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BJA
Bureau of Justice Assistance
U.S. Department of Justice

SCREENING & ASSESSMENT: ISSUES OF ACCESS AND FAIRNESS

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GOALS AND OBJECTIVES

- ✓ Gain a basic understand of the goals and purposes of screening and assessment
- ✓ Understand the RNR Model
- ✓ Learn about screening and assessment tools
- ✓ Address the concepts of access and fairness in general and as applied to screening & assessment





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The Purpose of Screening & Assessment





THE PURPOSE OF SCREENING & ASSESSMENT



Our clients are complex, multifaceted individuals with unique histories and experiences



We work with people, ***NOT DISORDERS***





THE PURPOSE OF SCREENING & ASSESSMENT

If we are to help our clients live more healthy, crime-free lives, we need to take the time to accurately identify the nature of their presenting problems and the impacts they have on their lives and communities





SCREENING



Screening is a process whereby we assess the likelihood that an individual presents with one or more disorders or characteristics



SCREENING



The results of screening tell us where to point the shovel so we can dig deeper with specific assessments



ASSESSMENT

Assessment is an ongoing process whereby we dig deep in an effort to more fully understand what specific issues, characteristics, and disorders our clients are presenting with





ASSESSMENT

The results of assessment tell us what type and how much (both intensity and duration) treatment will be needed to adequately address the presenting issues



FRAMEWORK FOR ASSESSMENT & TREATMENT



It helps to have a framework or model to organize our assessment and treatment efforts



We have a number of frameworks such as:

Cognitive Behavioral Therapy (CBT)

The Addiction Model

The Ecological Model





THE RNR MODEL

The Risk/Needs/Responsivity (RNR) Model of offender assessment and rehabilitation

Developed by Bonta and Andrews (2007-06)

Preeminent model for offender rehabilitation since it was developed in the 1980s – very well researched

Programming needs to be targeted according to offender risk, it must address specific criminogenic needs, and it must maximize the responsivity of participants



Principles of Effective Intervention: The RNR Framework





THE RISK PRINCIPLE

Match the level of a person's
risk to the level of
intervention or treatment

The higher the risk, the more
intensive and longer the
intervention required





THE NEEDS PRINCIPLE

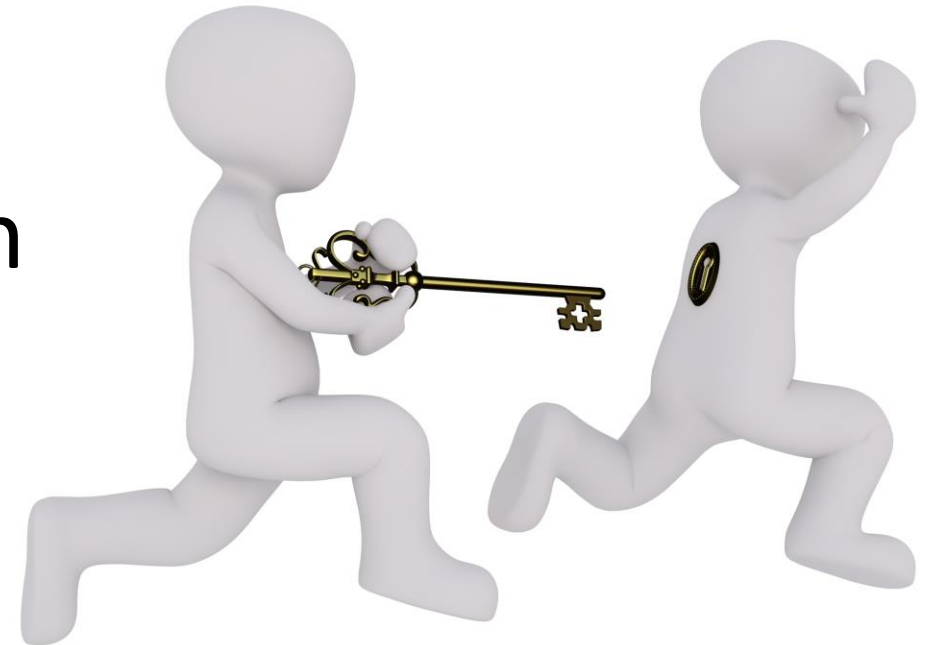
Intervention efforts should be directed at specific criminogenic needs

Criminogenic needs are dynamic issues that drive criminal behavior and are the focus of intervention, such as mental health issues and substance abuse



