ's executive committee and a few select probation officers (the *stakeholder group*), and provided the group with an overview of issues they should consider in their selection of a tool. The important factors for the stakeholder group in selection of a tool included a) evidence of reliability and validity, especially the tool's predictive accuracy, b) whether the tool would guide service planning, c) costs, d) feasibility (e.g., time for completion of the assessment and staff training needs), and e) data tracking ability.

The group and neutral convener decided it would be best to have all of the probation departments in the state using the same tool. Local probation departments were not represented in this stakeholder group, so a decision was made to convene another meeting at a later date with more parties included (see Step 3). The neutral convener organized this meeting and provided the grant funding to the local parishes from MfC to make the implementation of a risk assessment tool feasible. This meeting is discussed in more detail under Step 3. The tool was not actually selected until late 2008 and this was only done by a couple local parishes. The state agreed to get on board in the spring of 2009.

After the risk assessment tool was selected, OJJ designated an assessment coordinator from among their Regional Managers (Kelly Clement) to oversee the initiative. They selected four pilot regions based on location (the regions were fairly close to the central office and the assessment coordinator), capability (the regions were known to have competent directors and staff), and size (two regions were urban and two were rural). The assessment coordinator

selected an Implementation Committee comprising a couple lead people at each pilot site and some members of the OJJ executive staff. NYSAP, the assessment coordinator, and the neutral convener developed a very detailed work plan for the pilot sites and eventual statewide implementation that included responsible parties and timelines (see Appendix I.3). The local probation offices also designated their own assessment coordinators from among their upper staff and created similarly detailed work plans for implementation within their offices. NYSAP served as both the risk assessment expert and a data expert (usually conducted by a university partner) for this initiative. Eventually, a professor and students from the Department of Psychology at the University of New Orleans were brought on board to conduct part of the data analyses.

## Step 2: Establishing Stakeholder and Staff Buy-In

To work towards obtaining staff buy-in and development of an effective assessment system, in 2008 NYSAP conducted surveys with probation staff located at three offices. The purpose of the surveys was to get a sense of current practices for conducting pre-disposition reports; what variables factored into their placement recommendations, assignment of supervision levels, and service referrals; and what improvements staff thought could be made to this process. Information obtained from staff was integrated into the orientation training and implementation procedures.

The other activities related to establishing stakeholder and staff buy-in were not conducted until after the risk assessment tool had been selected (discussed under Step 3). To further establish staff buy-in, from late 2008 to Spring 2009, after the tool had been selected, an executive member of NYSAP accompanied the assessment coordinators of the pilot sites and four local probation departments to conduct one-hour orientation trainings for their probation staff and supervisors. The training informed staff about plans to implement a risk assessment, how risk assessment would be helpful in their daily decisions, and potential changes to policy regarding when the assessment would be done and how it would be used. Staff feedback was obtained and considered in the policy changes.

Another essential activity was to obtain buy-in and understanding of essential stakeholders; namely, judges and attorneys. A

few presentations were made to these groups, mostly after the risk assessment tool had been selected. Where stakeholder engagement was handled most effectively was at the four local probation offices where either an executive member of NYSAP or a probation manager or both provided presentations to the local judges and their staff. Judges were informed about the purpose of risk assessment, the SAVRY and its research evidence, and what risk assessment can and cannot do. Moreover they were educated about some of the most helpful checks and balances that could be performed by judges or attorneys to ensure the SAVRY's integrity was maintained and used appropriately. In a few of these local jurisdictions, the judges and members of the prosecutors and defense attorney offices were indeed involved in the stakeholder group from the very beginning.

To reach judges throughout the state, additional presentations were organized by the neutral convener and made by a member of NYSAP and/or the OJJ assessment coordinator at state juvenile prosecutor and state juvenile judges' conferences. One stumbling block was that, at the time, statewide conferences were not largely attended. This led to more legal challenges of the SAVRY than might have occurred had forums been held where users of the tool learned about it from one of their peers. This lesson led to some of the recommendations for stakeholder training in Step 5 of this Guide, including planning the stakeholder involvement and trainings ahead of time and conducting these locally whenever possible. Since this time, the neutral convener has since spearheaded many more activities to convene stakeholders and obtain buy-in.

