Criminal Justice System Reform and Implementing Evidence-Based Practice: How Does Utah Measure Up?

Jennifer Loeffler-Cobia, M.S.
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Learning Objectives

• Understanding Key Ingredients of Effective System Change
• Understanding How Utah “Measures Up” in Implementing EBP
• How Utah’s JRI and EBP Implementation has Related to System Change
• Connecting the Dots between JRI and JR: Standards/Rules, EBP Implementation, and System Change
• Understanding Capacity Building to Sustain JRI
President Obama visits federal prison and calls for criminal justice system change!
Criminal Justice System Change: What did the President Learn

- Prisons are over populated;
- We are not targeting treatment;
- Taking offenders out of the cycle;
- Differentiating between violent offenders and those that have adapted to their environment; and
- Need to provide different opportunities to non-violent offenders.

Go Change This!
What is Utah’s Revolving Door?

Utah’s Offender Prison Population

- 94% of Utah’s prison population returns back into the community (Bureau of Justice Statistics 2013), while 46% return to prison (UJRI 2014).
- Utah taxpayers spent $269 million on corrections in 2013
  - Are our policies and programs working to reduce recidivism and prison re-entry?
  - Is the money that we allocate to our prisons and jail treatment programs providing the skills needed for offenders to be productive members of society and yielding the positive results?
Key Ingredients to Successful System Change

- Call to Action
- Leadership
- Motivation
- Inclusion of Stakeholders

- Understanding the current climate of practice and need
- Using data to drive decisions

- Adherence Guidelines

- Implementation Changes
- Training at all levels
- Stakeholders, Administration, Supervisors, Treatment and Correction Staff

- Policy Development

- Assessment of Policy and Practices

- Implementation and Equalization of Knowledge

Continuous Quality Improvement


In 2014, CCJJ analyzed the state’s criminal justice system, which included an in-depth review of sentencing and corrections data.

- Primary findings was to recognize that Utah is regarded, in several ways, as a national leader in corrections:
  - Maintaining a relatively low imprisonment rate and focusing the majority of prison beds on serious and violent offenders.
- However, in the last decade:
  - Utah’s prison population has grown six times faster than the national average;
  - The state has used an increasing number of prison beds for nonviolent offenders and technical revocations;
  - The length of time offenders remain behind bars has increased for all offense types, including drug and property offenses as well as probation revocations; and
  - Rates of success on probation and parole have declined in the last decade and revocations from supervision now constitute two-thirds of all prison admissions.
Justice Reinvestment Findings and Primary Recommendations

- Develop Sentencing Guidelines
- Expand Treatment Services
- Establish Evidence-Based Treatment Standards and Certifications
- Enhance Evidence-Based Jail Standards
- Enhance Evidence-Based Transition Planning
- Enhance Training for Decision Makers and Community Supervision Officers
- Require collection and reporting of key performance measures and establish oversight
Justice Reinvestment Findings and Primary Recommendations

- If adopted, these recommendations are projected to reduce prison growth by 2,551 inmates over the next 20 years and would avert $542 million in corrections spending.

- CCJJ recommends reinvesting a portion of these savings into programs and practices proven to reduce recidivism and cut crime.
Eight Effective Principles of Criminal Justice Practices

National Institute of Correction’s Eight Principles of Effective Intervention
Summary Evaluation Purpose

- To summarize the program findings from the 15 program evaluations conducted with UDC prison and jail programs and Salt Lake County jail and community programs.

- Identify key areas where the Utah criminal justice system needs to improve in order to better support the EBP endeavors of their programs.

# Evidence-Based Practice: Programs Evaluated

<table>
<thead>
<tr>
<th>Utah Department of Corrections</th>
<th>Salt Lake County</th>
</tr>
</thead>
<tbody>
<tr>
<td>• 5 Prison Programs</td>
<td>• 2 Jail Programs</td>
</tr>
<tr>
<td>• Substance Abuse</td>
<td>• Substance Abuse</td>
</tr>
<tr>
<td>• Sex Offender</td>
<td>• Skill Building for Transition</td>
</tr>
<tr>
<td>• Violent Offender</td>
<td>• 5 Community Programs</td>
</tr>
<tr>
<td>• 3 Jail Programs</td>
<td>• Dual Treatment (e.g. mental health and criminal activity)</td>
</tr>
<tr>
<td>• Substance Abuse</td>
<td>• Substance Abuse</td>
</tr>
<tr>
<td>• Sex Offender</td>
<td>• Domestic Violence</td>
</tr>
</tbody>
</table>