THE RESPONSIVITY PRINCIPLE

Responsivity refers to the degree to which the client can effectively participate in and benefit from (that is, respond to) treatment and intervention efforts





THE RNR MODEL

When you measure these 3 factors using valid & reliable tools, you will have the baseline knowledge about your clients necessary to apply your intervention or treatment





RNR MEASURES



Level of Service Inventory – Revised (LSI-R)



Level of Service – Case Management Inventory (LS-CMI)



Short-Term Assessment of Risk and Treatability (START)





SUBSTANCE ABUSE MEASURES



Addiction Severity Index (ASI)



**Texas Christian University Drug Screen
V (TCUDS V)**



**Subtle Substance Abuse Screening
Inventory - IV (SASSI-IV)**





MENTAL HEALTH MEASURES

- ✓ **Brief Jail Mental Health Screen**
(administered in jail or at first appearance)
- ✓ **Symptom Checklist-90-R (SCL-90-R)**
- ✓ **Brief Symptom Inventory (BSI)**
- ✓ **Beck Depression Inventory (BDI)**
- ✓ **Beck Anxiety Inventory (BAI)**
- ✓ **Trauma Symptom Inventory**
- ✓ **PTSD Diagnostic Scale**





HOW DO WE USE RESULTS?

✓ To indicate level, type of treatment indicated (in line with RNR principles)

✓ To provide information regarding issues that should be addressed in treatment (e.g., depressive and/or anxious symptoms, suicidality)





HOW DO WE USE RESULTS?



To indicate the need for trauma-focused and trauma-informed interventions for both male and female participants



Don't underestimate the prevalence of trauma and the need to address it consistently and clinically





HOW DO WE USE RESULTS?

To select among a range of Evidence-Based Practices (*EBPs*) so we can:

- Apply what research demonstrates works
- To a population and in a setting where we are
- Increase the likelihood that we will achieve the intended outcomes





HOW DO WE USE TEST RESULTS?

The key is to implement
interventions based on:

What Works for Whom

When

Under what Circumstances





ACCESS AND FAIRNESS IN SCREENING & ASSESSMENT

In our tripartite form of government, we have three separate branches – executive, legislative, and judicial. The judicial branch is the only one to which all persons have direct access: ***through the courts***





ACCESS AND FAIRNESS IN SCREENING & ASSESSMENT

Access refers to ease of use, lack of barriers, ensuring that one's ability to enter into and use the courts is not dependent on cultural, racial, ethnic, gender, linguistic, mobility, or other differences





ACCESS AND FAIRNESS IN SCREENING & ASSESSMENT

Concepts of Fairness: Legal fairness prioritizes *equality or parity in the process* by which an outcome is reached, rather than fairness of *the outcome itself*





ACCESS AND FAIRNESS IN SCREENING & ASSESSMENT

Perceptions of fairness differ –
for instance, African Americans
are generally less likely to expect
that they will receive fair
treatment in the criminal justice
and legal systems





ACCESS AND FAIRNESS IN SCREENING & ASSESSMENT

Survey respondents are also likely to believe that the wealthy and large corporations will be treated relatively more favorably in the courts than the poor and less-resourced among us





ACCESS AND FAIRNESS IN SCREENING & ASSESSMENT



The perception of fairness can be impacted positively or negatively by a single experience – in fact, a single experience can impact a person's view of the entire legal system



ACCESS AND FAIRNESS IN SCREENING & ASSESSMENT

Examine your court with respect to access and fairness – beginning with a close look at these three groups:

- Referrals
- Participants
- Graduates



ACCESS AND FAIRNESS IN SCREENING & ASSESSMENT

To what degree do these three groups represent:

- Your community?
- Those charged with the same types of offenses but who are not referred to your court?





ACCESS AND FAIRNESS IN SCREENING & ASSESSMENT

To what extent are the demographic and other characteristics of each of these three groups similar to one another?

If differences exist, it may be an issue with access and/or fairness



ACCESS AND FAIRNESS IN SCREENING & ASSESSMENT

Take a look at your inclusionary and exclusionary criteria – do they unintentionally limit access to certain groups, or could they somehow be impacting perceived fairness?





ACCESS AND FAIRNESS IN SCREENING & ASSESSMENT

The controversial 2016 ProPublica study focusing on the COMPAS – are the results of any of your assessments affected by one or more demographic factors?