## Step 3: Selecting and Preparing the Risk Assessment Tool

As previously noted, NYSAP was the risk assessment expert used for MfC in Louisiana (LA). In early 2008, the neutral convener convened a meeting between NYSAP and representatives from four of the local probation departments and OJJ (i.e., a supervisor, probation officer, and clinical director from each department). The decision point where probation departments in LA wanted to use the tool was post-adjudication/pre-disposition for disposition recommendations, and for post-dispositional planning (i.e., level of supervision required on probation and referral to appropriate services). This called for a *comprehensive risk assessment tool*.

NYSAP does not have proprietary interest in any risk assessment tools. NYSAP's approach was to review all the existing literature on risk/needs assessment tools and provide recommendations to the stakeholders. They recommended four tools, and the stakeholders narrowed it down to two. Eventually, most offices agreed to the SAVRY.

Shortly thereafter, the leadership at OJJ changed and the new leadership decided they wanted to implement a tool other than the SAVRY. This led to a standstill for sites moving forward. Eventually, in late 2008, two local parishes decided they were going to move forward with implementing the SAVRY while OJJ was possibly moving forward with another tool. Leadership changed again at OJJ and it was now under the direction of Dr. Mary Livers. Dr. DePrato, the neutral convener, got involved again and brought the issue of adopting the SAVRY to Dr. Livers' attention. In the Spring of 2009, while implementation of the SAVRY was already underway at two local parishes, Dr. Livers and the OJJ executive staff decided to adopt the SAVRY. Eventually the remaining local parishes followed suit.

A review of the SAVRY according to the criteria listed in Step 3 in this Guide is as follows:

- *Feasibility:* The SAVRY can be conducted by probation officers experienced in working with youth as long as they complete a two-day workshop and several practices cases. The SAVRY, like any comprehensive risk assessment tool, requires a fair amount of information gathering, including a record review and interview with a youth and parent. However, POs already are expected to gather this information in order to complete a Pre-D or post-dispositional case plan. Thus, completion of the tool was feasible if the essential information gathering is integrated into current probation procedures.
- *A manual:* The SAVRY has a comprehensive manual with detailed item descriptions and rating criteria, and justification for the criteria based on research evidence.
- *Empirically-based, rationally-selected risk factors:* The SAVRY contains items that were selected based on research on youthful offending and violence. The items were selected rationally and are developmentally appropriate.

- *Costs:* The costs of SAVRY manuals are minimal and there is a charge of a little over one dollar per administration. Master trainer training from an expert was approximately \$5000 per workshop plus travel expenses.
- *Reliability:* The SAVRY had several peer-reviewed, published studies indicating the inter-rater reliability was good to excellent among clinicians and trained researchers.
- *Validity:* At the time of the SAVRY selection, its predictive validity had been demonstrated as good by multiple studies of both forensic and young offender populations conducted by independent researchers. It had been shown to have good predictive accuracy for both nonviolent and violent offending, with AUCs as high as 0.77 and 0.81, respectively.<sup>126</sup> With respect to use with minority youth, a study had shown that African-American youth had a significantly greater likelihood of being rated as low risk for violence than their White counterparts on the SAVRY.<sup>127</sup> The findings lent some support for the SAVRY's unbiased assessment of minority youth. Since this time, several other studies have been conducted demonstrating the SAVRY's ability to predict reoffending, including among girls and African-American and Hispanic youth.
- *Training:* A "train-the-trainer" training was available from the SAVRY authors.
- *Availability of software:* The SAVRY does not have software; however, the SAVRY publisher negotiates with users who wish to create software to complete the SAVRY electronically.

A few tasks had to be completed to prepare for SAVRY implementation. First, a semi-structured interview was developed and incorporated into the existing probation social history interviews. Second, permission was obtained from the publisher to develop an electronic SAVRY rating sheet that captured data in the existing data management system.

126 Catchpole, R. & Grettton, H. (2003). The Predictive Validity of Risk Assessment With Violent Young Offenders: A 1-Year Examination of Criminal Outcome. *Criminal Justice & Behavior*, 30, 688-708. Lodewijks, H., Doreleijers, T., Ruiter, C., & Borum, R. (2008). Predictive Validity of the Structured Assessment of Violence Risk in Youth (SAVRY) During Residential Treatment. *International Journal of Law and Psychiatry*, 31, 263-271. Welsh J., Schmidt F, McKinnon L, Chattha H., Meyers J. (2008). A comparative study of adolescent risk assessment instruments: predictive and incremental validity. *Assessment*, 15, 104-115.

