The Evidence-Based Institute for Justice Studies

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EBI - Background

• A joint institute between School of Criminal Justice and School of Law (Newark)
• Started by Deans Todd Clear (SCJ) and John Farmer (Law)
• Office of the Attorney General seed money (ARRA)
• Mission: Increase the evidentiary foundation of criminal justice policy and practice in the state of NJ.
Presentation overview

• EBI’s goals
• Description of EBP and Principles of effective intervention
• EBI’s vision
• EBI research
  – LSI-R validation
  – Warrant research
• Conducting recidivism studies
• Ongoing and future projects
EBI goals: Increasing evidentiary foundation

- Assessing current practices
  - How well practices align with established evidence-based principles
- Providing training
  - Moving programs “up the ladder” of evidence-based practice
- Conducting research
  - Looking at the effectiveness / impact of current efforts
  - Identifying potential gaps
  - Improving outcomes
Effective correctional interventions

• Targeting offenders
• Responding to criminogenic needs
  – Anti-social attitudes, negative peer associations, substance abuse, lack of empathy, problem solving and self control skills
• Using effective treatment methods
  – Cognitive behavioral treatments, responsivity
Targeting offenders

Fig. 1 Changes in the Probability of Recidivism by Program for Low-Risk Offenders
Targeting offenders

Fig. 2. Change in the Probability of Recidivism by Program for High-Risk Offenders
Addressing criminogenic needs

Figure 1
Targeting Criminogenic Need: Results from Meta-Analyses

Addressing criminogenic needs

**Figure 3. Number Of Criminogenic Areas Targeted & Treatment Effects For Residential Programs**

Percentage Change in Recidivism Rates

- 0 to 3 Criminogenic Services: -2
- 4 to 6 Criminogenic Services: 5
- 7 or more Criminogenic Services: 8

Negative numbers indicate increases in recidivism. Overall correlations between the number of programs offered and treatment effect is 0.13, while the correlation between the number of criminogenic services offered and treatment effect is 0.22.
Treatment style

Figure 4. Relationship Between Treatment Model & Treatment Effect for Residential Programs

- Percentage Change in Recidivism Rates
- Other
- Cognitive Behavioral

-9
9
Future research on program integrity

• Many of NJ’s criminal justice populations receive services through in-prison and community-based programs
• Process analysis
  – Difficulties in “quantification”
• Actuarial assessment of program integrity
• Unification of scale
• Identification of specific gaps
Program integrity and recidivism

FIGURE 1. DIFFERENCE IN RECIDIVISM RATES BETWEEN TREATMENT AND COMPARISON GROUPS BASED ON THE CPAI MEASURE TOTAL SCORE

0 5 10 15 20 25
Difference in Recidivism Rates

0-49 (24) 50-59 (13) 60-69 (1)
Percentage of Points on Survey Measures with N in parentheses

22

1.7

8.1
Program integrity and recidivism

**Figure 11. Relationship Between Program Integrity Score & Treatment Effect For Non-residential Programs**

Percentage Change in Recidivism Rates

- 0-19 (9): -15
- 20-39 (37): 2
- 40-59 (17): 12
- 60+ (3): 16

Integrity Score & Number of Programs
EBI vision

- Looking at current risk assessment tools
- Assessing program integrity
  - Community Programs Checklist
    - 77 items
    - Capacity and content
      - Leadership and development, staff characteristics, and quality assurance
      - Offender assessment and treatment characteristics
- Conducting recidivism studies
  - Do programs lower recidivism?
- Linking program integrity and recidivism together
- Providing training to programs after identifying gap
We Want Headlines and Recidivism Rates that look like this!

Reforming A System: An Inside Perspective on How Ohio Achieved a Record-Low Recidivism Rate

Three-Year Recidivism Rate for Individuals Exiting ODRC

“How was this possible? In short, by relying on the increased use of evidenced-based practices and modifying reception assessment process, processes for identifying treatment needs for offenders under supervision, and our prison’s classification systems, Ohio is seeing fewer offenders return to prison and a greater return on our investments.”
Why validate the LSI-R?

