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Putting Science to Work: How the Principles of Risk, Need, and Responsivity Apply to Reentry

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The explosive, continued growth of America's incarcerated population is now well known. Given the war on drugs, mandatory sentencing, and other "get tough on crime" measures, there are now over 1.5 million prisoners and over 750,000 jail detainees in the United States. America's incarceration rate (737 per 100,000 people) is significantly higher than any other industrialized nation (Pew Charitable Trust, 2008). Despite the fact that the U.S. economy is in recession and states are struggling to fund an increasingly expensive corrections system (now over \$60 billion annually), the U.S. prison population continues to grow, up nearly 2% in 2007. By the end of this year (2011), the nation's prison population is projected to reach 1.7 million people (Pew Charitable Trust, 2007).

Virtually all of these inmates will come home. Except for those serving death or life-without-parole sentences (about 7% of all prisoners) and the small number of inmates who die in prison (about 3,000 each year), nearly all prisoners (93%) will be released (Petersilia, 2008). In 2008, nearly 700,000 individuals—1,900 a day—left federal and state prisons to return home. If we add the nation's jails, an additional 12 million people a year will make the difficult transition from incarceration to home (Solomon, Osborne, LoBuglio, Mellow, & Mikamal, 2008).

Prison release rates are expected to accelerate in the next few years, making reentry challenges even more acute. In part, these increases reflect many jurisdictions' reconsideration of harsh drug laws passed in the 1980s and 1990s with their acceleration of prison releases for some drug offenders as

a result. For example, Michigan eliminated mandatory minimum sentences and adopted procedures allowing early parole eligibility for certain drug offenders in 2002 (Greene, 2003). The U.S. Supreme Court and the U.S. Sentencing Commission voted in 2007 to allow judges to retroactively reduce crack cocaine sentences for some federal inmates, meaning that thousands of federal inmates—many with serious substance abuse histories—may soon walk out of prison doors (see <http://www.usc.gov/PRESS/rel121107.htm>).

“Prisoner reentry” may be defined as the process by which a former inmate returns to the community and hopefully transitions into a law-abiding citizen (Petersilia, 2003). There has been a recent explosion of interest in prisoner reentry, not only because offender populations have increased but also because research shows that inmate work and treatment needs have *increased* at exactly the same time that prison and parole programs designed to meet those needs have *decreased* (Petersilia, 2003, 2006). Today’s inmate is likely to have a history of prior convictions, substance abuse problems, unemployment, and/or involvement in gang activities or drug dealing. Each of these factors is known to predict recidivism, yet few are addressed while the inmate is in prison or on parole.

For example, only about one-third of released prisoners receive vocational or educational training while in prison (Lynch & Sabol, 2001). Despite the fact that three-quarters of inmates have alcohol or drug abuse problems, only one-quarter of inmates participate in a substance abuse program prior to release (Beck, 2000). These training and treatment participation figures are lower than rates were a decade ago, according to surveys of state and federal inmates conducted by the Bureau of Justice Statistics (Petersilia, 2003). Even when offenders do participate in substance abuse treatment programs, they consist mostly of inmate self-help groups rather than professionally run programs that studies have found to be most effective (Petersilia, 2003).

This situation—where hundreds of thousands of untreated inmates are released annually—threatens public safety. According to the Bureau of Justice Statistics (BJS), more than two-thirds of released state prisoners are expected to be rearrested for a felony or serious misdemeanor within 3 years after release (Langan & Levin, 2002). These former prisoners account for an estimated 4.7% of *all* arrests for serious crime (murder, rape robbery, aggravated assault, burglary, larceny, and motor vehicle theft; Langan & Levin, 2002). When examined by specific crime type, released prisoners account for an estimated 8.4% of all homicides, 5.4% of all rapes, and 9% of all robberies. Independent estimates also suggest that parolees may be responsible for nearly 10% of all index (serious) arrests occurring in the United States each year (Rosenfeld, Wallman, & Fornango, 2005). This is not inconsequential.

Virtually no one believes that the current prison and parole system is working. The question is, can we do better? Can we provide offenders with educational, literacy, vocational, substance abuse, and/or job placement services that could improve reentry success? The short answer is yes, but this will require investing in reentry programs that incorporate effective principles of

correctional treatment (e.g., see Chapter 6), targeting those programs to specific offenders who can most benefit, and continually evaluating and revising program models as the science accumulates.

Alternative Approaches to Reentry and Evidence on What Works to Reduce (Violent) Recidivism

The cry for more correctional services is always met with public skepticism. This is an unfortunate legacy of the Martinson (1974) nothing-works era. But today, there is ample scientific evidence that prison and parole programs *do* work, for *some* people, in *some* settings, and if delivered by appropriately *trained staff*. At the same time, programs that are poorly targeted, poorly designed, and poorly implemented do not work and can actually do harm to those treated. Offenders are not a homogeneous group, and rehabilitation depends on recognizing their diversity in needs, risks, and amenability to treatment.

This chapter considers three different models relevant to reentry: a psychological model (Risk-Need-Responsivity [RNR]; see Chapter 6), an ecological model, and a punitive model that focuses on swift and certain sanctions. We define each model and summarize evidence for or against each one. Much of the evidence on RNR and related correctional principles fails to distinguish between probationers and those reentering the community from prison or jail. Similarly, most research does not distinguish between violent and other forms of recidivism. Where we can, we focus our research review on the reentry population and violent recidivism.

Defining Three Models of Reentry

Risk-Need-Responsivity Model

Because RNR principles are defined by Andrews (see Chapter 6), we simply highlight here that RNR focuses on the psychology of criminal conduct with three principles at the core of effective programming (Andrews & Bonta, 2010; Andrews, Bonta, & Hoge, 1990; California Department of Corrections, 2007). These principles are (a) risk—direct intensive services to those at higher risk of recidivism, (b) need—target criminogenic needs or strong risk factors for recidivism, and (c) responsivity—provide services in a way that is responsive to an offender’s learning styles and abilities.

