

MINUTES OF THE HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairperson Pat Colloton at 1:30 p.m. on January 28, 2009, in Room 535-N of the Capitol.

All members were present.

Committee staff present:

Jason Thompson, Office of the Revisor of Statutes
Athena Andaya, Kansas Legislative Research Department
Jerry Donaldson, Kansas Legislative Research Department
Jackie Lunn, Committee Assistant

Conferees appearing before the Committee:

Dr. Jennifer Peager, Assistant Commissioner of Research and Program Development, Juvenile Justice Authority

Others attending:

See attached list.

Chairperson Colloton opened the meeting by welcoming the youth from Reno County that are observing the meeting today. Next, she called for bill introductions and recognized Stuart Little, appearing on behalf of Johnson County Government. Mr. Little requested a bill introduction for a bill that would expand the number of members of the Community Corrections Advisory Board from 3 to 15.

Representative Bethel moved for bill introduction a bill to expand the Community Corrections Advisory Board. Representative Pauls seconded. Motion carried.

Chairperson Colloton introduced Dr. Jennifer Pealer, Assistant Commissioner of Research and Program Development, Juvenile Justice Authority, to give a briefing regarding the YLS/CMI program. Dr. Pealer presented written copy of her power point briefing entitled *What works to Reduce Recidivism: Implementing Evidence Based Practices Within the Kansas Juvenile Justice Authority (Attachment 1)* along with a written summary on the *Youthful Level of Service/Case Management Inventory (YLS/CMI) (Attachment 2)*. Dr Pealer opened by giving a brief review of her background. In her power point briefing she highlighted the following:

- Overarching Knowledge
- Main Principles of Effective Interventions
- The Importance of Assessment
- Youthful Level of Service Case Management Inventory (YLS/CMI)
- YLS/CMI and Evidence Based Practices
- Implementation of the YLS/CMI
- Percentage of Youth Within Each Total YLS/CMI Category
- The average YLS/CMI Scores
- Making the Public Safer By Addressing Risk/Need Factory
- Supervising Juvenile Offenders
- Addressing the Needs of the Juvenile Offenders
- Programs Needed to Reduce Recidivism
- Not All Programs Are Created Equal
- Ineffective Approaches

During the overview, Dr. Pealer addressed questions of the Committee.

Upon the conclusion of Dr. Pealer's overview, Chairperson Colloton commended her for an excellent overview of risk assessment. She then reminded the Committee of the tour of the Kansas Juvenile Correctional Complex in Topeka at 3:30 p.m. She gave a brief review of the Committee agenda for the rest of the week and adjourned the meeting at 2:40 p.m. with the next meeting scheduled for January 29, 2009 at 1:30 p.m. in room 535 N.

CONTINUATION SHEET

Minutes of the House Corrections And Juvenile Justice Committee at 1:30 p.m. on January 28, 2009, in Room 535-N of the Capitol.

CORRECTIONS & JUVENILE JUSTICE GUEST LIST

DATE: 01-28-09

NAME	REPRESENTING
Brian Damsgaard	SRS
Belinda Seale	Kelley Juvenile Justice Resources
Chin MeekW	OJA
Jeff DUNCAN	JJA
Kelly DiRocco	LGR

What Works to Reduce Recidivism: Implementing Evidence Based Practices within the Kansas Juvenile Justice Authority



PRESENTED TO:
HOUSE CORRECTIONS & JUVENILE JUSTICE
COMMITTEE
JANUARY 28, 2009

Jennifer A. Pealer, Ph.D.
KSJJA Research & Program Development
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Overarching Knowledge



- Not a single study has found reductions in recidivism using punish-oriented programs.
- Punishment programs have actually made offenders (youth and adults) worse.
- Majority of studies have shown that correctional treatment interventions have reduced recidivism rates relative to various comparison.

Corrections and Juvenile Justice

Date: 1-28-09

Attachment # 1

Main Principles of Effective Interventions



- Risk Principle
 - Who we should target for intervention
 - Moderate to high risk youth
- Need Principle
 - What we should target for intervention
 - Criminogenic needs
- Responsivity Principle
 - Removing barriers to make youth more successful
- Treatment Principle
 - How we target criminogenic needs
- Program Fidelity Principle

The Importance of Assessment



- Assessment is the engine that drives what we should do with the youth

- Assessment helps to utilize resources
 - Guide decision making
 - Improves the placement of the youth

- Assessment tells us:
 - Who to target for interventions
 - What to target for interventions
 - How to target the interventions

Youthful Level of Service Case Management Inventory (YLS/CMI)

- Youthful Level of Service Case Management Inventory
 - Empirically derived risk/needs assessment for juvenile offenders
 - Designed for use at pre-disposition
 - Examines 42 items across 8 domains predicting future delinquency
 - Criminal history
 - Family
 - Education
 - Peers
 - Substance abuse
 - Leisure/recreation
 - Personality
 - Attitudes

YLS/CMI and Evidence Based Practices

- Risk principle (tells us who to target)
 - Low risk (0 – 8 points)
 - Moderate risk (9 – 22 points)
 - High risk (23 – 34 points)
 - Very high risk (35 – 42 points)
- Need principle (tells us what to target)
 - Each domain is weighted to give a need level
- Responsivity principle (tells us how to target)
- Override principle