Assessing EBP Adherence

• Correctional Practice Checklist (CPC)
  – Measures Eight Principles of Effective Intervention
    • Capacity
      – Leadership and Program Development
      – Staff Characteristics
      – Quality Assurance
    • Content
      – Offender Assessment
      – Treatment Characteristics


Lowenkamp, C. T., & Latessa, E. J. (2003). *Evaluation of Ohio’s halfway houses and community based correctional facilities*. Cincinnati, OH: Center for Criminal Justice Research, University of
• Item scores for each of the eight CPCs were entered into a database.

• Items where the majority of programs did not receive the point for full compliance with the CPC were identified as areas for improvement.
  – Items that could be addressed at a broader systems-level were identified and prioritized.

• Items where the majority of programs were assessed as being in full compliance with the CPC were identified as strengths.
  – These strengths should be leveraged when making changes in the areas needing improvement.

• The results of the summary are organized under each of the eight CPC domains: Program Leadership and Development, Staff Characteristics, Offender Assessment, Treatment Characteristics, and Quality Assurance.
SLC Aggregate Summary Results

Assessment of Policy and Practices

# Program Leadership and Development

<table>
<thead>
<tr>
<th>Strengths</th>
<th>System Areas of Improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Programs had stable funding.</td>
<td>Training of Program Directors in providing staff EBP training, ongoing observations of staff skills with feedback.</td>
</tr>
<tr>
<td>Program Directors had sufficient experience with offender treatment.</td>
<td>• Training resources should be provided to support this leadership role.</td>
</tr>
<tr>
<td>Program Directors were directly involved with offender treatment.</td>
<td>• Ongoing modifications to programs should be subject to a pilot period to minimize intervention drift.</td>
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<td></td>
<td>• This will allow for changes to be tracked and related to recidivism.</td>
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</table>

## Staff Characteristics

<table>
<thead>
<tr>
<th>Strengths</th>
<th>System Areas of Improvement</th>
</tr>
</thead>
</table>
| - Staff support the goals and values of providing treatment to offenders.  
- Ample experience working with offenders.  
- Followed professional and ethical guidelines. | - Not all staff that provided direct treatment services to offenders held at degree in a helping profession (e.g. counseling, criminal justice etc.).  
- Staff are not required to receive EBP training.  
- Performance assessments are not provided on EBP skills and improvements. |

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Offender Assessment

<table>
<thead>
<tr>
<th>Strengths</th>
<th>System Areas of Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td>- UDC has adopted the Level of Service Inventory-Revised (LSI-R) as their criminogenic risk and needs assessment.</td>
<td>- SLC does not have a standard risk and needs assessment.</td>
</tr>
<tr>
<td>- Trainings have been conducted for some staff.</td>
<td>- Improve the availability of the LSI-R.</td>
</tr>
<tr>
<td>- Programs are providing services to offenders they believe are appropriate.</td>
<td>- Use the LSI-R for placement decisions, separation of risk levels (e.g., separating low risk offenders from high risk offenders), treatment planning.</td>
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<tr>
<td></td>
<td>- CAP were being developed on outdated LSI-R (up to 7 years old) along with placement decisions:</td>
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<td></td>
<td>- Updates:</td>
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<td></td>
<td>- Initial contact</td>
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<td></td>
<td>- Change in programming</td>
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<td></td>
<td>- Life-changing event</td>
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<td></td>
<td>- Exit of program or prison/jail</td>
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<tr>
<td></td>
<td>- Responsivity was not being assessed (e.g., motivation to change/treatment).</td>
</tr>
</tbody>
</table>