Ecological Model

In his address to the U.S. Congress, Jeremy Travis (2009) stressed the need to move beyond the constraints of a medical model that focuses narrowly on the individual to an “ecological” model that also includes the community context

to which offenders return after prison. According to Travis, innovations in reentry should focus on changing the offender's reentry environment. Given such observations, an Expert Panel for the California Department of Corrections and Rehabilitation (2007) developed the California Logic Model, which highlighted community reintegration as a vital part of an eight-step continuous cycle from assessment through release into the community. According to that panel:

Public safety in our communities is the responsibility of all citizens. It is not just the responsibility of the correctional and other justice agencies. Research and experience in recent years helped us realize that the transition from prison to the community is difficult and filled with many obstacles. And, continuity of care is necessary for reducing recidivism. In particular, we know that individuals are at higher risk to return to prison shortly after their releases. Offenders require the assistance of their family members, friends, local support systems, and broader communities to sustain the treatment gains they have achieved through their participation in correctional programming. (California Department of Corrections and Rehabilitation, 2007, p. 38)

The "ecological" approach may be seen as being aligned more closely with historical sociological explanations of crime (e.g., social disorganization, collective efficacy) and rooted in social institutions and structures (see Rose & Clear, 1998; Sampson, Raudenbush, & Earls, 1997) than an individual-based approach, such as RNR. In some ways, the psychological approach of RNR may be viewed as counter to the ecological model.

Swift and Certain Sanctions Model

If one approaches crime control from a perspective in which individuals make the choice about committing crime, depending on the costs and benefits (Wilson, 1975), raising the costs and decreasing the benefits of crime should reduce its commission. Thus, swifter, more certain, and more severe punishments should deter offenders from committing new crimes.

These punishment principles are often difficult to achieve in practice (see Chapter 13). In the United States, only a small fraction of offenses result in arrest, prosecution, and incarceration; justice takes a long time; and the expected level of punishment for a given crime may be low (Nagin, 1998).

Still, U.S. policies heavily feature severe punishment, as is apparent in policies that include the death penalty, three-strikes legislation, and mandatory sentencing. Although drug court models are designed to change behavior by using both "carrot" incentives and "stick" punishments, some heavily emphasize swifter and more certain punishment by incorporating a graduated sanctions approach to noncompliance, where the severity of sanctions is incrementally matched to the seriousness of noncompliance (Marlowe, 2008).

Recently, professional discourse about the severity, certainty, and swiftness of punishment took a somewhat new twist. In his book, *When Brute Force Fails: How to Have Less Crime and Less Punishment*, Mark Kleiman (2009) argued that the certainty and swiftness of punishment, not its severity, will maximize the deterrent effect: “. . . [T]o the extent that offenders are present-oriented, reckless, and overconfident, swiftness and certainty in punishment will be more important in shaping offense rates” (Kleiman, 2009, p. 93). The focus of this approach is on compliance with the rules, not treatment per se.

Comparing the Three Models

Although there is some overlap among these three models, they broadly differ in their emphasis on the individual (RNR, sanctions) versus his or her community (ecological) as the *target* of change. Moreover, all three emphasize different *mechanisms* of change: positive reinforcement and modeling to shape prosocial behavior (RNR), punishment to extinguish antisocial behavior (sanctions), or educational, social, and community services to address contextual needs (ecological). In this section, we unpack these differences as they are relevant to community supervision.

Ecological Model and Risk-Need-Responsivity

The ecological model envisions the community as a major partner in an offender’s reintegration into society. In part, this recognizes that many current policies act as barriers and roadblocks to reentry. Returning offenders may not be permitted to vote, live in publically-funded Section 8 housing, hold certain jobs, or receive public benefits or other services based on their status as felons (Petersilia, 2003; Tarlow, 2011). Sex offenders, in particular, face a host of restrictions (Lussier, Dahabieh, Deslauriers-Varin, & Thomson, 2011). At the same time, evidence shows that having a job and residential stability reduces recidivism (Drake, Aos, & Miller, 2009; Petersilia, 2003). The call, then, for ecological models is to go beyond individual interventions to remove structural barriers for offenders (Travis, 2009). In contrast, the RNR model focuses more on the individual than on changes that should be made in society to assist in recidivism reduction. Still, RNR is not inconsistent with the ecological model. One could argue that RNR would call for barriers to be removed if this directly impacted an offender’s criminogenic needs; for example, working to place offenders outside of communities where their criminogenic peers reside.

Sanctions Model and Risk-Need-Responsivity

As Kleiman (2009) notes, the swift and certain sanctions approach is at odds with both RNR and general psychological principles that positive reinforcement generates greater and more lasting behavior change than punishment

(see Chapters 6 and 13). As detailed later, however, this model is not completely divorced from RNR. One might argue that the use of swift and certain punishments for offenders who are often impulsive, reckless, and oriented to the present is a more “responsive” approach than the usual delayed, inconsistent, and potentially very harsh sanctions applied for violations under community supervision.

Summarizing Evidence for the Three Models

Risk-Need-Responsivity in Reentry

RISK ASSESSMENT According to the RNR model, one should assess an offender’s risk of recidivism to (a) determine the intensity of services to allocate to him or her, and (b) target his or her criminogenic needs, that is, dynamic risk factors that could be reduced with particular types of services (e.g., criminal thinking, substance abuse, employment problems).

It is clear that a wide variety of agencies in the United States are systematically assessing offenders’ risk of recidivism. As of 2004, 28 states used a prediction instrument for parole decisions, with eight states using the RNR-based Level of Services Inventory-Revised (LSI-R; see Harcourt, 2007). In addition, a national survey of adult prisons, jails, and community corrections agencies revealed that just over one-third uses a standardized risk tool to gauge an offender’s risk to public safety (Taxman, Cropsey, Young, & Wexler, 2007).