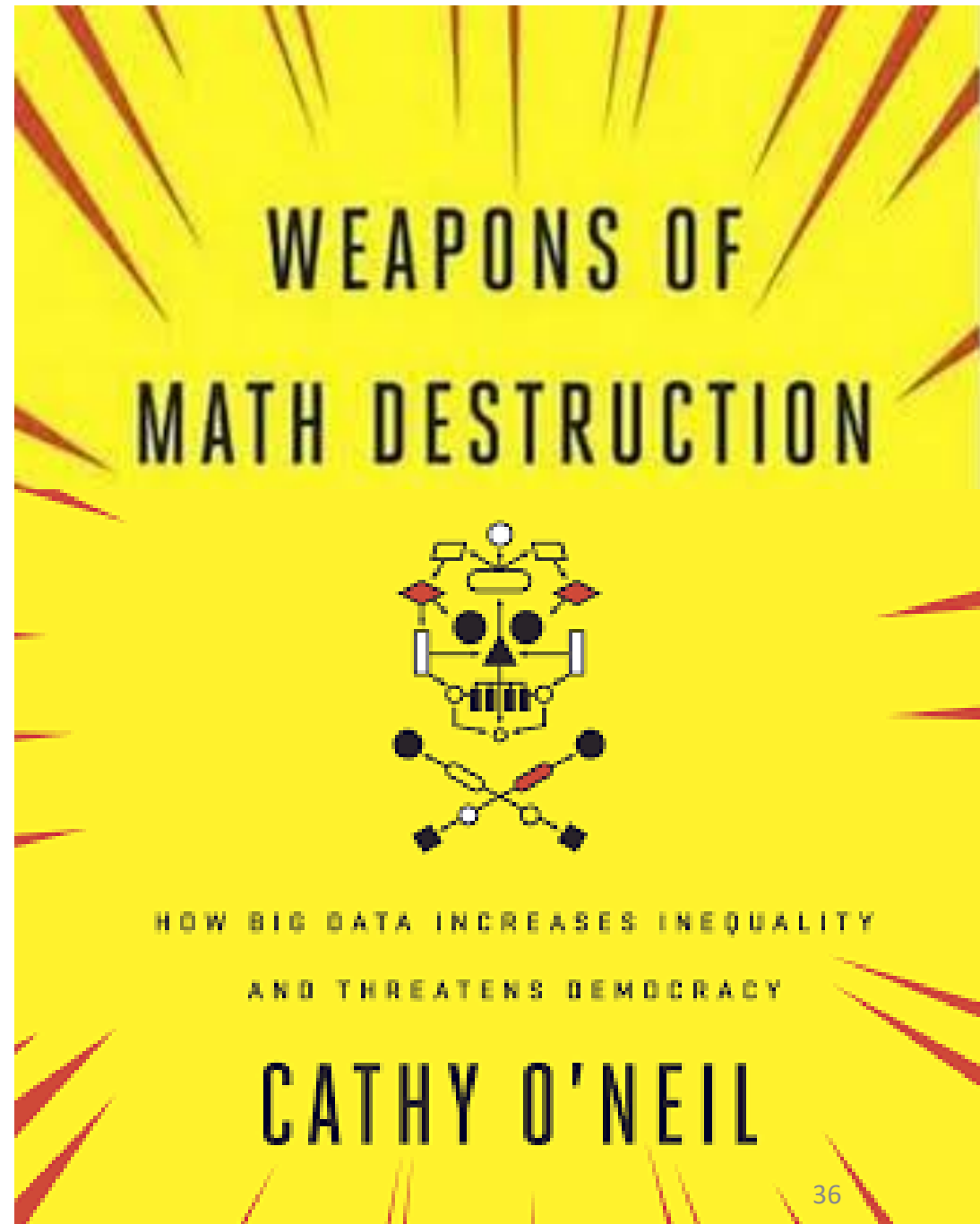


Machine Bias

There's software used across the country to predict future criminals. And it's biased against blacks.

Julia Angwin, Jeff Larson, Surya Mattu and Lauren Kirchner, ProPublica, May 23, 2016.

New York Times
bestselling book:
*Weapons of Math
Destruction: How Big
Data Increases
Inequality and
Threatens Democracy.*
Cathy O'Neil, 2016.





ALGORITHMS AND BIG DATA

Cathy O’Neil, in her book *Weapons of Math Destruction*, argues that bias is inherent in our data, such as in arrest records that reflect both “reported” and “found” crimes. Policing patterns impact these two types of offenses differently, in that found crimes are more likely to occur in areas where police observation is more frequent – such as poor and minority neighborhoods.