127 Chapman, J., Desai, R., Falzer, P. & Borum, R. (2006) Violence Risk and Race in a Sample of Youth in Juvenile Detention: The Potential to Reduce Disproportionate Minority Confinement. *Youth Violence and Juvenile Justice*, 4, 170-184.

NYSAP assisted the OJJ assessment coordinator and the Implementation Committee with these tasks. Third, NYSAP assisted the state to implement a research-based procedure for using the SAVRY items to identify their need areas.

## Step 4: Preparing Policies and Essential Documents

The assessment coordinators and Implementation Committee, with the assistance of NYSAP, developed the policies and materials essential for implementing a comprehensive assessment system as per their work plans. Every document was reviewed by the OJJ executive staff before it was used with the pilot sites and no documents were set in policy until they were tested by the pilot sites. The following activities were completed:

- *Draft new policy* - OJJ revised their existing policies regarding placement decisions and the process for the pre-disposition and post-dispositional assessments. The changes were a product of many discussions of the Implementation Committee. The working policies included a) procedures for when the SAVRY would be conducted with youth (including reassessments), how, and by whom; b) how the SAVRY risk level would be used to assign a supervision level for youth on community supervision (i.e., high risk cases were assigned to a maximum level of supervision and low risk cases received minimal supervision); and c) how the SAVRY would be used to identify the top three need areas for interventions listed in a case plan, with a maximum of three need areas to be addressed by a service at any one time. The policy also described procedures for supervisors to conduct quality assurance by checking and approving the JPOs' SAVRY ratings and case plans (see Appendix II.2).
- *Create a pre-disposition report template* - The existing pre-disposition report template was modified to include standard questions that should be asked of youth and parents in order to accurately complete the SAVRY, along with a standard format for communication of SAVRY results to the courts. The latter included a summary of the youth's risk level as identified by the SAVRY (i.e., Low, Moderate, or High), which JPOs were

taught was one factor to be used in their disposition recommendations (generally only high risk cases were recommended for placement, but not all high risk cases were recommended for placement). The template also included a section for listing a maximum of the three most serious criminogenic need areas for the youth, which POs were instructed to recommend as targets for intervention. Only dynamic risk factors rated as moderate or high were listed in the reports, the static risk factors were not included (see Appendix III.4 for the template).

- *Modify the case plan* – Each office's case plan format was revised to include the following criminogenic need areas: family, substance abuse, mental health/emotional stability, education/employment, peer/social skills, and disruptive behavior problems. JPOs were instructed to indicate the services and supervisory obligations assigned to address each need. If the youth did not have a moderate to high need in a particular area, or was low risk overall, JPOs were trained to not assign a service or supervision expectation in that area. If a service had to be provided, they were trained to provide services that would enhance protective factors.
- *Develop a service matrix* – Each local probation office developed their own service matrix to help their JPOs select the best service match for youth based on the overall level of risk for reoffending and the youths' primary criminogenic need areas. OJJ created a separate matrix for each region because service availability varied across the state. In order to maintain consistency, OJJ worked with NYSAP and other consultants to develop one standard matrix that the individual regions could add to based on their service options. A small committee was created within each region or local probation office to complete the service matrix.
- *Develop a policy for reassessments* – The committee agreed on a reassessment policy, which involved updating youth's initial SAVRY every six months or after any major life changing event (e.g., commission of a new offense, change in placement).

In addition to the above activities, the OJJ coordinator gave presentations about the SAVRY to their service providers on request.



## Step 5: Training

From late 2008 to early 2009, each of the four local probation departments and OJJ pilot regions selected master trainers to attend a two-day SAVRY workshop from one of the test developers, Dr. Patrick Bartel. NYSAP and the neutral convener helped organize two master trainer trainings from Dr. Bartel at different locations in the state. Following the workshop, every master trainer had to complete SAVRY ratings on a minimum of three standardized practice case vignettes provided by NYSAP. NYSAP compiled master trainers' ratings and provided reports to the assessment coordinators regarding strong points and problem areas, and identified specific master trainers who may have had an unusually high number of inaccuracies. NYSAP and the coordinators used these reports to provide feedback to the master trainers in a large group before they completed the next practice case. Master trainers had to attain a minimum 80% correct item ratings before training other staff.

Once the practice cases were completed, master trainers then trained all the probation and supervisory staff in their offices on how to complete the SAVRY following the same procedures (i.e., staff completed three practice cases and received feedback from NYSAP). There was noticeable improvement in ratings across the three practice cases.