It is less clear that the field is using risk assessments to allocate treatment resources or to target and reduce criminogenic needs. In fact, there is controversy about whether dynamic risk factors (like criminal thinking) add any utility to static risk factors (like criminal history) in predicting recidivism (compare Andrews, 2009; Baird, 2009). As such, there is debate about whether the pursuits of risk assessment and risk reduction should be separated or integrated. As Skeem and Monahan (2011) note, even if one advocates integration (as in the RNR model), including dynamic risk factors will add no value to simpler approaches unless those factors are translated into an individual supervision and treatment plan (rather than simply filed away), and systematically targeted with appropriate services (rather than ignored in resource allocation).

REENTRY SERVICES Full tests of RNR in parole have been limited. The field relies heavily upon the results of meta-analyses conducted by two teams led by Andrews and Lipsey (see Chapter 6) to evaluate RNR principles. Most meta-analyses, however, have not been conducted separately for parolees. In a recent analysis of 548 independent study samples, Lipsey (2009) used four categories to classify the type of juvenile justice supervision and control. The probation or parole category represented a third of the studies examined in this meta-analysis. Andrews’s meta-analysis (see Chapter 6) compares community corrections (i.e., probation and parole) with prison settings.

Although both teams of investigators find that programs are particularly effective in reducing recidivism when delivered in community settings, they do not separate reentry from other forms of community supervision (e.g., probation).

The Washington State Institute for Public Policy has also conducted relevant meta-analyses. In their review of 291 evaluations of adult corrections programs, Aos, Miller, and Drake (2006) found that programs for the general offender population that applied cognitive-behavioral treatment approaches (which are consistent with RNR; see Chapter 6) significantly reduced recidivism by an average of 8% compared with treatment as usual. That is, without the cognitive-behavioral approach, 49% of offenders will recidivate, and with cognitive-behavioral treatment, 45% of offenders will recidivate. Even with these relatively small effects, cognitive-behavioral treatment programs were cost effective, yielding \$2.54 to \$11.48 for every program dollar invested. The cost-benefit ratio of programs has been particularly relevant in many program decisions lately—jurisdictions are looking to meta-analyses like these to identify programs that are cost effective.

A handful of recent studies directly test the principles of RNR for the reentry population. Lowenkamp, Latessa, and Holsinger (2006) studied 97 correctional programs and over 13,000 parolees to assess the extent to which programs that followed the risk principle by providing higher risk cases with more intensive services were more successful in reducing return to custody than those that did not. Study findings revealed that, “The correctional programs included in these analyses, whether residential or nonresidential, showed increases in recidivism rates unless offenders who were higher risk were targeted and provided more services for a longer period of time ” (Lowenkamp, Latessa, et al., 2006, p. 88).

Lowenkamp and Latessa (2005) tested core principles of RNR with 38 halfway house programs that served parolees and offenders on postrelease control. The authors found that residential programs were effective in reducing recidivism with higher risk offenders and parole violators (but, in keeping with the risk principle, *increased* recidivism for lower risk parolees). Further, they found that the most effective programs were those that targeted the greatest number of criminogenic needs and utilized cognitive-behavioral techniques, as well as role playing and practicing of skills. In addition, programs that were implemented with integrity showed better outcomes.

Although not tested specifically on a reentry population, Taxman and Thanner (2003) tested the effect of the RNR risk principle on recidivism among drug offenders on probation. Half were randomly assigned to receive a “seamless” model in which probation supervision and substance abuse services were integrated, whereas the other half received routine probation and routine referral to treatment. The study stratified offender’s risk level, as determined by a validated risk assessment tool. Support for better recidivism outcomes for high-risk offenders were observed in one site, but not in the other. Reconceptualizing the risk variable to include the extent of drug use

revealed more consistent support for RNR, leading the authors to argue for more attention in the RNR model to the nature of the criminogenic factors of the target population. Supporters of RNR might counter that the model allows for individualized criminogenic needs (i.e., heavy substance abuse is likely a criminogenic need for many offenders) and for ensuring that services are responsive to the specific problems of an individual.

The Ecological Model in Reentry

According to Travis (2009), several communities have developed promising programs that represent a new frontier in reentry innovation. These programs include comprehensive interagency initiatives (the Boston Reentry Initiative), offender notification forums (Project Safe Neighborhood initiative), reentry courts, and community-based interventions (the Baltimore Reentry Partnership) (Travis, 2009). We next describe the first two, which have been best studied.

The Boston Reentry Initiative (BRI) was established as an interagency collaborative to reduce recidivism among violent offenders released from jail. The program includes mentoring, social service assistance, and vocational development provided by community-based and governmental agencies, as well as the family. At the same time, justice agencies discuss the consequences for misbehaviors and relay to offenders that they are being watched and will be held accountable. Braga, Piehl, and Hureau (2009) conducted a quasi-experimental evaluation of the program's effect on rearrest during a 3-year follow-up period, using a historical control group and propensity score matching to control for differences between the treatment and control groups. Groups were well matched. Results indicated that participants in the BRI group showed longer "time to failure" for any arrest, as well as arrests for violent offenses.

Project Safe Neighborhoods (PSN) was a federally-funded national initiative designed to reduce the level of gun violence in communities. Each jurisdiction was allowed to design its program to fit local legal contexts. Chicago implemented "offender notification forums," in which recently placed parolees were brought to community meetings at which police stressed the consequences of gun use and the choices that parolees had to make to not reoffend. The program included provision of community resources ranging from shelter, education, substance abuse treatment, job training, mentorship, and behavioral counseling. A quasi-experimental design was used in which two adjacent police districts were used as the treatment group and two other districts were used as near equivalent comparison groups. Data were collected over a period of 6 years on homicides, aggravated batteries, and assaults in each area. Using a growth-curve modeling approach and propensity score matching to help control for differences between PSN and comparison districts, researchers found that homicides, but not aggravated batteries and assaults, were lower in the PSN neighborhoods (Papachristos, Meares, & Fagan, 2007).