ACCESS AND FAIRNESS IN SCREENING & ASSESSMENT

The National Center for State Courts (NCSC) initiated their three-year Access and Fairness Campaign (2017 – 2019)

Consider using their brief survey to assess public perceptions around access and fairness





ACCESS AND FAIRNESS IN SCREENING & ASSESSMENT



To maximize access means to identify and remove barriers that make it more difficult or may even prevent people from accessing the courts. Oftentimes perceptions count as much as reality.



ACCESS AND FAIRNESS IN SCREENING & ASSESSMENT

got fairness?

To maximize fairness in screening and assessment is to ensure that screenings and assessments are being used correctly, for their intended purpose, applied to appropriate populations, and don't result in bias



ACCESS AND FAIRNESS IN SCREENING & ASSESSMENT

From Kehl et al., (2017) – the concept of “*Technological Due Process*” – ensuring that ample opportunity exists to challenge the results of risk assessments

- Core values are: transparency, accuracy, accountability, participation, and fairness
- The presence of a clear “audit trail” – involving the ability to track decisions, open access to source data and the actual algorithms





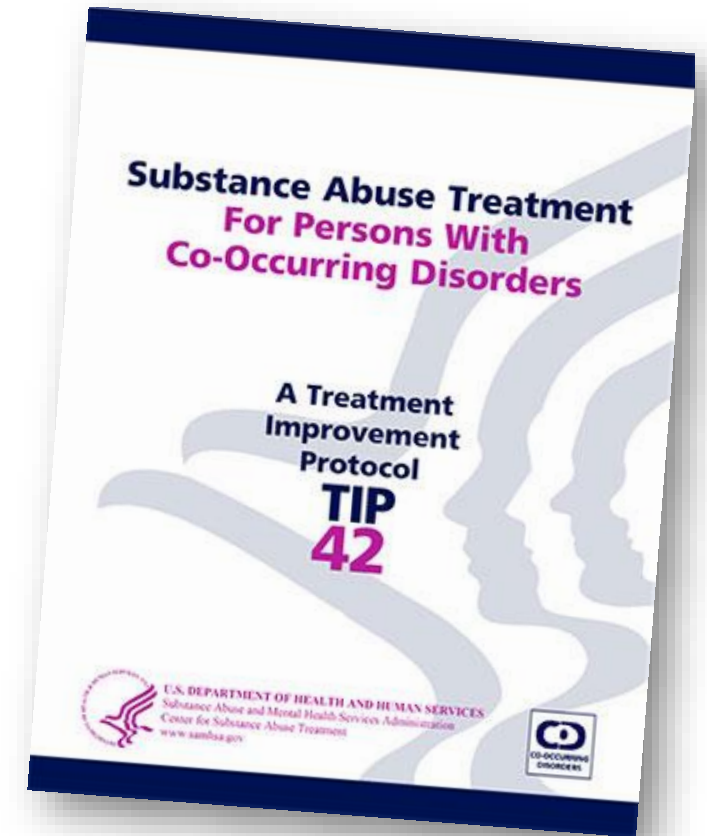
RESOURCES

SAMHSA

Center for Substance Abuse
Treatment (CSAT) Treatment
Improvement Protocol (TIP) Series –
e.g., TIP 7

*Screening and Assessment for Alcohol
and Other Drug Abuse Among Adults
in the Criminal Justice System*