- Strong evidence behind the risk principle
- LSI-R is the “premier” risk assessment tool in NJ
  - Used by DOC at intake
  - Used by parole during release decisions and in the field
  - Communicates risk of recidivism
  - Communicates dynamic criminogenic need
- LSI-R is the most widely used and validated risk assessment tool across the nation
  - Validated on minority offenders
  - Validated on halfway house participants
  - Several meta-analyses
LSI-R validation study

- Released to parole in 2006
- Analyzed 3 years of follow-up data
- Oversample females (n=450) randomly selected males (n=450)
- Looked at arrests, convictions, technical parole violations
LSI-R validation – Rearrests
LSI-R validation - Reconvictions

![Bar chart showing reconviction rates for males and females in low, moderate, medium, and high risk categories.](chart.png)

- **Low Risk**:
  - Males: 27.4%
  - Females: 20.3%

- **Moderate Risk**:
  - Males: 48.3%
  - Females: 39%

- **Medium Risk**:
  - Males: 59.1%
  - Females: 43.4%

- **High Risk**:
  - Males: 63.3%
  - Females: 71.8%

- Chart legend:
  - Blue: Males
  - Red: Females
LSI-R validation – Technical Parole Violations

- Low: Males 19.2, Females 11.9
- Moderate: Males 35.6, Females 27.1
- Medium: Males 37.7, Females 39.4
- High: Males 49, Females 38.5
# LSI-R validation - Correlations

Table 3. Correlations between Recidivism and Composite LSI-R Score

<table>
<thead>
<tr>
<th></th>
<th>Rearrest</th>
<th>Reconviction</th>
<th>Technical Parole Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>All (n=900)</td>
<td>.230**</td>
<td>.210**</td>
<td>.200**</td>
</tr>
<tr>
<td>Male (n=450)</td>
<td>.240**</td>
<td>.212**</td>
<td>.203**</td>
</tr>
<tr>
<td>Female (n=450)</td>
<td>.230**</td>
<td>.214**</td>
<td>.199**</td>
</tr>
</tbody>
</table>

* p ≤ .05; ** p ≤ .01; *** p ≤ .001
LSI-R validation – ROC AUC

Table 4. Predicting Recidivism with the LSI-R: Receiver Operating Characteristic Area Under the Curve Results

<table>
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<th>Rearrest</th>
<th>Reconviction</th>
<th>Technical Parole Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>All (n=900)</td>
<td>.630 (.592-.667)***</td>
<td>.618 (.582-.655)***</td>
<td>.620 (.581-.658)***</td>
</tr>
<tr>
<td>Male (n=450)</td>
<td>.646 (.591-.701)***</td>
<td>.624 (.572-.675)***</td>
<td>.619 (.565-.673)***</td>
</tr>
<tr>
<td>Female (n=450)</td>
<td>.622 (.571-.674)***</td>
<td>.615 (.564-.667)***</td>
<td>.622 (.568-.675)***</td>
</tr>
</tbody>
</table>

Asymptotic 95% confidence intervals are presented in parentheses
* p ≤ .05; ** p ≤ .01; *** p ≤ .00
LSI-R Validation Results

• LSI-R is a valid predictor across genders and outcome types
• Reconsidering risk score cutoffs
  – A collaborative exercise between research and practice
  – Management rather than research
  – Negotiating comfort levels
• Relatively low AUC values and correlations
  – Consistent with prior research
  – Predicting human behavior
Recidivism research

- Recidivism takes many forms
  - Arrest, conviction, reincarceration for new crimes, parole violations

- Maltz’s (1994) and Blumstein and Cohen’s (1979) advice about measuring recidivism
  - Arrest vs. conviction
  - Error of commission vs. error of omission
    - Arrested without sufficient cause and are not convicted = recidivists
    - Arrestees who are factually guilty are not convicted = nonrecidivists

- Using returns to incarceration and impacting time at risk
  - New crimes
  - Parole violations
Recidivism research – Does parole work?

- Bureau of Justice Statistics studies
  - 3 years of follow-up time
    - 62.5% rearrest, 46.8% reconvict, 41.4% RTC
  - 1994: 15 states, 272,111 people
    - 67.5% rearrest, 46.9% reconvict, 51.8% RTC

- Urban Institute re-analysis of 1994 data
  - Disaggregated by release type: discretionary and mandatory parole and unconditional release
    - Descriptive: 62% rearrest unconditional, 61% mandatory, 54% discretionary parole
    - Multivariate: 61% rearrest for mandatory and unconditional, 57% discretionary parole
      - Predicted probability
Recidivism research – Does parole work?

• Defining “parole”
  – Released to parole
  – Actively supervised
    • UI uses 2 years to capture “the average time on parole”
Recidivism research – Active parole supervision

Case 1: Rearrested during supervision

Case 2: Supervision revoked

Case 3: Rearrested after successfully completing parole
Recidivism research – Does parole work?