Although Travis (2009) offers these two initiatives as examples of the ecological approach, one can also see strains of the swift and certain sanctions model in each. Both PSN and the BRI stress the ability of law enforcement to know when misbehavior occurs and to be able to respond to it.

The Swift and Certain Sanctions Model in Reentry

A recently developed program in Hawaii—Hawaii’s Opportunity Probation with Enforcement (HOPE)—uses principles of punishment in an effort to improve outcomes for methamphetamine-involved probationers who were not performing well under probation supervision. The logic behind HOPE is to deliver “swift and sure” sanctions that will provide structure to offenders whose lives are often in disarray (Hawken & Kleiman, 2009; National Institute of Justice, 2008). The model focuses on drug use and includes the following key components:

- At the outset of probation, the judge issues a formal warning in open court that any violation will result in an immediate, brief jail stay (which occurs on weekends for employed offenders, to avoid disrupting work schedules).
- Randomized drug tests are conducted weekly to eliminate any “safe window” for undetected drug use.
- Probationers appear before the judge only when a violation is detected.
- There is a short turnaround time between violation and sanction, and bench warrants are served immediately for absconders.
- Fixed sanctions for violations are applied on a fixed schedule, starting at 2 days in jail and increasing in length for subsequent violations.
- Drug treatment is mandated only for probationers who request a treatment referral or repeatedly test positive for drug use; residential treatment may be mandated as an alternative to revocation for repeat offenders. Treatment is provided to a relatively limited proportion of participants.

These components address broken aspects of the application of punishment in current probation supervision, especially for drug offenders in which “drug testing of probationers is too infrequent, because test results come back too slowly, because sanctions are too rare, too delayed, and too severe (months, or occasionally years, in prison)” (Hawken & Kleiman, 2007).

Although early results were positive for the program, they were based on a limited evaluation design (Hawken & Kleiman, 2009). In a much more rigorous evaluation, Hawken and Kleiman (2009) randomly assigned 493 adult probationers in Hawaii with high scores on a risk assessment tool to either HOPE ($n = 330$) or supervision as usual ($n = 163$). Intent-to-treat analyses indicate that, 1 year after random assignment, HOPE probationers had statistically significantly fewer positive drug tests (13% vs. 46%), new arrests (21% vs. 47%), and revocations (7% vs. 15%) than those in the control group.

Although these short-term results are promising, it is unclear whether HOPE actually reduces the risk of recidivism, once probationers are released from formal supervision. One limitation of punishment-based approaches is that behavior change can end once direct monitoring ceases (see Chapter 13).

Moving Science to Practice: Understanding the Knowledge-Practice Gap

Reentry needs and barriers are well documented, and recidivism seems predictable. Scholars have identified approaches to change behavior and provided rigorous evidence that if they are followed, recidivism can be reduced. Yet no one believes the work is finished, because there are many critical knowledge gaps. In this section, we summarize three gaps relevant to the approaches outlined in the first section.

What About Low-Risk Offenders?

The risk principle of RNR suggests that the most intensive resources (treatment and supervision) should be applied to offenders who are at relatively high risk for recidivism. The question remains: What can be done productively with low-risk offenders? Deterrence theory might suggest that if offenders are simply ignored early in their criminal careers, sanctions lose their deterrent value, and criminal careers can escalate.

According to the ecological model, some offenders who may appear “low risk” on risk assessment tools that heavily emphasize individual factors may actually be quite likely to recidivate, given a host of contextual variables and barriers to reentry. These offenders may be assisted by the removal of community barriers and provision of job skills training and other vocational activities that are more skills based and less resource intensive than programs for higher risk offenders. One could envision a field test of this very real possibility and important question in willing and invested communities.

When Is It Best to Intervene?

We also need to explore the timing of service delivery. Research suggests that recidivism often occurs within the first few months of prison release (Petersilia, 2003). Could recidivism outcomes and cost effectiveness be improved if services were “front loaded” and applied to selected parolees immediately after release? The ecological model would suggest so, because community barriers are encountered immediately. The RNR model would suggest so, because those who are at highest risk would be expected to fail most quickly. We can imagine a test of RNR that tests the timing and dosage amount for those at highest risk when they return to the community. The swift and certain model might suggest still another approach. Using that logic, offenders would

self-select into high and low risk based on their ability to follow rules; those who could not follow rules would receive intensive services to assist in their treatment.

What Contextual Factors Contribute to Reentry Failure?

Future research must move beyond simple statistical models that attempt to explain parolees' success in the community solely as a function of their individual behavior. In keeping with general premises of the ecological model, the characteristics of the parolee's supervising agent, supervising agency, and community are significant predictors as well. Recent research findings by Lin, Grattet, and Petersilia (2010) examined the impact of these kinds of factors on parolee success using a correlational design. They found that individual offender factors, as well as parole agent and community factors, impacted recidivism for parolees. However, this was not a true test of how *changes* in each of these spheres could improve reentry. This key question needs more definitive answers.

Intersections With Practice

Risk-Need-Responsivity as *Part of Best Practices* Advocated by National Agencies

Several compendiums of reentry program descriptions have been published in recent years, and these descriptions often refer to such RNR principles as using risk/needs assessment instruments, trying to match parolee needs with identified programs, and focusing services on moderate- and high-risk individuals. For example, *The Report of the Reentry Policy Council: Charting the Safe and Successful Return of Prisoners to the Community* (Reentry Policy Council, 2005) offers a 650-page, comprehensive set of bipartisan, consensus-based recommendations for those interested in improving reentry outcomes, along with a variety of program descriptions. Similarly, the American Correctional Association published *Reentry Best Practices* (Wilkinson, 2004), which described eighty reentry programs across the country. Some of those descriptions included vague references to the "what works" literature. Unfortunately, there is no real way to discern the extent to which these principles are influencing daily practices because the program descriptions are not detailed enough.