# Treatment Characteristics

<table>
<thead>
<tr>
<th>Strengths</th>
<th>System Areas of Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Treatment focus was criminogenic.</td>
<td>• Risk/Needs assessments and case plans were not being disseminated into treatment plans, progress reports, or discharge plans.</td>
</tr>
<tr>
<td>• Appropriate duration of programming 3-12 months.</td>
<td>• Treatment groups/individual counseling was not based on offenders criminogenic needs.</td>
</tr>
<tr>
<td>• Utilized a cognitive behavior approach.</td>
<td>• Responsivity was not being used for treatment planning or incorporated into treatment plans.</td>
</tr>
<tr>
<td>• Developed completion criteria.</td>
<td>• Manuals were not developed for interventions.</td>
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<tr>
<td></td>
<td>• Consistent behavior modifications were not being used.</td>
</tr>
<tr>
<td></td>
<td>• Aftercare was not provided consistently.</td>
</tr>
</tbody>
</table>

# Quality Assurance

<table>
<thead>
<tr>
<th>Strengths</th>
<th>System Areas of Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Some programs had received recidivism studies within the past 4 years.</td>
<td>• Ongoing observation of EBP with feedback to staff – this should be built into staff performance evaluations.</td>
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<tr>
<td></td>
<td>• Training supervisors and directors on quality improvement practices by using data to make data – driven decisions surrounding EBP.</td>
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<tr>
<td></td>
<td>• Consistent surveying of offenders for their feedback.</td>
</tr>
<tr>
<td></td>
<td>• Using the LSI-R for re-assessment for change/progress and recidivism reduction studies.</td>
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<tr>
<td></td>
<td>• Evaluated (process and outcome) for all programs – rural and urban.</td>
</tr>
</tbody>
</table>

EBP Adherence Overall

- **UCD**

- **SLC**

#1 Continuum of Care

- CPC evaluation aggregate summary showed only 25% (N=2) of the programs provided aftercare once offenders completed the program. However, these services were provided while offenders were still in prison/jail.

- None of the programs identified any services for follow-up care post-release or structured practice.

- Top ranked system issue among focus group participants.

#1 Continuum of Care

• Treatment services should be provided in prison/jails and then continued in the community to help maintain learned skills in real-world environments.
  – The UDC should explore different continuum of care models and review where resources can be reallocated to support the development, implementation, and sustainability.

• A system case management approach should be adopted.
  – Currently, AP&P is perceived as an individual function of three moving parts: the supervision/incarceration (e.g. prison/jails), the treatment provider (e.g. counselor, therapist, group facilitator), and AP&P, rather than a system function.
  – When case management services are viewed separate from the other system parts it creates confusion on conflicting treatment goals and expectations of the offender, ultimately hindering their overall treatment and desired outcomes.

#1 Continuum of Care

- Recommendation 9: Expand treatment services;

- Recommendation 11: Establish standards for recovery and reentry support programs; and

- Recommendation 12: Enhance transition planning, supports, and services for offenders returning to their communities.

#2 Training

- Only 12% of the programs (N=1) reported providing initial EBP training to staff, furthermore, making ongoing EBP training non-existent.

- Training should be systemic and address all levels of the system:
  - Stakeholders, administration, mid-managers, supervisors, treatment, and correction staff.
EBP System Implementation Recommendations

#2 Training

- System-wide training guidelines (Utah employees and contract staff) should be developed that include timelines, eligible participants, appropriate sequencing, and required types of trainings; ensuring that training is put in the context of the UDC’s mission, policy, and practice.

- Specific supervisor training is another core component to consider. Supervisors play a key role in the implementation of EBP. Training that includes coaching, mentoring, and modeling can help them build supervisory skills and support staff development.

Resources:
1) The Evidence-based Practice Skills Assessment (EBPSA) is a self-report measurement tool designed to gauge the extent to which correctional staff demonstrate the skills necessary to successfully implement Evidence-based Practices (EBP) and can be used to develop training needs. The EBPSA was developed by Christine A. Ameen and Jennifer Loeffler-Cobia (2010). Evidence-Based Practices Skills Assessment for Criminal Justice Organizations. Washington, DC: National Institute of Corrections. http://nicic.gov/Downloads/PDF/Library/024836

2) The Supervisors Leadership Academy (SLA) is designed to prepare first line community corrections supervisors for their new role as “change leaders” in an agency utilizing an EBP approach. The curriculum was developed by Nancy Hoffman, (2010). Supervisors Leadership Academy: Cultivating an Evidence-Based Organization Collection. National Institute of Corrections. http://nicic.gov/Downloads/PDF/Library/024836
Impact on UJRI