- Released from 2005 to 2007 \( (n=29,299) \)
  - Parole vs. no parole
  - Active supervision vs. released to parole
  - Different follow-up times
  - Controlled for age, gender, ethnicity, prior arrests, county of conviction, instant offense type, number of instant offenses
  - Predicted probability of rearrest or rearrest/parole revocation
    - Time at risk and inflating parole success
Does parole work? Released to parole and max outs

![Graph showing parole success rates over different periods.](graph.png)
Does parole work? Actively supervised parolees and max outs
Future recidivism research – Active parole supervision

- When do rearrests occur for parolees?
- Are parole failures “parolees” when they are rearrested?
- How long after parole expiration until rearrest?
- Reasoning behind parole working only during supervision
- Timing of rearrests and timing of supervision expiration
  - 54% of parolees rearrested within 3 years
    - 44% of the arrested parolee population had completed parole without incident
Warrant Research

• Warrant:
  – Command issued by the judiciary to ensure that individuals comply with obligations to the court
    • Probable cause
    • Bench warrants

• More than 2.6 million outstanding active warrants in New Jersey
  – Active warrants (2000-2012)
    • 1,767,567 million Automated Traffic System (ATS)
      – 1.1 million individuals with a suspended license who did not appear before the court
    • 857,583 warrants in the Automated Complaint System (ACS)
Warrant Research

- Public safety issue for law enforcement, communities, and fugitives
  - 53 law enforcement officers killed feloniously or accidentally from 1998 to 2007 while serving warrants (Flannery and Kretschmar, 2012)

- Financial and social burden to the criminal justice system
  - Continued participation in nonviolent criminal activity (e.g., drugs, prostitution, theft)
  - Non-criminal work, paid “under the table”; unable to obtain public benefits

- Criminogenic impact on the community (Goldkamp, 2012; Goldkamp & Vilcica, 2008)
  - Cyclical regeneration of noncompliant individuals
  - Culture of resistance and disrespect of criminal justice system
  - Undermine the deterrent power of the courts and key justice functions
Warrants & Collateral Consequences

• Fugitivity shapes the interactions of the individual with social institutions; weakens tenuous relationships (Goffman, 2009)
  – Domains affected:
    • Family and peer cohesion
    • Employment prospects
    • Housing
    • Difficulty obtaining driver’s license
    • Lack of access to formal social institutions

• Significant ramifications surrounding the sanctity of police stops and searches
Fugitive Safe Surrender Initiative

- Collaborative law enforcement and crime reduction model between the U.S. Marshals and federal, state, local, community and faith-based partners to encourage persons wanted for nonviolent case felony or misdemeanor crimes to voluntarily surrender to the law in a faith-based or neutral setting
  - Immediate adjudication of cases
  - Reduces,
    - Risks to law enforcement officers
    - Case backlog that stems from the volume of unresolved outstanding warrants
Fugitive Safe Surrender Research

- Descriptive research on Fugitive Safe Surrender (Flannery & Kretschmar, 2012)
  - Formally implemented 22 times from 2005 – 2010
  - Warrant origination:
    • 50.9 percent were unable to pay original fine
    • 47 percent failed to appear
  - On average, held open warrant for 734.19 days
  - Common reasons for surrendering:
    • Retrieve a driver’s license (47.1%)
    • Need to start over (41.8%)
    • Fearful of arrest (39.4%)
    • For my kids (33.6%)
    • Want to get a job (33%)
  - 73.5% percent indicated the importance of surrendering at a church
    • 43 percent would have only surrendered at a church
## Central New Jersey FSS Event, Concerns Related to Surrendering (n = 1,960)

<table>
<thead>
<tr>
<th>Variable</th>
<th>Value labels</th>
<th>Percent (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Why did you surrender today*</td>
<td>Want to get driver’s license</td>
<td>65.8</td>
</tr>
<tr>
<td></td>
<td>Want to start over</td>
<td>43.7</td>
</tr>
<tr>
<td></td>
<td>Fear of arrest</td>
<td>43.1</td>
</tr>
<tr>
<td></td>
<td>Want to get a job</td>
<td>36.1</td>
</tr>
<tr>
<td></td>
<td>Tired of running</td>
<td>31.1</td>
</tr>
<tr>
<td></td>
<td>For my kids</td>
<td>29.6</td>
</tr>
<tr>
<td></td>
<td>Pressure from loved ones</td>
<td>9.2</td>
</tr>
<tr>
<td></td>
<td>Religious reasons</td>
<td>7.1</td>
</tr>
<tr>
<td></td>
<td>Other reasons</td>
<td>6.4</td>
</tr>
<tr>
<td></td>
<td>Need alcohol/drug treatment</td>
<td>1.5</td>
</tr>
<tr>
<td>Why have you NOT surrendered before today?*</td>
<td>Didn’t have money to pay bail/fines</td>
<td>70.4</td>
</tr>
<tr>
<td></td>
<td>Didn’t want to go to jail</td>
<td>35.5</td>
</tr>
<tr>
<td></td>
<td>Didn’t want to get arrested</td>
<td>31.0</td>
</tr>
<tr>
<td></td>
<td>Was afraid of what would happen</td>
<td>30.7</td>
</tr>
<tr>
<td></td>
<td>No program around to help me</td>
<td>30.3</td>
</tr>
<tr>
<td></td>
<td>Did not want to go to the police</td>
<td>8.8</td>
</tr>
<tr>
<td></td>
<td>No reason to surrender</td>
<td>3.0</td>
</tr>
</tbody>
</table>