A report of the American Probation and Parole Association (APPA, 2007) notes that in times of increasing caseloads and major budget cuts, probation and parole agencies must attend to RNR principles in allocating workloads while assuring community safety:

There is no doubt that evidence-based practices designed to reduce risk of re-offending are infusing the community corrections field

with more scientific approaches. These approaches rely on risk assessments to allow probation and parole agencies to differentiate and typologize offenders based on their relative level of risk to reoffend. This strategy allows for addressing criminogenic needs—anti-social behavior, anti-social personality, anti-social values and attitudes, criminal peer groups, substance abuse, and dysfunctional family relations—through an integrated approach of surveillance, treatment, and enforcement. (APPA, 2007, p.8)

Evidence-based principles have been formally integrated in the National Institute of Corrections (NIC) and the Crime and Justice Institute (CJS)'s model for effective correctional management of offenders in the community (CJI, 2004; APPA, 2007). The integrated model places equal weight in three areas: evidence-based practices, organizational development, and collaboration. RNR principles developed by Andrews and colleagues are at the core of evidence-based practices of the model. Taxman, Shephardson, and Byrne (2005) developed the manual *Tools of the Trade* to help assist practitioners in community corrections translate research findings into practice using RNR concepts. In short, RNR principles are part of recommended best practices, but they seem embedded within other goals and priorities in community corrections.

How Much Does the Current "Brokerage" Approach Overlap with Risk-Need-Responsivity?

In thinking about RNR principles, one often considers a program, its clients, offender assessment, program staff, program model, and outcomes as part of an integrated whole. This model often seems inapplicable to probation and parole supervision, where the agent of supervision often functions as a case manager, perhaps conducting limited risk and needs assessment, but often referring offenders into the community to governmental and private provider agencies that are the actual source of program delivery. Offenders may participate in more than one outside program—drug treatment, anger management, sex offender treatment, and so on. Some refer to this type of arrangement as a "brokerage model." For example in California, the California Department of Corrections and Rehabilitation (CDCR)'s parole division contracts with providers to serve their offenders with outpatient and residential substance abuse services as well as transitional housing. The "brokerage" model becomes quickly complicated with respect to implementation of evidence-based principles. For example, there may be no guarantee that a vendor will follow evidence-based principles for offenders (e.g., targeting criminogenic needs like socialization with antisocial peers, rather than noncriminogenic needs like depression or self-esteem), or that treatment and services received are integrated in a consistent manner. Programs often provide their services as they have done for years, using models that are not necessarily based on evidence, but rather on an accumulation of hands-on experience.

Some corrections agencies, however, are beginning to address the adherence and use of evidence-based principles by using the contracting mechanism itself. Parole agencies may require demonstrated evidence of adherence to evidence-based models in proposal submissions to agencies. CDCR is proposing this as part of their quality assurance for correctional programs. The Correctional Program Assessment Inventory (which encompasses concepts of RNR in review of programs; see Chapter 6) can be used for screening potential programs for funding decisions (Lowenkamp, Pealer, Smith, & Latessa, 2006). Periodic review of programs that have received funding can also be conducted. As part of California Logic Model, CDCR programs are targeted for review using the Correctional Program Checklist (similar to the CPAI) by trained staff from the CDCR research unit. Although the brokerage model may seem to make RNR more complicated to implement and monitor at first blush, the CPAI and related tools make this quite feasible. Indeed, there are no "RNR programs" per se; instead, all programs differ in their adherence to these principles, whether they are provided by corrections agencies or contractors. Brokerage-type contacts can be written to ensure that RNR is implemented.

How Consistent Is the Current Law Enforcement Emphasis with Risk-Need-Responsivity Principles?

Public safety is a major concern in reentry. The prospect of having a parolee commit a horrendous crime may cause agencies to emphasize surveillance and control to the exclusion of RNR principles or long-term behavior change. Although one can view RNR principles as a clear and direct pathway toward improving public safety (see Chapters 6 and 13), some agencies seem to perceive "rehabilitation" and "crime control" as competing goals. This could serve as a barrier to the uptake of RNR.

For example, the National Research Council (NRC) on Parole, Desistance from Crime, and Community Integration reports, "The cost of strict enforcement, whether warranted or not, is borne only by the parolee. The cost of failing to clamp down on a dangerous parolee is borne by an entire agency, or, as in the Willie Horton case, a governor. Consequently agencies have been hard pressed to emphasize rehabilitation or take the process of relapse into account" (NRC, 2007, p. 36). Similarly, APPA (2007) notes that "the community corrections field has changed significantly from its initial focus as a way to help offenders construct pro-social lives by addressing personal and social deficits. The more contemporary view of corrections embraces strategies and services that hold offenders accountable for their criminality, provides cost-effective alternatives to incarceration, and never loses sight of the critical importance of public safety in the near and long term" (p. 9). Recently passed legislation requiring lifelong GPS monitoring of all sex offenders in California (Jessica's law), despite the lack of any sex offender treatment programming in California prisons, is one example of weight still given to enforcement and surveillance.

Conflict remains both at the agent and agency level between evidence-based correctional principles and a law enforcement focus. Parole agents are often required to assume both surveillance and rehabilitation roles. They monitor parolees to assure compliance with the often numerous conditions of parole; yet, as described earlier, they also serve as service brokers to obtain housing, employment, drug treatment, and other services for their clients.

These agents and their agencies face the challenge of how best to integrate RNR into supervision practices that may be more geared toward reducing the short-term “stakes” of supervision failures, rather than the long-term “risks” of reoffending. Similarly, the RNR risk principle suggests that resources be focused on the higher risk; yet the public may demand high levels of supervision for certain “types” offenders (such as sex offenders), regardless of the risk the individual parolee may pose to the community. The “stakes” to the agency for potential crimes committed by certain offender groups often outweigh concerns about effective targeting of resources and money for optimum crime reduction. These potential barriers—and how to address them—are explained by McGuire (see Chapter 12).