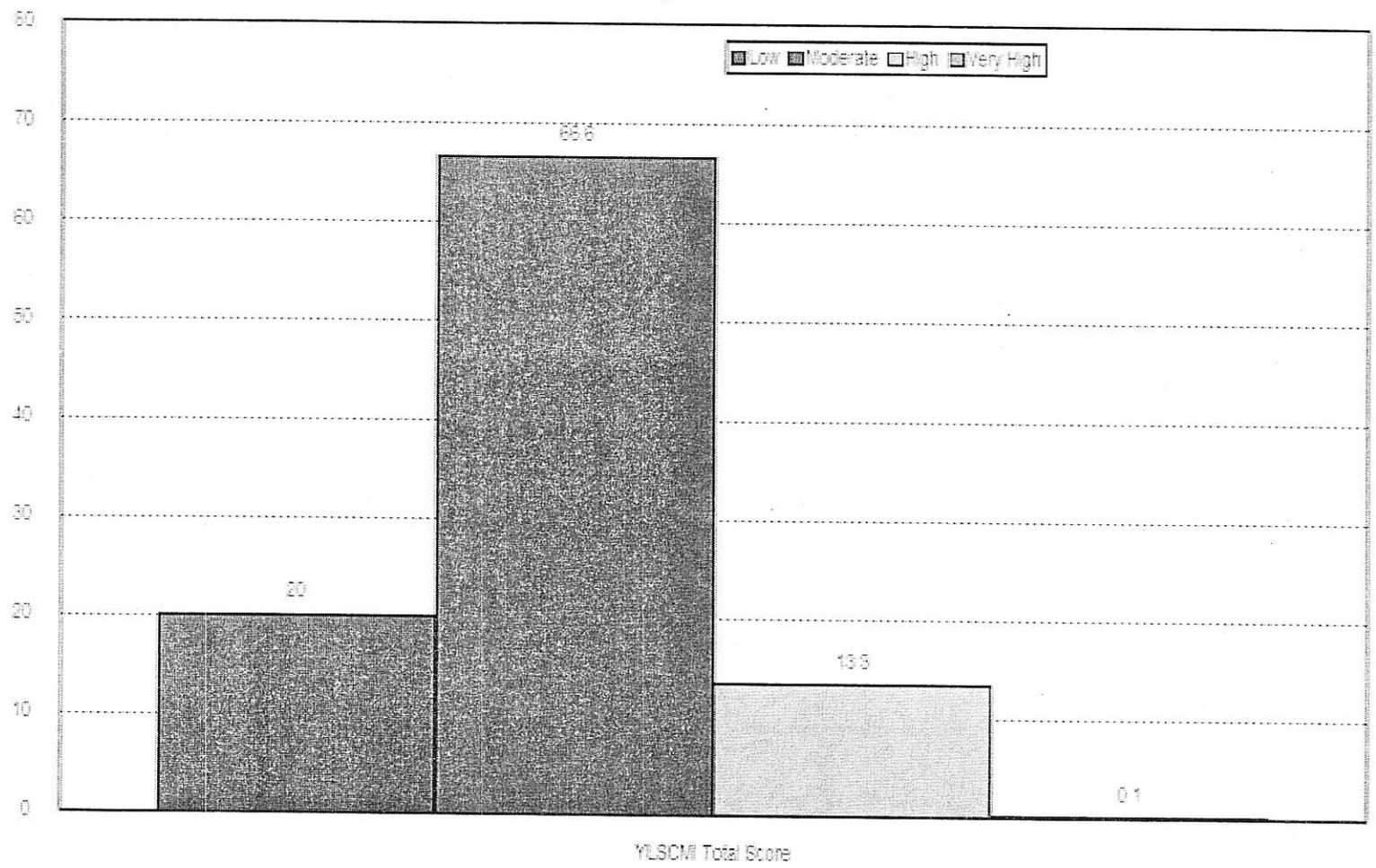
Implementation of the YLS/CMI

7

- Going Home Initiative
 - September 2005
- Reception and Diagnostic Units within JCF
 - 2006
- YLS/CMI Implementation Committee
 - Developed Implementation Process
 - Approved Training Plan
 - Input on Assessment Standards
- YLS/CMI went live on January 23, 2007
- 2008 YLS/CMI implemented in 3 pilot sites for court services