Approximately two to three months after staff completed SAVRY training, NYSAP and the assessment coordinators conducted training on the new policies and how to use the SAVRY in decision-making. This gave staff time to get comfortable with administering the SAVRY before they had additional training regarding how to use its data. In cases where both trainings were given at once, it was evident that JPOs had a hard time retaining the information about the SAVRY's use.

To maintain objectivity and consistency, it was necessary for all of the probation offices in Louisiana to follow similar policies and procedures. Use of the same experts across the state enabled the process to be consistent.

## Step 6: Implementing the Pilot Test

Once Steps 1 through 5 were completed, OJJ started administering the SAVRY to all adjudicated youth in the four pilot regions in the summer of 2009. They also decided to complete a SAVRY for all youth currently on probation during their three month review.

Three months after the SAVRY had been fully implemented, NYSAP conducted a follow-up interview with all probation staff and administrators in three sites. The interview asked JPOs how they were using the SAVRY in their disposition and placement recommendations, case planning, and assignment of supervision level. They were also asked about their procedures for completing the SAVRY and benefits and barriers to its use. NYSAP summarized any misunderstandings or inconsistencies and relayed this information to the Implementation Committee and assessment coordinator, who held another brief training with the master trainers around these issues. For example, several probation staff did not know about the service matrix or where to locate it. They mentioned many benefits, such as (1) helping them identify the high risk youth who were appropriate for more intensive levels of supervision, and (2) helping them determine which youth were not necessarily appropriate for out-of-home placement (i.e., low risk youth). The most common barrier was the amount of time it took them to complete the SAVRY assessment. Therefore, NYSAP and the OJJ assessment coordinator shortened the SAVRY interview to reduce the time required.

Several quality assurance and data checks were completed during the pilot testing. Most importantly, NYSAP organized a study of the JPOs' inter-rater reliability in one pilot site. A research assistant was hired to observe 30 randomly selected interviews conducted by the JPOs. The research assistant and JPO independently rated the SAVRY for each of these cases following the interview and file review. The agreement between raters was good to excellent for all of the SAVRY scales and final risk rating, but weak for a few of the need areas. The rating of some dynamic risk factors was addressed in more detail in a future booster training.

Several other procedures were developed for conducting quality assurance checks on the SAVRY data. One example involved examination of SAVRY risk levels by JPO to determine whether individual JPOs were consistently rating

youth on their case loads at the same risk level (e.g., all their youth were coming up low risk). A lack of variability in risk level is highly unlikely if SAVRYs are rated properly. Due to time constraints and limited staff resources, many of the data checks were not conducted until after the SAVRY had been fully implemented in the state.

Another staff survey was conducted by NYSAP six to eight months later. This time fewer staff complained about the time involved in completing the SAVRY because they had grown more efficient, and there were fewer misunderstandings about its use. The policies were adjusted slightly to clarify some procedures prior to statewide implementation.

## Step 7: Implementing the Tool Statewide

At this point, the SAVRY had been fully implemented in four of the six local probation offices and the four OJJ pilot regions. In late 2009/early 2010, approximately eight months after initiating the pilot test, the revised OJJ policies and new case plan were integrated into statewide practice and the OJJ data management system.

The only steps left for full implementation throughout the state were training of staff and developing service matrices for each region. Each region probation manager selected two to three staff (depending on size of the office) to be master trainers. The OJJ assessment coordinator conducted a SAVRY workshop with the new master trainers, who then completed several practice cases with support from NYSAP. Next the master trainers trained their own staff on the SAVRY and how it is used in decision-making. Staff completed three practice cases, again with feedback and support from NYSAP. Approximately 15 months from the date of starting the pilot, the state had fully implemented the SAVRY, with the exception of one local probation office. A year later, this last probation office requested assistance from the OJJ assessment coordinator to help them implement the SAVRY as well.