Serious and Violent Offender Reentry Initiative

The largest effort to systematically encourage the implementation of evidence-based principles is the federal government’s Serious and Violent Offender Reentry Initiative (SVORI). In 2003, 69 agencies representing all 50 states received more than \$110 million in federal funds (each receiving \$500,000 to \$2,000,000 over 3 years) to develop programs to improve the outcomes of serious and violent prisoners coming home (Lattimore, Visher, Winterfield, Lindquist, & Brumbaugh, 2005). SVORI guidelines for these programs were fairly minimal. Grantees were encouraged to do an assessment, but agencies were told to customize their programs to reflect their local needs and resources. SVORI grantees operated nearly 90 distinct reentry programs, many of them expanded during the original funding awards.

SVORI’s goals were to improve a variety of outcomes, including family relationships, work, health, community integration, housing, and reduced crime. Researchers from the Research Triangle and Urban Institutes are evaluating SVORI. Thus far, researchers have used project director’s self-reports to describe the programs’ goals and implementation to explore the extent to which efforts are being made to incorporate evidence-based principles in SVORI program operations. Their reports suggest the following (Lattimore, Brumbaugh, Visher, Lindquist, Winterfield, Salas, & Zweig, 2004; Steffey, Brumbaugh, & Lattimore, 2008):

- Over 90% of SVORI programs report assessing risk and needs using standardized instruments. These instruments are being completed before release (97% of agencies) and also after release (89% completing).

- Unfortunately, SVORI programs do not allocate the most intensive services to only moderate- and high-risk offenders. Certain offenders are eliminated from program participation, but elimination is based upon current conviction crime (usually, sex offenders are excluded) rather than a low recidivism risk score. Moreover, the majority of SVORI programs (75%) do not specifically target populations for program participation based on their type of clinical treatment needs (i.e., substance abuse, mental illness).
- Once accepted into the SVORI program, many programs develop a case management plan in which offenders are provided substance abuse, employment, medical, mental health services, and housing assistance based on an assessment of their needs for those services.
- It is unclear from the available information whether SVORI is using cognitive-behavioral strategies in programming delivered by well-trained staff. It is also unclear whether staff use positive rather than negative reinforcement.
- Most SVORI programs implement a multiphase approach, incorporating at least one prerelease phase and at least one postrelease phase. The programs appear to last at least a year across the two phases. The most common length of combined postrelease phases is 10 to 12 months.
- There is evidence that SVORI projects are engaging ongoing support systems in natural communities, by activating faith-based services, mentors, and family-oriented activities.

Thus, some evidence-based principles are influencing the design and implementation of SVORI, the nation's largest prisoner reentry initiative. Many SVORI sites are doing risk-based assessments, implementing some case management practices, implementing programs that are several months in duration, and collecting process and outcome data. However, SVORI sites are having a more difficult time implementing core risk, need, and responsivity principles, because few programs target resources primarily to moderate- and high-risk offenders, implement cognitive-behavioral programs by trained staff, or create systems that provide positive reinforcement in a consistent and managed way. No SVORI program reported policies specifically to keep low-risk cases out of intensive services. There was also little evidence that programs considered differential treatment with regard to interpersonal maturity, age-, gender- and culturally responsive services.

The SVORI results seem generally consistent with the National Institute of Corrections' Transition from Prison to Home Initiative, where risk and need assessments are routinely completed but delivering intensive cognitive-based programs based on identified needs is more challenging (Byrne, Taxman, & Young, 2004). As best as the authors can tell, there has been limited penetration of evidence-based crime reduction principles to prisoner reentry programs.

The outcome results from SVORI were released in 2010 and appear promising. SVORI program participants were much more likely to receive services and participate in needed programs, and SVORI participants did better across a wide range of domains, including employment and substance abuse (see <https://www.svori-evaluation.org/>). Rearrest and reincarceration, which may be viewed as the chief outcomes of interest however, were not generally reduced.

These early positive results have encouraged an expansion of federally funded reentry programs. President Bush signed The Second Chance Act of 2007 (H.R. 1593/S. 1934) in April 2008. One hundred fourteen million dollars was appropriated for prisoner reentry programs in FY2010, including \$100 million for Second Chance Act programs administered by the U.S. Department of Justice and \$14 million for reentry programs administered by the U.S. Department of Labor (http://reentrypolicy.org/government_affairs/second_chance_act, May 12, 2011).

Implications for Practice

Our review of reentry does not offer suggestions surprisingly different from the mainstays of RNR for the supervision of parolees and other former inmates reentering the community. Drawing from the research literature while acknowledging the gaps identified earlier, we recommend the following for facilitating the entry of individual offenders:

1. Assess offenders' risk and needs using validated instruments and use the results to inform supervision plans.
2. Understand the difference between "risks" and "stakes" in parole supervision. An offender may be "high stakes" to the correctional agency, due to his or her index offense, but also low "risk" to the community, given his or her low risk of recidivism.
3. Focus resources on higher risk offenders, recognizing that the definition of higher risk may need to be qualified with need categories.
4. Emphasize rewards and incentives to change behavior, while realizing that for some high-risk offenders, certain and swift sanctions could also be effective.
5. Use cognitive-behavioral treatment (CBT) approaches, while realizing that more work needs to be done to determine how different offender characteristics may affect response. CBT may require modification to be responsive to the needs of some populations (e.g., those with mental illness).
6. Link offenders with community agencies that can help provide services/treatment required, using the brokerage model.