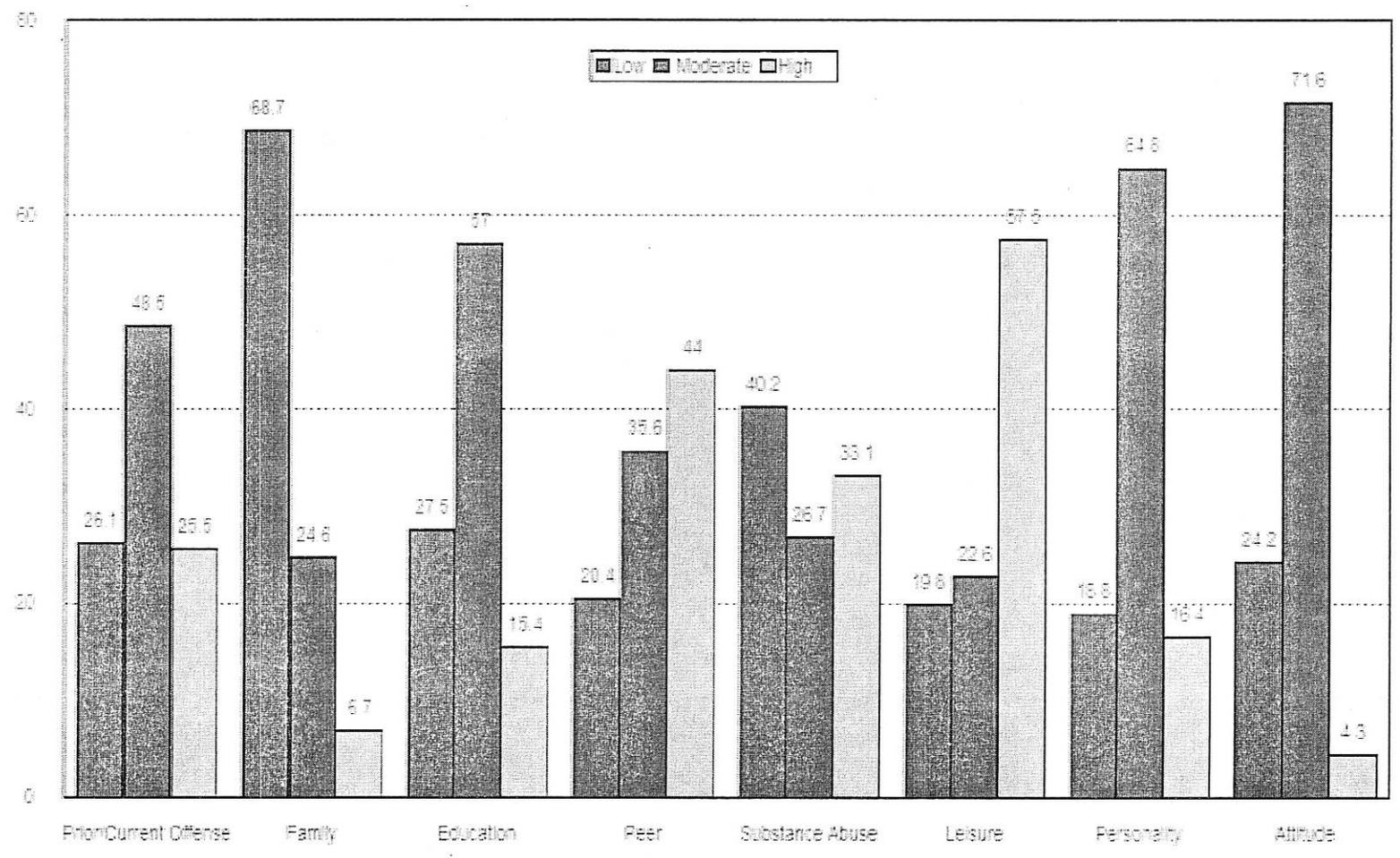
4-1

Percentage of Youth Within Each Total YLSCMI Category



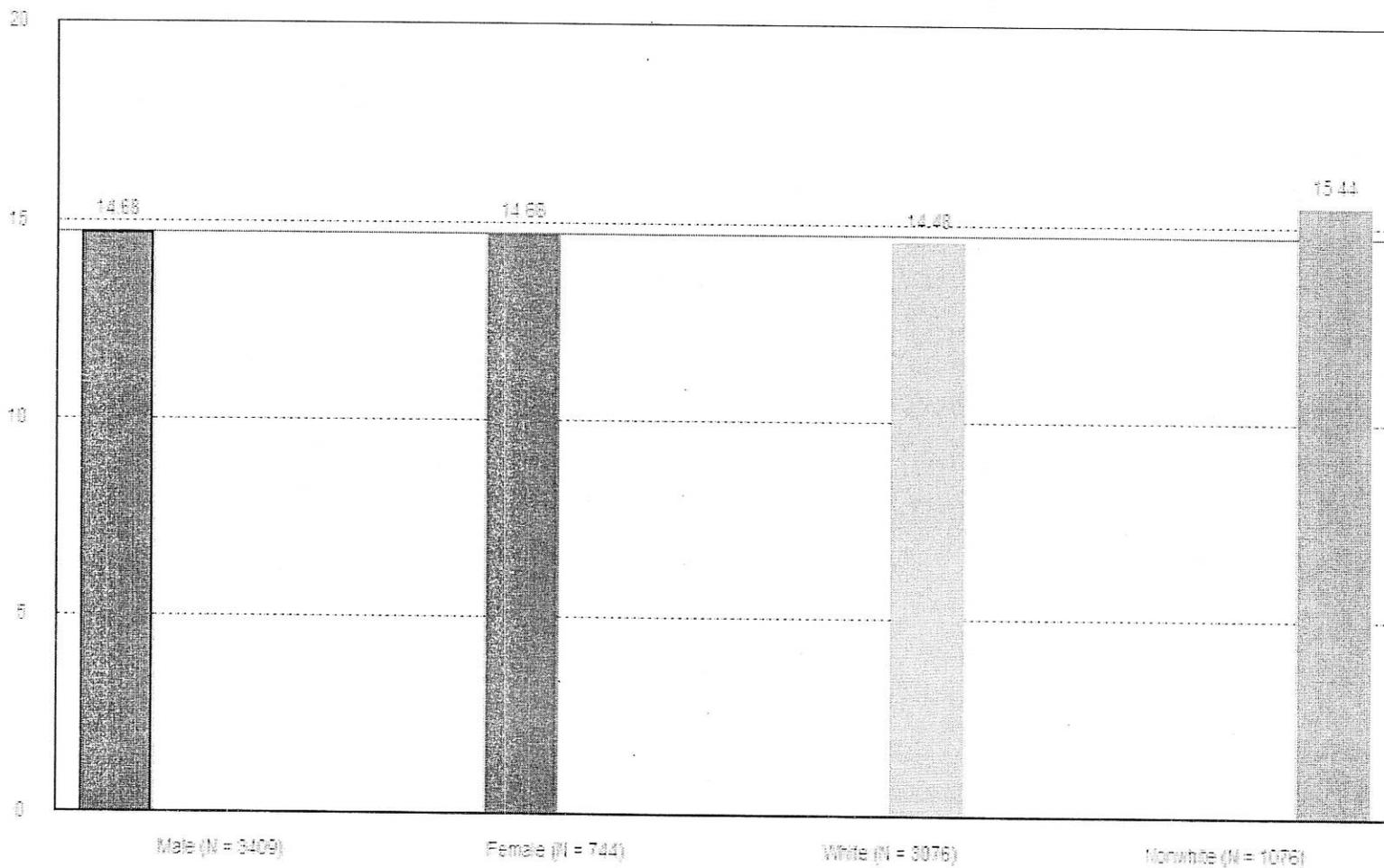
*(N = 4158)