## Step 8: Addressing On-going Tasks for Sustainability

OJJ and the local probation departments took several steps to enhance the sustainability of their new assessment system. First, it became policy in each office to hold staff

booster trainings every six months. Some offices developed their own case vignettes for this task, where as others had different staff members present recent cases that could be rated by the other JPOs. Every data management system in the state was enhanced to generate similar SAVRY and outcome data reports that would be completed quarterly. OJJ, for example, produced reports for each region to show the risk level of youth assigned to each level of supervision on probation, and the risk level of youth assigned to each placement. These reports helped administrators to see how closely their case management practices aligned with risk. Further, reports were generated to provide the percentage of youth rated high within each criminogenic need area by region to help areas better plan their service needs. Some of the outcomes demonstrated by combining OJJ's quarterly reporting data with the pre-post study conducted by NYSAP in three probation offices were as follows:

- An average of only 17% of adjudicated youth across the state were rated as high risk
- Placement rates (that is, any out-of-home placement) dropped by 30% to 50% in two of three probation offices where a comprehensive study was conducted
- Across regions, few low risk youth were placed out-of-home
- Supervision levels matched with risk level in 85% to 90% of cases

A few other successful initiatives to promote sustainability were undertaken. First, while the state was completing its implementation of the SAVRY in probation, in 2010 they initiated implementation of the SAVRY in their secure custody settings (corrections). Youth entering a custody setting would have a SAVRY completed by their JPO. While in custody, correctional social workers conducted the SAVRY reassessments and an exit SAVRY that could be used for aftercare planning and release decisions. Second, in 2011, the neutral convener integrated curricula about evidence-based screening and assessment into the educational activities for judges, prosecutors, and defense throughout the state.



# Case Summary 2

## Pennsylvania Case Example:

### Statewide Implementation in a State WITHOUT a Centralized Agency Overseeing Juvenile Probation

#### Step 1: Getting Ready

There are 67 counties in Pennsylvania (PA), each of which operates a juvenile probation system independently from other counties. Although no single agency has oversight of probation practices, several organizations tie many of the counties' departments together. Members of the *Juvenile Court Judges' Commission* (JCJC) are nominated by the Chief Justice of the Pennsylvania Supreme Court and appointed by the governor for three-year terms. Among other responsibilities, the JCJC advises juvenile courts concerning the proper care and maintenance of delinquent and dependent children and establish standards governing the administrative practices and judicial procedures used in juvenile courts. The mission of the *Pennsylvania Commission on Crime and Delinquency* (PCCD) is to improve the criminal justice system in the state; members include judges, members of the legislature and the Governor's administration, representatives of law enforcement and victim service organizations, as well as private citizens. Among other duties, the PCCD offers technical assistance and funding to communities and organizations to promote crime and delinquency prevention efforts. The *Pennsylvania Council of Chief Juvenile Probation Officers* (Chief's Council) is a non-profit organization that aims to promote the use of best practices among the county operated Juvenile Probation Departments. Members of this Association initially included only Chief Juvenile Probation Officers but expanded to include all probation officers and members from other state level delinquency prevention organizations, as well as organizations outside of PA as associate members. A key goal of the Association is to improve the quality of decisions, services and programs in juvenile probation.

PA was one of four states selected in 2005 to participate in the MacArthur Models for Change Initiative, a benefit of which included receipt of substantial funding for juvenile justice reform efforts. The state juvenile justice agencies

received funding from other organizations as well (e.g., PCCD) for system enhancement.

Juvenile probation in several counties had been considering whether to adopt a risk/needs assessment tool to facilitate probation officers' case planning efforts for at least four years but they could not agree on the assessment tool to use. While they were in the process of making a decision, the National Youth Screening and Assessment Project (NYSAP) approached Keith Snyder, JCJC Executive Director, to request assistance in identifying counties that would be interested in participating in a research project funded by the MacArthur Foundation. Mr. Snyder organized a meeting between NYSAP and several *stakeholders*. First, a meeting was held with representatives from a group of counties to speak about the topic of screening and assessment broadly. Next, Mr. Snyder coordinated a meeting between NYSAP and representatives from the Chief's Council to discuss the purpose of risk assessment and to offer recommendations about tools.

In 2008, Pennsylvania passed legislation establishing that information gathered in the course of screening, assessment and/or evaluation of a youth could not be admitted as evidence against the youth in a proceeding to determine if she or he committed a delinquent act, or on the issue of guilt in a subsequent criminal proceeding. This Act ("Act 109") was a critical step in allowing PA to utilize evidence-based screening and assessment instruments as part of their overall operations in a manner that would be acceptable to defense counsel. Had this Act not been in place, NYSAP would have recommended that the risk assessment tool be used only at post-adjudication stages.