Our review of the evidence on RNR, ecological, and certain and swift sanction models has several more far-reaching implications for reentry agencies and systems. We recommend the following for reentry systems:

- 1) Explicitly integrate RNR principles with other foci of reentry, including surveillance and control. Because law enforcement goals may seem incompatible with RNR "rehabilitation," explain how behavior change works in the service of increasing public safety.
- 2) As suggested earlier, recognize the difference between "risk" and "stakes." The stakes may be quite high for some released offenders, should they commit crimes while out, despite the fact that they might be low risk according to validated risk assessment instruments. Systems must find a way to consider both "risk" and "stakes" without completely putting the focus on the risk principle, which is well validated for reducing recidivism.
- 3) When advocating for the implementation and evaluation of RNR and other evidence-based principles in today's economic climate, emphasize the estimated cost savings using findings from meta-analyses (such as those conducted by the Washington Institute of Public Policy; see earlier). Test those cost savings in evaluation studies.
- 4) Craft systems that require brokeraged services to demonstrate the implementation of RNR principles. Requests for proposals should require evidence-based programming and services. Those buying the services must be able to distinguish truly evidence-based proposals and programs from other proposals and programs. Providers should be held accountable for the results they achieve.
- 5) Leverage community support in implementing RNR and other evidence-based principles in reentry. Reentry requires community support; RNR principles need to be integrated into a shared system, in which rehabilitation is one of several goals of the community partners.
- 6) Work politically toward acceptance of reduced supervision of and services for low-risk offenders. Law enforcement, particularly, may be reluctant to give up search and seizure and other powers that higher levels of (more expensive) formal supervision of parolees allow them.

The current state of reentry programs is marked by enthusiasm and recently focused resources; however, to achieve the desired outcomes, especially reductions in crime, we have provided a series of evidenced-based, sensible recommendations toward aiming resources where they will do the most good. Following these principles of social science will benefit not only the offenders who are released but also the communities in which they will live.

References

- American Probation & Parole Association (2007). *Probation and parole's growing caseloads and workload allocation: Strategies for managerial decision*

- making, Available at: http://www.appa-net.org/eweb/DynamicPage.aspx?WebCode=VC_FreePubsReports
- Andrews, D.A. (2009). The Level of Service Assessments: A Question, Confusion, Selectivity and Misrepresentation of Evidence in Baird. Presentation at International Community Corrections Association Meeting, Orlando, Florida.
- Andrews, D. A., & Bonta, J. (2010). Rehabilitating criminal justice policy and practice. *Psychology, Public Policy, and Law*, 16(1), 39–55.
- Andrews, D. A., Bonta, J., & Hoge, R. D. (1990). Classification for effective rehabilitation: Rediscovering psychology. *Criminal Justice and Behavior*, 17(1), 19–52.
- Aos, S., Miller, M., & Drake, E. (2006). *Evidence-based adult corrections programs: What works and what does not*. Olympia: Washington State Institute for Public Policy.
- Baird, C. (2009). *A question of evidence: A critique of risk assessment models used in the criminal justice system*. San Francisco, CA: National Council on Crime and Delinquency.
- Beck, A. J. (2000). *State and federal prisoners returning to the community: Findings from the Bureau of Justice Statistics*. Washington, DC: Bureau of Justice Statistics.
- Braga, A. A., Piehl, A. M., & Hureau, D. (2009). Controlling violent offenders released to the community: An evaluation of the Boston Reentry Initiative. *Journal of Research in Crime and Delinquency*, 46(4), 411–436.
- Byrne, J. M., Taxman, F., & Young, D. (2004). Targeting for reentry: Inclusion/exclusion criteria across eight model programs. *Federal Probation*, 68, 53–61.
- California Department of Corrections and Rehabilitation (2007). *Expert Panel Report on Adult Offender and Recidivism Reduction Programming*. Sacramento, CA. Available at www.cdcr.ca.gov/news/docs/Expert_Rpt/ExpertPanelRpt_.pdf
- Crime & Justice Institute (2004). *Implementing evidence-based practice in community corrections: The principles of effective intervention*, Boston, MA.
- Drake, E., Aos, S., & Miller, M. (2009). *Evidence-Based public policy options to reduce crime and criminal justice costs: Implications in Washington State*, Washington State Institute for Public Policy.
- Greene, J. A. (2003). *Smart on crime: Positive trends in state-level sentencing and corrections policy*. Washington, DC: Families Against Mandatory Minimums.
- Harcourt, E. H. (2007). *Against prediction: Profiling, policing and punishing in an actuarial age*. Chicago, IL: University of Chicago Press.
- Hawken, A., & Kleiman, M. (2007). H.O.P.E. for reform: What a novel probation program in Hawaii might teach other states. *The American Prospect*. Retrieved from http://www.prospect.org/cs/articles?article=hope_for_reform
- Hawken, A., & Kleiman, M. (2009). *Managing drug involved probationers with swift and certain sanctions: Evaluating Hawaii's HOPE*. Retrieved from <http://www.ncjrs.gov/pdffiles1/nij/grants/229023.pdf>
- House of Representatives and Senate, H.R. 1593/S. 1934.
- Justice Center, The Council of State Governments (n.d.). Retrieved May 12, 2011, from http://reentrypolicy.org/government_affairs/second_chance_act
- Kleiman, M. (2009). *When brute force fails: How to have less crime and less punishment*. Princeton, NJ: Princeton University Press.