Percentage in Categories for YLSCMI Subcomponent



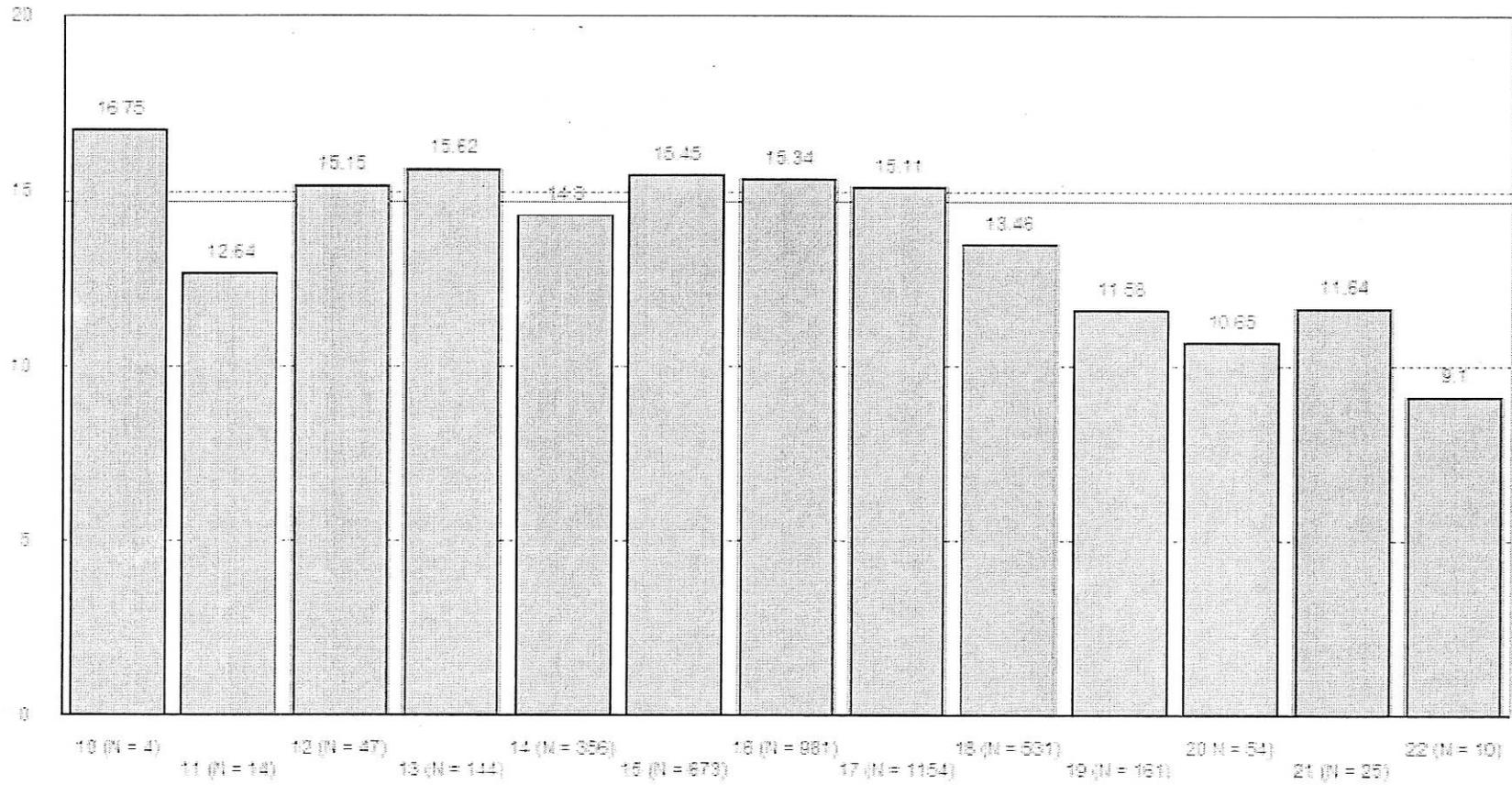
(N = 4133)