(Veysey, Rusnak, & Copeland, 2011)

* Participants checked all responses that applied. Therefore the sum of all item responses may exceed 100%
Warrant Research

Research Questions:

- How do outstanding warrants impact the lives of criminal justice involved individuals?

- What are potential ways to institutionalize a warrant resolution process?
Qualitative Research

• Conduct interviews with individuals at a local community/problem-solving court,
  – Individuals disposing of outstanding warrants held in New Jersey
  – Key practitioners and informants in the warrant resolution process
Warrant Research - Summits

• Develop preventive and reactive strategies to address fugitiveness
  – Goals:
    • Restructure the business of warrant serving
    • Develop a sustainable model to institutionalize the warrant resolution process

• Key partners – municipal level:
  – Law enforcement
  – Judiciary
  – Corrections
  – Community-based organizations
  – Governor’s criminal justice taskforce
Theory of Change

• Investing in resources, supports, and collaborations to develop a statewide system and approach to institutionalize the warrant resolution process.

  – Such institutionalization would have logistical and financial benefits, such as -
    • Reduce
      – Case backlog from the volume of active detainers and warrants
      – Potentially dangerous interactions between law enforcement and fugitives

• Remove barriers for persons to reintegrate as productive members of the community and provide legitimate means to connect with prosocial institutions.
Working Objectives

• Increase the statewide authority to dismiss outstanding warrants meeting specific outlined criteria.

• Increase the capability to process and adjudicate outstanding municipal and superior court cases statewide during correctional supervision periods (i.e. while offender is in custody with the use of video teleconferencing).

• Assign a rotating panel of judges with statewide jurisdiction to hear cases on outstanding matters.

• Build bridges with the community to improve the confidence in the courts.
Strategies for Change

• Analyze existing warrants, identify types, date of issuance, proposed resolution, status of defendant.

• Issue a blanket “try or dismiss order” across New Jersey municipalities. Municipal judges would be required to try or dismiss cases that meet a prerequisite and time limit.

• Restrict municipalities from appropriating outstanding warrant debt for bonding purposes.

• Capture and resolve active warrants at arrest and sentencing by mandating that,
  – Municipal courts
    • Have VTC capability
    • Abide/work within a time limit for municipal crimes
    • Combine municipal cases at sentencing for indictable offenses
  – Encourage prosecutorial discretion to close out indictables in superior court and other (un)related matters.
Strategies for Change

• Develop a central repository (link existing systems), with accurate information, to which agencies have access to summary warrant and detainer information.
  – Permit service providers to supplement existing data

• Dept of Corrections, Parole, and Community-based agencies to identify outstanding warrants, pending cases, and assist with the resolution process.

• Strengthen community outreach efforts - increase accessibility, provide flexible formats; explore constructive, non-confrontational approaches.

• Supply kiosks at county facilities that provide active warrant information.

• Enable bail posting through existing online payment system.
Outcomes - Agency

- Consistent and accurate information gathering process
- Improved engagement across criminal justice agencies
- Reduced backlog of active warrants
- Cost savings to local and state government
- Decreased reliance on law enforcement
- Less individuals revolving through the criminal justice structure
- Reinforce the deterrent power of the courts and other criminal justice functions; police legitimacy; community trust of law enforcement
Outcomes - Individual

- Fewer barriers for those individuals reentering the community
- Increase in successful completion of probation/parole
- Improved perception of law enforcement
- Increase connections with pro-social informal and formal institutions
EBI – Moving forward

• CPC evaluations
  – Provide practical agency recommendations and organizational trainings

• Recidivism studies of community programs

• Warrant research
  – Qualitative research
  – Process evaluation