



EVIDENCE-BASED PRACTICES

A PRIMER

What are evidence-based practices?

Evidence-based practices are ***principles that research has shown are effective in reducing the likelihood that an offender will commit a new crime.*** In Ohio, three recent studies of more than 20,000 adult and juvenile offenders showed that these principles work for Ohio offenders.

There are eight basic principles involved in establishing evidence-based practices:

- 1) assessing the risk and need of the offender;
- 2) enhancing the motivation of the offender;
- 3) targeting interventions to the offender's need;
- 4) providing a skilled training staff;
- 5) increasing positive reinforcement;
- 6) engaging ongoing support in natural communities;
- 7) measuring relevant processes and practices; and
- 8) providing measurement feedback.

Each of these is important to include when creating effective criminal sanctions for offenders.

Can these principles be used to determine who may commit another crime?

Yes. The development of these principles was the result of a review of research studies from the past 40 years that looked at when convicted offenders commit new crimes. Two factors had great impact on who committed another crime.

Static risk. Static risk includes the offender's criminal history, age of first arrest, type of offenses previously committed, and current age.

Criminogenic need. Criminogenic need can fluctuate over time, depending on services and treatment provided to an offender. These factors include the offender's substance abuse history, family situation, companions, antisocial attitudes, values and beliefs, education, and low self-control.

How do you measure the risk and need of an offender?

There have been several assessment instruments developed and tested by researchers to measure both risk and need. The LISR, YoLSIR, SAQ, and APE are four such instruments available. Each of these instruments has been found reliable in predicting either risk or need. (*Assessment instruments are known by their acronyms.*) The Static-99, VRAG, SORAG, RRASOR, MnSOST-R and SVR have been found to predict risk for sex offenders re-offending. The LSIR can be used in conjunction with these instruments to measure need.

Why does it matter if the offender is found to be high- or low-risk?

It matters because research sometimes shows unexpected results. For example, providing services and treatment programs to offenders considered as low-risk will increase the possibility of the offender committing a new crime. The Ohio research clearly showed that putting low-risk offenders into certain treatment programs (CBCFs, halfway houses, CCA programs) increased recidivism. In some cases, it was as much as a 20-percent increase.

When is it important to measure risk and need of the offender?

Research indicates that to be successful, risk and need should be measured at three points: before an offender is placed in a program, halfway through the program, and before the offender is released from the program. Measuring the risk and need before placing an offender in a program allows for matching programs to the need of the offender; measuring halfway through the program allows for determination of whether the offender's needs are changing; and measuring before release allows for determination of what other programs the offender may need.

How does this apply to the courts?

Determining risk and need can increase informed decision making similar to presentence investigations. Presentence investigations are designed to provide judges with information on the offender's criminal history, education, family, medical needs, companions, and other facts. Measuring an offender's risk and need at the same time with a valid assessment instrument provides an objective determination of the same factors in a presentence investigation. Assessing risk and need is not meant to replace presentence investigations, but serves to supplement them. Objective risk instruments measuring a defendant's likelihood of failing to appear or be rearrested can also increase the court's informed decision making regarding bond decisions and appropriate release options. (Example: the Virginia Pretrial Risk Assessment.)

The implementation of a system that determines an offender's risk and need will also assist the court in allocating resources. Offenders can be more accurately matched to programs that will assist them in changing their lifestyle and criminal tendencies. The court will also be able to more easily determine what types of programs need to be implemented to change offender behavior.

Are offenders currently being placed in alternatives more costly than necessary to protect the public?

Yes. Research conducted by the University of Cincinnati during the past four years indicated that low-risk offenders are being placed in costly residential settings which are only increasing recidivism. Some of these offenders could be treated in the community at a lower cost.

Data from the Ohio Department of Rehabilitation and Correction indicates the number of commitments for lower-level felonies has been slowly increasing. Commitments of fifth-degree felons have increased from 7,999 in calendar year 2001 to 8,835 in calendar year 2004. The presumptive sentence for this level felony is a community sanction.

Based on data from the 2004 Intake Study, 31.5 percent, or 7,768 commitments were for offenders convicted of a non-violent offense, with no felony violent or sex offense in their history, and no gun specifications. Slightly more than half (53.8 percent) have no juvenile criminal history. Almost half (47.8 percent) have no prior felony conviction. Two-thirds have no prior prison incarcerations, and more than half (52.9 percent) have no prior jail incarcerations.

Low-risk offenders are men (78.8 percent) that are single (68.1 percent), a minority (51.5 percent), and unemployed (48.6 percent). They do not have a mental illness (75.6 percent) or a history of physical (88.1 percent) or sexual (90.3 percent) abuse. The majority (85 percent) admitted or showed evidence of drug abuse. Slightly more than half (50.9 percent) were convicted of a drug offense. The other offenders were convicted of theft (10.5 percent), receiving stolen property (8.0 percent), forgery (4.9 percent), and breaking and entering (3.6 percent). The studies show that judges are not using community sanctions as anticipated by SB 2.

Where can you go for more information?

Contact the Ohio Justice Alliance for Community Corrections at www.ojacc.org, or the Ohio Office of Criminal Justice Services, 1970 West Broad Street, Columbus, Ohio 43223; phone (614) 466-0346; or e-mail smschnelle@ocjs.ohio.gov.