Average YLSCMI Scores Gender & Race



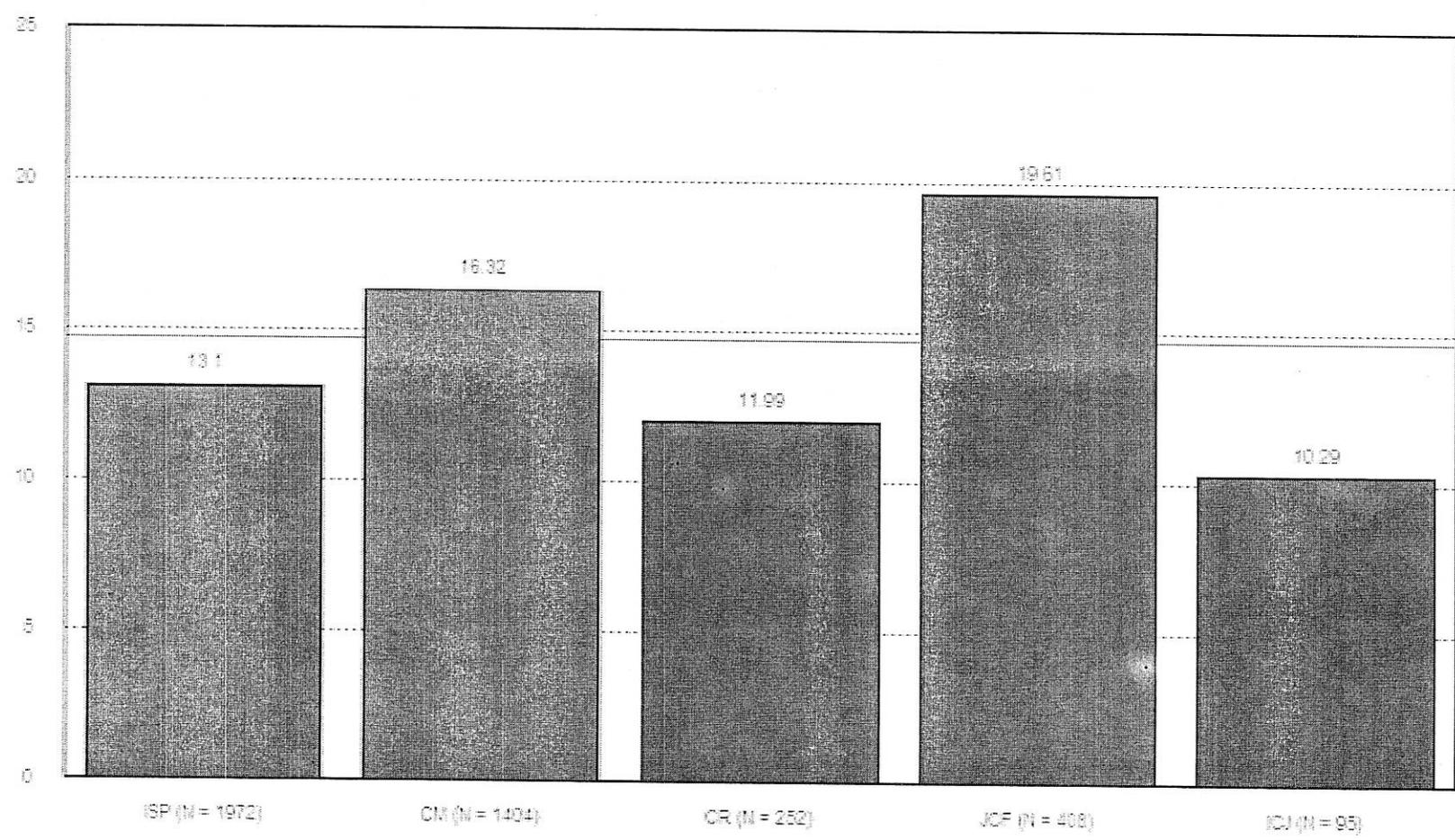
(Average = 14.72)