www.samhsa.gov





RESOURCES

SAMHSA's GAINS Center

www.samhsa.gov/gains-center

The Council of State Governments Justice Center

<https://csgjusticecenter.org/mental-health>





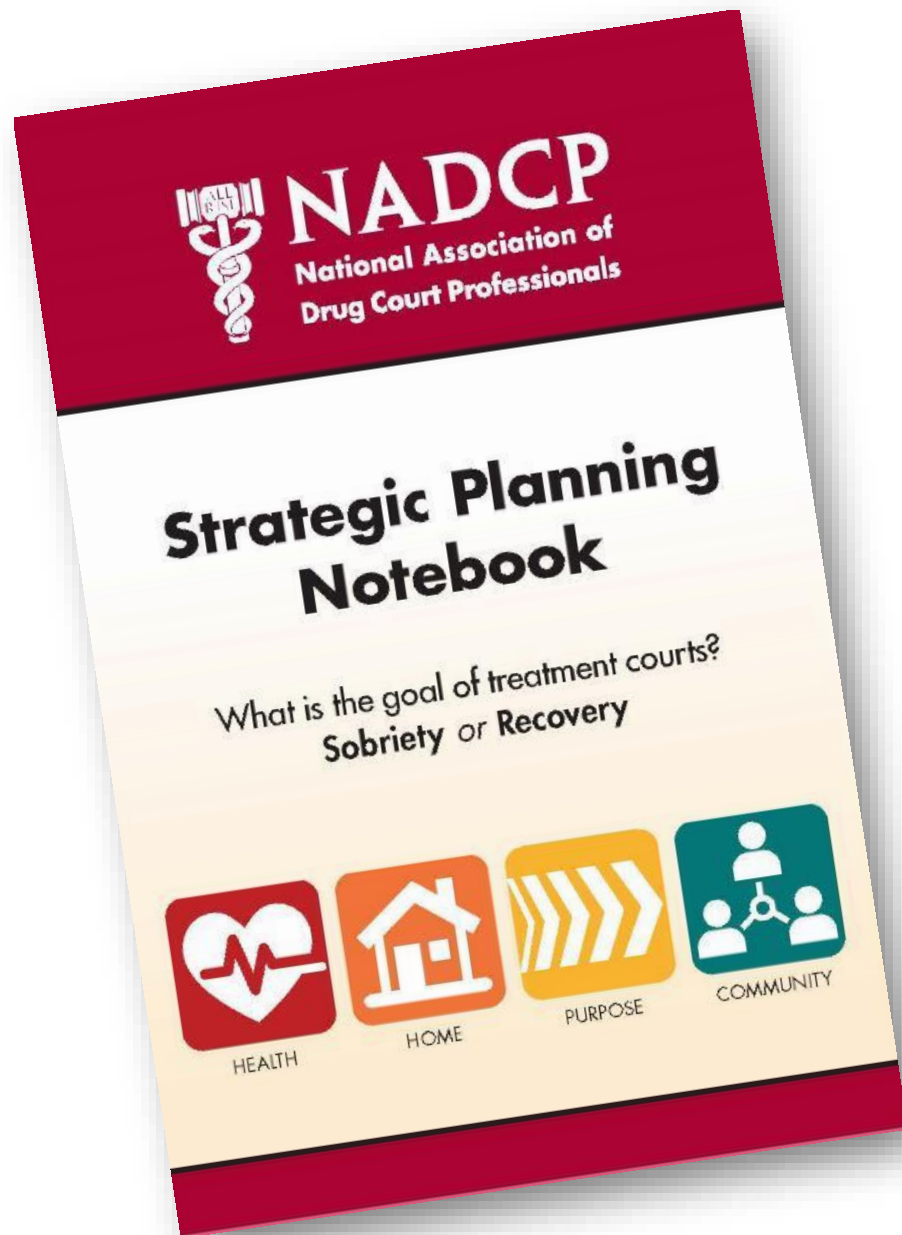
RESOURCES

Clearinghouses for EBPs:

<https://www.crimesolutions.gov/>

<http://www.wsipp.wa.gov/>

<https://www.samhsa.gov/capt/tools-learning-resources/finding-evidence-based-programs>

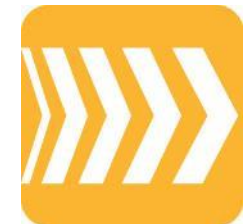


Strategic Planning Notebook

Connect how the topic relates to recovery

Write down these connections to recovery

Share ideas how to incorporate the topic into
your program





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TURNING DATA INTO DECISIONS
... to boost productivity

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ABOUT us



Applied Research Services, Inc.

Based in Atlanta, GA, Applied Research Services, Inc. (ARS) is a private, small business consulting firm specializing in complex research design and analysis. Founded in 1994, ARS employs state-of-the-art analytical, survey, data and business intelligence tools to deliver decision support. With extensive experience in dissecting criminal justice agency data, we are able to convert data into empirically based decision-making devices such as risk assessment tools and simulation models. Our clients include state and local courts, secure and community corrections agencies as well as various public policy stakeholders.

WHERE we deliver



Currently working with over a dozen local, state and federal clients.

→ [Read More](#)

WHO makes our team

A multi-disciplinary team of criminologists, psychologists and computer scientists.

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OUR blog

Stay tuned for the launch of the ARS blog for interesting information on industry trends, updates on current ARS projects and more. → [Read More](#)



ARS in the news

Kevin Baldwin, ARS team member speaks about the heroin use in Fulton County.



Dr. John Speir, ARS partner, speaking about overcrowding in the Alabama prison system.



Kevin Baldwin, ARS team member, is interviewed by CNN for his expertise on sex offender crimes.