- Langan, P., & Levin, D. (2002). *Recidivism of prisoners released in 1994*. No. NCJ 193427. Washington, DC: Bureau of Justice Statistics.
- Lattimore, P. K., Brumbaugh, S., Visher, C. A., Lindquist, C., Winterfield, L., Salas, M., & Zweig, J. M. (2004). *National portrait of SVORI: Serious and Violent Offender Reentry Initiative*. Chapel Hill, NC: RTI International.
- Lattimore, P. K., & Visher, C. A. (2009). *The Multi-site Evaluation of SVORI: Summary and Synthesis*. The Multi-site Evaluation of the Serious and Violent Offender Reentry Initiative.
- Lattimore, P. K., Visher, C. A., Winterfield, L., Lindquist, C., & Brumbaugh, S. (2005). Implementation of prisoner reentry programs: Findings from the Serious and Violent Offender Reentry Initiative multi-site evaluation. *Justice Research and Policy*, 7(2), 87–109.
- Lin, J., Grattet, R., & Petersilia, J., (2010). Back-end sentencing and reimprisonment: Individual, organizational, and community predictors of parole sanctioning decisions. *Criminology*, 48(3), 759–796.
- Lipsey, M. W. (2009). The primary factors that characterize effective interventions with juvenile offenders: A meta-analytic overview. *Victims and Offenders*, 4(2), 124–147.
- Lowenkamp, C. T., & Latessa, E. (2005). Increasing the effectiveness of correctional programming through the risk principle: Identifying offenders for residential placement. *Criminology and Public Policy*, 4(2), 291–310.
- Lowenkamp, C.T., Pealer, J., Smith, P. & Latessa, E. (2006). Adhering to the risk and need principles: Does it matter for supervision-based programs?. *Federal Probation*, 70(3), 3–8.
- Lowenkamp, C. T., Latessa, E., & Holsinger, A. (2006). Risk principle in action: What have we learned from 13,676 offenders and 97 correctional programs?. *Crime and Delinquency*, 52(1), 14.
- Lussier, P., Dahabieh, M., Deslauriers-Varin, N., & Thomson, C. (2011). Community reintegration of violent and sexual offenders: Issues and challenges for community risk management. In L. Gideon & H-E. Sung (Eds.), *Rethinking corrections: Rehabilitation, reentry, and reintegration*. Los Angeles: Sage.
- Lynch, J. P., & Sabol, W. J. (2001). *Prisoner reentry in perspective*. Washington, DC: Urban Institute.
- Marlowe, D. (2008). Application of sanctions. In C. Hardin & J. Kushner (Eds.), *Quality improvement for drug courts*. Alexandria, VA: National Drug Court Institute.
- Martinson, R. (1974). What Works?: Questions and answers about prison reform. *Public Interest*, 35, 22–35.
- Nagin, D. S. (1998). Criminal deterrence research at the outset of the twenty-first century. *Crime and Justice*, 23, 1–42.
- National Institute of Justice. (2008). *HOPE in Hawaii: Swift and sure changes in probation*. Retrieved from <http://www.ojp.usdoj.gov/nij/pubs-sum/222758.htm>
- National Research Council. (2007). *Parole, desistance from crime, and community integration*. Committee on Law and Justice, National Academies Press, Washington, D.C.
- Papachristos, A. V., Meares, T. L., & Fagan, J. (2007). Attention Felons: Evaluating Project Safe Neighborhoods in Chicago. *Journal of Empirical Legal Studies*, 4(2), 223–272.

- Petersilia, J. (2003). *When prisoners come home: Parole and prisoner reentry*. New York: Oxford University Press.
- Petersilia, J. (2006). *Understanding California corrections*. Berkeley: University of California.
- Petersilia, J. (2008). California's correctional paradox of excess and deprivation. In M. H. Tonry (Ed.), *Crime and justice: A review of research* (Vol. 37, pp. 207–278). Chicago: University of Chicago Press.
- Pew Charitable Trust. (2007). *Public Safety, Public Spending: Forecasting America's Prison Population, 2007-2011*. Retrieved from <http://www.pewcenteronthestates.org/uploadedFiles/Public%20Safety%20Public%20Spending.pdf>
- Pew Charitable Trust. (2008). *One in 100 behind bars in America*. Retrieved from http://www.pewcenteronthestates.org/report_detail.aspx?id=35904
- Re-Entry Policy Council. (2005). *Charting the safe and successful return of prisoners to the community*. Council of State Governments, New York, NY.
- Rose, D. R., & Clear, T. R. (1998). Incarceration, social capital, and crime: Implications for social disorganization theory: Examining the unintended consequences of incarceration. *Criminology*, 36(3), 441–480.
- Rosenfeld, R., Wallman, J., & Fornango, R. (2005). The contribution of ex-prisoners to crime rates. In J. Travis & C. A. Visher (Eds.), *Prisoner reentry and crime in America*. New York: Cambridge University Press.
- Sampson, R. J., Raudenbush, S. W., & Earls, F. (1997). Neighborhoods and violent crime: A multilevel study of collective efficacy. *Science*, 277(5328), 918–924.
- Skeem, J., & Monahan, J. (2011). Current directions in violence risk assessment. *Current Directions in Psychological Science*, 20, 38–42.
- Solomon, A., Osborne, J., LoBuglio, S., Mellow, J., & Mukamal, D. (2008). *Life after lockup: Improving reentry from jail to the community*. Washington, DC: The Urban Institute.
- Steffey, D., Brumbaugh, S., & Lattimore, P. K. (2008). *Results from a multi-site evaluation of prisoner reentry programs*. Chapel Hill, NC: Research Triangle Institute.
- Tarlow, M. (2011). Employment barriers to reintegration. In L. Gideon & H-E. Sung (Eds.), *Rethinking corrections: Rehabilitation, reentry, and reintegration*. Los Angeles: Sage.
- Taxman, F., Cropsey, K., Young, D., & Wexler, H. (2007). Screening, assessment, and referral practices in adult correctional settings. *Criminal Justice and Behavior*, 34(9), 1216–1234.
- Taxman, F., & Thanner, M. (2003). Probation from a therapeutic perspective: Results from the field. *Contemporary Issues in Law*, 7(1), 39–63.
- Taxman, F., Shepardson, E. & Byrne, J. (2005). *Tools of the trade: A guide to incorporating science into practice*. Report for the National Institute of Corrections, Washington DC. Available at: <http://nicic.gov/Library/020095>
- Travis, J. (2009). *What works for successful prisoner reentry*. Paper presented at the House of Representatives Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies, March 12.
- United States Sentencing Commission. (n.d.). Press release. Retrieved July 13, 2009 from <http://www.ussc.gov/PRESS/rel121107.htm>
- Wilkinson, R. (2004). *Reentry best practices: Directors' perspectives*. American Correctional Association, Latham, MD.
- Wilson, J. (1975). *Thinking about crime*. New York: Basic Books.