Average YLSCMI by Age



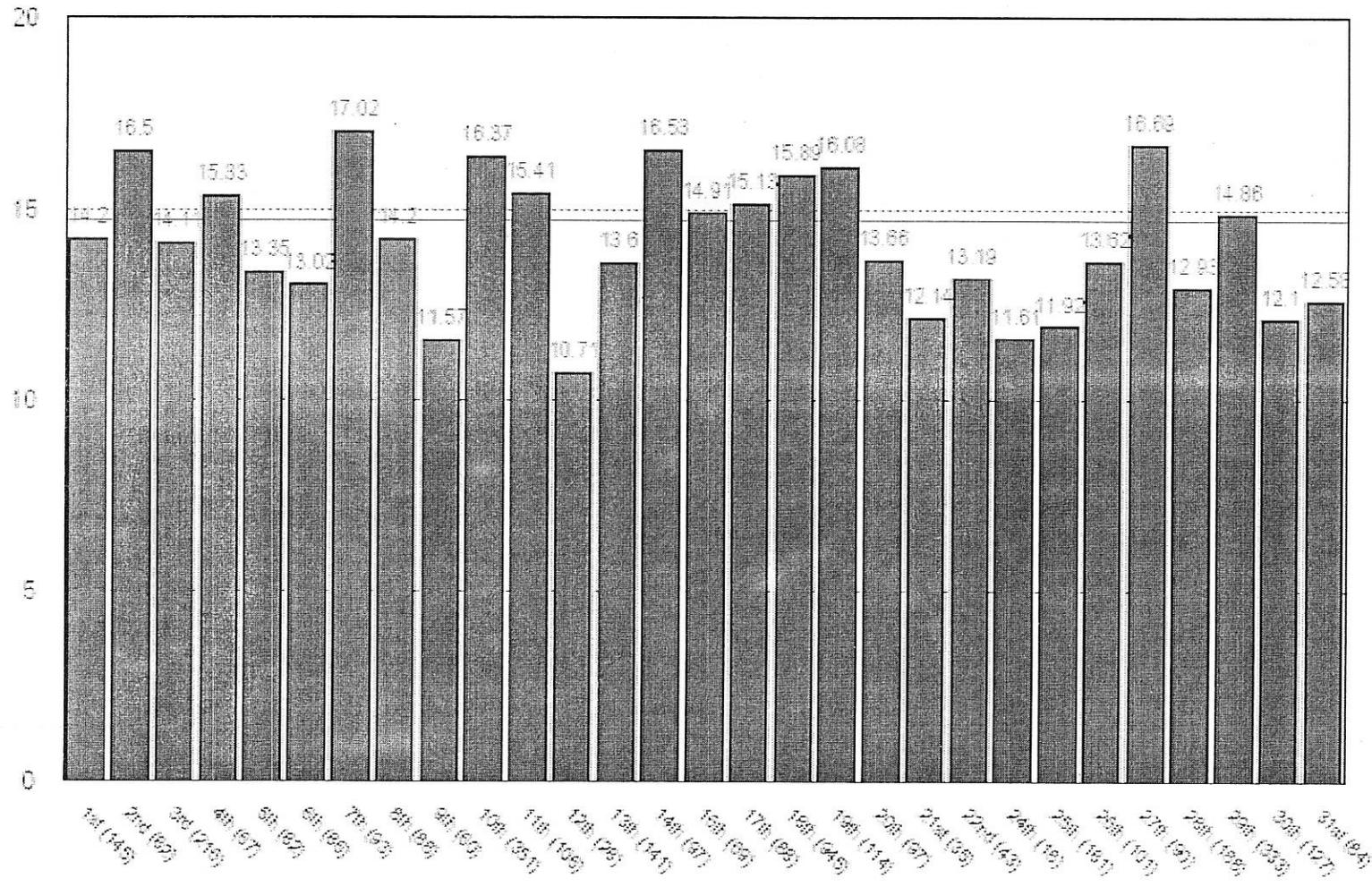
(Average = 14.72)

Average YLSCMI Scores by Supervision Type



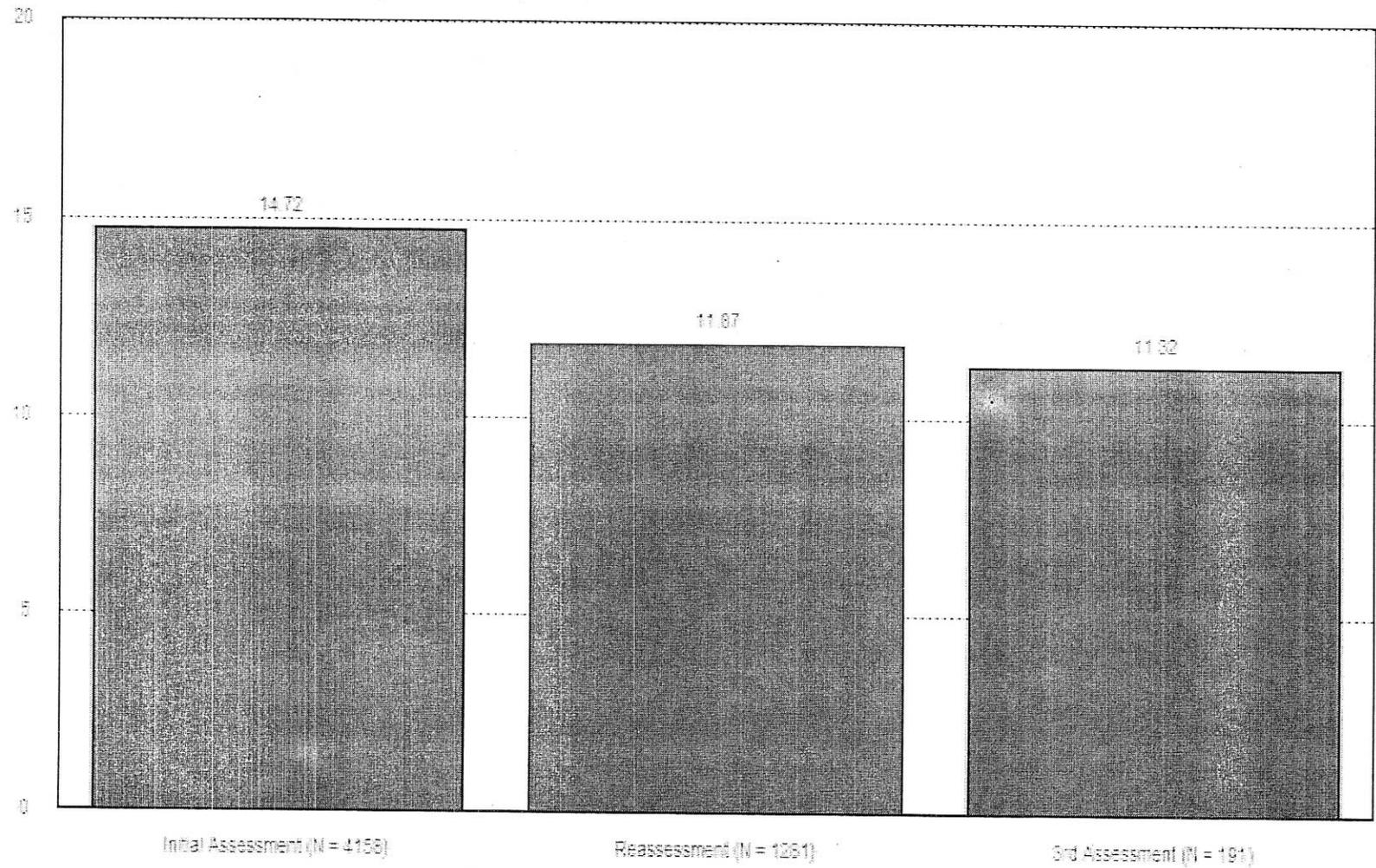
Average YLSCMI Score by Judicial District