In anticipation of the numerous activities associated with implementation efforts, the Assessment/Case Planning Committee was formed. Elizabeth Fritz, M.S., Chief Juvenile Probation Officer, Lehigh County Juvenile Probation and Richard Steele, M.A., Director of Policy & Program Development, PA Juvenile Court Judges' Commission agreed to Co-Chair the Case Planning Assessment Committee. The Committee's mission was to facilitate the statewide implementation of the risk assessment with fidelity. Members of the Committee included two Court Liaisons from the Bureau of Juvenile Justice Services and a Chief, two supervisors, and probation officers from some of the pilot counties. This Committee had several tasks:

- Spearheading all activities related to administration of the risk assessment (e.g., developing and maintaining a toolkit containing new policies and forms)
- Providing technical assistance and quality assurance strategies to county implementation efforts
- Developing policy and best practices regarding inter-county transfer YLS/CMI youth
- Developing, pilot testing, and implementing a case plan that eventually would be integrated into the electronic data management system
- Overseeing trainings

Ten county probation departments volunteered to be the pilot sites. These probation departments and all the state's Youth Detention Centers (YDCs) comprised the "Phase I participants."

PA had a formal collaboration with a university partner that had been established years prior. The Center for Juvenile Justice Training & Research (CJJT&R) was established at Shippensburg University as a branch of JCJC and initially was tasked with the development and oversight of a juvenile justice Masters Program. The CJJT&R also houses the Juvenile Case Management System (JCMS) used to track juvenile justice data statewide. The role of CJJT&R at Shippensburg was to provide oversight for the data management part of the initiative and to supervise ongoing research. NYSAP was the neutral risk assessment expert.

## Step 2: Establishing Stakeholder and Staff Buy-In

In an effort to learn about current practices for developing recommendations for the courts and case management practices, NYSAP surveyed probation officers and administrators in the pilot sites. Another primary function of conducting the survey was to obtain staff buy-in, or support, for implementation of the new tool and policies. Information gathered from these interviews was used to tailor the implementation process in each office and training of staff to orient them to the use of risk assessment.

The other activities related to establishing stakeholder and staff buy-in were not conducted until after the risk assessment tool had been selected (discussed under Step 3) and implemented in many counties. After nearly all counties

in the state had implemented the risk assessment, some members of the public defenders association began to voice concern about the use of the tool prior to adjudication and the potential negative consequences for their youth clients. In response, the Assessment/Case Planning Committee began holding short information sessions and trainings for the public defender's organization to educate them about the use of risk assessment in a juvenile justice system generally, and the YLS/CMI specifically. In retrospect, one barrier to implementation was not engaging prosecutors and public defenders in training earlier in the implementation process with the pilot sites.

Another stakeholder group of interest was service providers. Members of the Assessment/Case Planning Committee made a presentation to service providers within different counties to orient them to the importance of considering criminogenic needs when selecting services for particular youth. Service providers also were educated about the YLS/CMI need area domains and the potential impact of the tool on referrals to their programs. Ongoing communications strategies were developed with various service provider organizations to provide updates and ensure and encourage feedback. It was deemed critical that these providers of services to youth developed a keen understanding of the concepts of risk assessment and risk reduction activities.

## Step 3: Select and Prepare the Risk Assessment Tool

After the presentation by NYSAP and following several meetings, JCJC, PCCD, and the Chief Probation Officers Association agreed on the Youth Level of Service/Case Management Inventory (YLS/CMI; Hoge & Andrews, 2006). The important factors for the stakeholder group in selection of a tool included the existing research support, wanting a score-driven approach, and wanting a tool that clearly could assist with case planning. Therefore, the state needed a tool that could be used to gather information about risk level as well as which risk factors should be targeted to reduce risk for delinquency for a particular youth. In other words, PA needed a *comprehensive risk assessment* tool.

Following the criteria presented in Step 3 in this Guide, the YLS/CMI would be rated as follows:

- *Feasibility:* The YLS/CMI can be rated following participation in an intensive workshop and completion of several practice cases. The information required to rate the YLS/CMI should be the same information gathered as part of any comprehensive intake procedure from interviews with the youth, his or her parent or caregiver, and relevant files.
- *Manual:* The YLS/CMI has a manual with item descriptions and rating criteria.
- *Empirically-based, rationally-selected risk factors:* Unlike most actuarial tools, the YLS/CMI items were selected based on a review of the broad empirical research on risk factors for offending among youth. The theory about and research underlying the selection of the tool's items is outlined in the manual.
- *Costs:* The publisher's website lists the cost of a single YLS/CMI manual as \$67. Administrations for large scale organizations were minimal, with a charge of just over \$1 per administration. Other costs included master trainer training from the senior author of the tool and software costs.
- *Reliability:* The YLS/CMI has several peer-reviewed, published studies in which the inter-rater reliability is reported to be good to excellent among probation officers, clinicians, and trained researchers.
- *Validity:* Several peer-reviewed, published studies conducted by different research groups existed that supported the predictive validity of the YLS/CMI for both violent and non-violent delinquency.
- *Training:* A "train-the-trainer" training was available from the senior author.
- *Availability of software:* Software for administering and scoring the YLS/CMI is available from the publisher.