January 2007 - July 2008



Includes 1st assessments

Average YLSCMI Scores Comparison of Assessments



Making the Public Safer By Addressing Risk/Need Factors



- Supervision alone will not address the risk or need levels of the youth
- Must have supervision AND programs to address the risk and need levels

Supervising Juvenile Offenders



- Supervision should be based on the risk levels of the youth
 - Higher risk youth require more supervision
 - Lower risk youth may not require supervision or very minimal supervision
- Differentiating the level of supervision allows us to target more resources to the youth who require it most

Addressing the Needs of the Juvenile Offenders



- To reduce recidivism, we must target the criminogenic needs of the youth using effective/proven measures for the population
- Have interventions for:
 - Risky thinking
 - Substance abuse
 - Anger management
 - Problem solving/decision making
 - Family/parenting skills
- Without these interventions the youth will continue to reoffend

Programs are Needed to Reduce Recidivism



- Something is better than nothing to reduce recidivism
- Average reduction in recidivism is about 10 percent
 - 30 percent of people who go through a treatment program may re-offend compared to 40 percent who do not go through treatment program
- We can get larger reductions in recidivism with certain techniques
 - 30 to 40+ percent reductions

Not All Programs Are Created Equal

- To maximize the benefits the interventions should be:
 - Cognitive behavioral in nature
 - ✦ Address thinking and teach skills
 - Not mix low risk and high risk youth together
 - Be intensive enough to change risky thinking
 - ✦ 3 – 9 months on average; not to exceed 12 months
 - ✦ See diminished returns (higher levels of recidivism) after 12 months
 - Provide a system of behavioral reinforcements (rewards and punishments)
 - Work with the family members
 - Have trained effective staff

Ineffective Approaches

- Drug prevention programs that focus on fear
- Drug education programs
- Shaming the youth
- Bibliotherapy
- Freudian approaches
- Talking cures
- Self help programs
- Targeting low risk youth
- Medical model approaches
- Punishing programs (boot camps, scared straight)

YLS/CMI OVERVIEW

HOUSE CORRECTIONS & JUVENILE JUSTICE COMMITTEE

January 28, 2009



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Corrections and Juvenile Justice
Date: 1-28-09
Attachment # 2

The Youthful Level of Service/Case Management Inventory (YLS/CMI) Summary

- **Principle of Effective Classification**
 - There are 4 principles of effective classification – risk, need, responsivity, and the override principle (see Andrews, Bonta, Hoge, 1990 and Kennedy, 2000).
 - Risk principle
 - There are two parts to the risk principle: 1) identification of risk factors and 2) matching the risk level of the offender to the appropriate type of treatment and supervision. Prior research has now identified the known predictors of recidivism (i.e., predictors of what causes any individual to commit crime). These predictors are: antisocial attitudes, antisocial peers, antisocial personality, history of antisocial behavior, family interaction and relationships, low educational and vocational achievement, and substance abuse. In addition, there are minor predictors of recidivism – meaning that while these predict recidivism – these factors are not strong predictors. The factors include: personal distress, lower class origins, and biological factors.
 - Risk factors can be categorized into dynamic or static risk factors. Dynamic risk factors are those factors that are predictive of recidivism but can change with appropriate interventions. For example, a juvenile's current substance abuse problem is a dynamic risk factor because with appropriate interventions, the problem may be reduced. Dynamic risk factors are also called criminogenic needs because they should be targets for correctional interventions to achieve risk reduction.
 - Static risk factors are those factors that are predictive of criminal behavior but cannot change with any type of intervention. For example, prior criminal history is a static risk factor. Prior criminal history cannot change with any type of intervention.
 - The second part of the risk principle requires that a juvenile's risk level is matched to the level of treatment and supervision. That is, higher risk juveniles require more intensive treatment and supervision for a longer period of time in order to reduce their risk of committing another crime. In addition, research has shown that placing a low risk offender into an intensive treatment program may serve to make the offender worse and thus, increase his/her chance of recidivating.
 - Need principle
 - The second principle of effective classification is the need principle. This principle states that by assessing and targeting a juvenile's criminogenic needs, agencies can reduce their probability of recidivism. Criminogenic needs include: antisocial attitudes, antisocial peers, antisocial personality, history of antisocial behavior, family interaction and relationships, low educational and vocational achievement, and substance abuse (dynamic risk factors).