Several decisions had to be made prior to implementation:

- Because counties differed in their organizational structure, there were variations in the decision point at which the YLS/CMI would be administered. For example, some counties had Intake Units staffed by JPOs who could administer the YLS/CMI prior to adjudication. In other counties, the tool was administered only post-adjudication.
- PA decided to adapt the definition and scoring of some YLS/CMI items related to criminal history to be consistent with terminology used in the state. These modifications were completed in consultation with the senior

author of the YLS/CMI. A list of FAQs was maintained by the Assessment/Case Planning Committee.

- The Assessment/Case Planning Committee obtained permission from the publisher of the YLS/CMI to allow the state to incorporate the tool into their electronic system so that scoring was completed automatically and YLS data could be tracked.

## Step 4: Preparing Policies and Essential Documents

With the assistance of NYSAP, the Assessment/Case Planning Committee developed the policies and materials needed for using the YLS/CMI to make case management decisions. An assessment policy included information about who would administer the tool and at what stage in the legal process (e.g., pre-adjudication); when youth would be re-assessed with the YLS/CMI; how the categorical risk level (based on the tool's total score) would be used to determine a youth's level of supervision; and how to identify which risk/need factors should be prioritized for intervention. Policy guidelines regarding how supervisors should conduct quality assurance activities also were drafted.

Perhaps the most substantial effort was devoted to creating a standardized case plan format that could be used in all counties. A challenge that PA faced involved creating a case plan that included not only the YLS/CMI criminogenic need areas, but that also was consistent with PA's specific Youth Competency Domains (e.g., pro-social skills, workforce development) developed to uphold Balanced and Restorative Justice (BARJ) principles. Their goal was to have an individualized 'single case plan' that would follow each youth throughout his or her juvenile justice involvement. Thus, if a youth started on probation but later was placed in a residential facility, the initial case plan that was developed while on probation would simply be updated, rather than creating a new case plan for the residential placement.

Each office also filled in a standard *service matrix* template that categorized the services available in the county as a function of which YLS/CMI risk/need domain they targeted, as well as whether they were appropriate for youth at low, moderate, or high levels of risk.

Lastly, an *Inter-County Transfer policy* was developed that outlined the procedures to be followed when transferring “courtesy” supervision of a youth to another county. The policy specified, for example, which county should complete the YLS/CMI and the case plan, and also provided information sharing guidelines. The Assessment/Case Planning Committee conducted a survey of counties to gather opinions before establishing this policy.

## Step 5: Training

The selected Master Trainers from each Phase I county (the 10 pilot sites and YDCs) attended a three-day training workshop conducted by the senior author of the YLS/CMI, Dr. Robert Hoge. This workshop used a “train the trainer” approach that included instruction about how to train others while educating probation officers in how to administer the YLS/CMI. The workshop included training by some Chiefs and NYSAP on the service matrix and office policies. Attendees completed three practice cases during the workshop and three additional practice cases individually in the months after the workshop. Master Trainers were expected to pass a knowledge test about the YLS/CMI and risk assessment in general. They also had to demonstrate a high rate of agreement on their practice cases (at least 80%) with “gold standard” ratings (i.e., consensus ratings for the case agreed upon by YLS/CMI experts) before being ‘certified’ to be master trainers. Master Trainers then trained the probation and supervisory staff in their home offices using the same procedures (i.e., completion of three practice cases with individualized feedback).

To promote sustainability of training within the state, several selected JPOs certified as master trainers in Phase I provided YLS/CMI training for counties who subsequently began to use the tool. NYSAP and some members of the Assessment/Case Planning Committee provided training on policies and other successful implementation strategies for the next waves of counties to adopt the tool.