assessments made accountability and fairness difficult and prediction of recidivism is very poor with these instruments.

- The second generation assessments were more a bit of an improvement of the first generation in that items were based on data that differentiated delinquents from non-delinquents. While this development was a major improvement over the younger generation, there was still a problem. These assessments were not treatment/programming friendly. That is, many of the factors that were included in these assessments were static or historical in nature and did not change with interventions.
 - The third generation assessments improved on the second generation assessments by including factors that were empirically based and dynamic (i.e., the factors can change with appropriate interventions). These instruments go beyond simple statistical risk prediction to include assessment of criminogenic needs in order to reduce the juvenile's risk of recidivism. Thus, these instruments allow agencies to match the risk and needs of the juveniles to interventions to reduce their chances of recidivism.
 - There are now some assessments which may be called fourth generation assessments because they link assessments with programming through the use case management mechanisms. These assessments link risk, need, and responsivity through case management to promote good planning and delivery of services.
- Validity of assessments differentiated by generation
 - Andrews, Bonta, Wormith (2006) examined the predictive validity of the different generations of risk assessments. The first generation risk assessments (unstructured clinical judgment) predicted general recidivism in the range of .03 to .14 with the average being .10. The second generation risk assessments (such as PCL-R, Wisconsin, and SFS) had predictive validity in the range of .26 to .46. The third generation assessments (LSI-R) had an average predictive validity for general recidivism of .36 and the fourth generation (LS/CMI) had a predictive validity of .41. Accordingly, with the improvement in each generation there was improvement in the predictive power of the instrument.
 - *Actuarial and Objective Assessments*
 - Actuarial risk/need assessments are those assessments that are data-driven and empirically based which allow the user to obtain a risk or need score (Holsinger, Lurigio, Latessa, 2001). These scores can then be used by staff to categorize juveniles according to their likelihood of recidivating and to the types of programming needed to reduce the probability of recidivism. One of the major benefits of these classification instruments is that they allow agencies to allocate resources and staff hours more optimally and effectively. Agencies can identify which juveniles require more intensive treatment and supervision and focus more efforts on these juveniles; thus using staff more efficiently and cost-effectively. For example, high risk juveniles should be monitored more closely and require more intensive interventions than low risk juveniles. Accordingly, low risk

- ***Validity and Reliability of the YLS/CMI***
 - While research on the YLS/CMI is evolving, Schmidt, Hoge, and Gomes (2005) examined the inter-rater reliability, concurrent validity, and predictive validity of the YLS/CMI. Reliability refers to the consistency of case classification tool. A reliable tool will result in the same decisions being made about offenders irrespective of who is using the tool. In other words, a reliable tool will ensure that two different raters will reach the same conclusion on a specific offender. Furthermore, a reliable instrument will led to better decision making by removing the bias in decision-making.
 - The inter-rater reliability estimates¹ of all the subscales of the YLS/CMI ranged from .61 to .85 which indicates there was a fairly strong inter-rater reliability. Hence, the results suggest that the YLS/CMI is a reliable instrument that can provide a consistent risk/need profile for juvenile offenders.
 - Validity refers to the accuracy of the instrument to predict outcome (i.e., recidivism). A valid and reliable instrument identifies discrete groups of offenders who pose different levels of risk to public safety. There are different types of validity. Concurrent validity is the ability of an instrument to be correlated with another known valid predictor of outcome.
 - The study examined the concurrent validity of the YLS/CMI with the Child Behavioral Checklist. The concurrent validity estimates were statistically significant for most scales except for the parent internalizing scale for females indicating a strong relationship between the YLS/CMI and the CBCL.
 - The second type of validity is predictive validity which refers to the ability of the instrument to predict outcome. For the current study, recidivism was measured as any re-offending and any serious re-offending.
 - Higher YLS/CMI scores were significantly associated with increased serious re-offending, increased number of new offenses, and a decreased time to offend for the entire sample. Higher-risk juveniles, regardless of gender, were found to commit more re-offenses, take a shorter time to reoffend, and were more likely to commit a serious offenses. The absence of a gender interaction effect suggests that the YLS/CMI is sound and valid in predicting recidivism patterns across gender.

¹ The inter-rater reliability estimates range from 0 (no relationship) to 1.0 (a perfect relationship). The higher the score the greater the relationship or stronger the reliable/consistency.