As sites began to use the YLS/CMI, additional training needs and avenues for skill development became apparent. For example, probation staff members were trained in Motivational Interviewing. Mark Carey was sought for consultation regarding evidence-based probation practices for case management, using the Carey Guides, and supervisor train-

ing. One remaining challenge was how to train supervisors in quality control of the probation officers’ YLS/CMI ratings. Provisions have been made to certify additional Master Trainers as an ongoing priority.

## Step 6: Implement Pilot Test

The YLS/CMI was administered routinely to youth who met eligibility criteria (as outlined in the YLS/CMI Policy) in the ten pilot sites. At the same time, the YLS/CMI also was implemented in all YDC facilities to guide both institutional and community re-entry treatment planning. To support one another’s efforts, representatives from each pilot county participated in biweekly calls to discuss issues related to implementation and daily use of the tool. These calls ensured that the project remained a priority for the pilot counties.

Approximately six to eight months later, NYSAP surveyed JPOs and administrators in three of the pilot sites a second time regarding how well the YLS/CMI procedures were working. Most probation officers found it to be beneficial for selecting services in a case plan and for assigning a supervision level. However, most did not find it useful for making disposition recommendations primarily due to policies used in the state. In one department, this was due to a lack of judicial buy-in that prevented probation officers from implementing their service and supervision recommendations.

Several quality assurance activities occurred in this stage of the implementation. Most critically, NYSAP studied the inter-rater agreement (IRR) for the YLS/CMI item ratings and total scores in three research pilot sites. Results indicated that although IRR overall was adequate, there was room for improvement on two of the YLS/CMI domain areas (Personality/Behavior and Attitudes/Orientation). In response, NYSAP improved the interview questions being used by probation officers to ensure that information needed to rate items on these scales was collected.

Ideally, quality assurance checks on the YLS/CMI data would have been conducted during this pilot testing phase. However, given limited resources and the high demands associated with implementing the new tool, data checks were not conducted until after the YLS/CMI had been fully implemented in most of PA.

## Step 7: Statewide Implementation

Implementation in probation offices of the YLS/CMI across the state occurred in three Phases. After the success achieved by the ten pilot sites in Phase I that began in March 2009, 16 counties decided to implement the tool in June 2010, and together constituted the Phase II counties. In June 2011, 25 counties became Phase III participants. The remaining 14 Phase IV counties were trained in June of 2012. All but two of the 69 counties in PA eventually implemented the YLS/CMI.

Selected Phase I master trainers trained new counties following the same procedures described in Step 5. Members of each Phase had biweekly conference calls following their initial YLS/CMI training. Over time, the frequency of these calls decreased, but they continue to ensure ongoing attention to implementation issues. Throughout the expansion process from the ten pilot sites to the rest of the state, ongoing technical assistance was provided by NYSAP around scoring of YLS/CMI items and many implementation issues.

## Step 8: On-going Tasks for Sustainability

PA engaged in several proactive steps to promote the sustainability of the new assessment system:

- Each office implemented a policy of holding YLS/CMI booster trainings every six months during which JPOs completed and received feedback on a practice case. Some offices elected to develop standardized cases. In other offices, individual JPOs made “case presentations,” after which the other JPOs made independent

YLS/CMI ratings based on the information presented. The Assessment/Case Planning Committee also held annual Master Trainer forums and meetings of chiefs and administrators to discuss ongoing implementation issues.

- A major activity in PA was ensuring that their electronic data management system (the JCMS) was enhanced to have the capacity to generate YLS/CMI outcome data reports. A Data Committee was created to oversee this effort. The state aimed to incorporate the ‘single case plan’ into the JCMS in order to track service referrals and outcomes of specific services for all youth (e.g., probation violations, recidivism). Developing an electronic system with these data components would allow PA to evaluate their programming for youth based on the appropriate matching of services to youths’ needs.
- Finally, PA’s leadership team produced a monograph delineating the state’s Juvenile Justice System Enhancement Strategy (JJSES). In this widely disseminated document, the methods by which PA used evidence-based policy and practice to achieve goals consistent with the BARJ principles are presented. The JJSES Manual is expected to make a substantial contribution to the sustainability of PA’s tremendous efforts.
- Another activity that contributed considerably to the spread of the YLS/CMI in the state was a report by the Interbranch Commission on Juvenile Justice strongly recommending implementation of the YLS/CMI, citing the tool as an aide to the decision making of juvenile court judges.









# ModelsforChange

Systems Reform in Juvenile Justice

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