#2 Training

• Recommendation 2: Revise criminal history scoring to avoid double-counting and limit factors to those most relevant to the risk of re-offense;

• Recommendation 10: Establish treatment standards and certification; and

• Recommendation 17: Provide enhanced training for decision makers and community supervision officers.
#3 Quality Assurance and Improvement

- All programs scored in the “Ineffective” range – practices were very limited.
#3 Quality Assurance and Improvement

- Develop an EBP collaboration plan at the system level to help disseminate the EBP mission and support to the providers.

- The UDC and SLC may want to explore resource options of developing an EBP Coordinator position to help train, disseminate, and monitor EBP information and data.

- Incorporate EBP into the existing site training standard operating procedures.

- Review the current data collection systems (e.g. WebTracks, MTracks) to determine 1) what data is available, 2) what information needs to be shared, 3) what staff need to have access to necessary information and for what purpose, 4) what laws prohibit information sharing (e.g. HIPAA), 5) where are the gaps in information sharing (i.e. what additional information is needed), and 6) avenues to train and disseminate information.

- It is vital that each program, regardless of rural, urban, contract, or state have access to high quality data in order to plan for improvements to service.

Impact on UJRI

#3 Quality Assurance and Improvement

- Recommendation 18: Require collection and reporting of key performance measures and establish oversight.
EBP System Policy
Recommendations

- **Training Requirements:** all employees providing treatment services to offenders should be required to participate in at least 40 hours of training per year that is specific to EBP implementation. For example, *LSI-R* administration and utilization, case planning, EBP treatment modalities, aftercare, and quality improvement.

- **LSI-R Administration and Utilization:** administration and of the *LSI-R* should be consistent across all prison and jail programs state-wide. This includes initial assessments, follow-up assessments, program placement, case planning utilization, and discharge planning for aftercare.

- **Information Sharing:** *LSI-R* and other assessment information, case plans, and discharge plans needs to be accessible for staff involved in offender treatment (this includes AP&P, administrators, group facilitators, treatment providers, and aftercare providers).

- **Continuum of Care:** Corrections-based treatment policy should emphasize a continuum of care model (from institution to community) with high quality programs and services.

- **Hiring Practices:** Hiring protocols should include searching for employees with the necessary skills to implement EBP. This should include state, contract, full-time, and part-time employees. Also, a Memorandum of Understanding (MOU) should be developed between UDC and county contract staff that address the requirements surrounding implementation of EBP.

Justice Investment: Rules
Screening, Assessment, Prevention, Treatment and Recovery Support Standards for Adults required to Participate in services by the Criminal Justice System

- Standards for Substance Use Disorder and Mental Health Screenings
- Standards for Mental Health and Substance Use Disorder Assessments
- Standards for Criminogenic Risk Screening and Assessment
- Standards for Providers of Educational Series
- Grounds for Denial, Corrective Action, Suspension, and Revocation of Educational Series or Treatment Providers
- Standards for Community-based Treatment Providers
- Standards for Jail or Prison Treatment Providers
Assessing Staff Skills to Identify Training Needs

Example Program EBP Skill Set

The Evidence-based Practice Skills Assessment (EBPSA) is a self-report measurement tool designed to gauge the extent to which correctional staff demonstrate the skills necessary to successfully implement Evidence-based Practices (EBP) and can be used to develop training needs. The EBPSA was developed by Christine A. Ameen and Jennifer Loeffler-Cobia (2010). Evidence-Based Practices Skills Assessment for Criminal Justice Organizations. Washington, DC: National Institute of Corrections.
Program Level Change Examples

- Assessing Staff Skills to Identify Training Needs

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### Program Level Change Examples

#### Cognitive Behavior Treatment Fidelity Monitoring

<table>
<thead>
<tr>
<th>FACILITATION EVALUATION</th>
<th>Exceed</th>
<th>Meet</th>
<th>Below</th>
<th>N/A</th>
<th>0</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Two facilitators present.</td>
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<td>2. Attendance sheet maintained.</td>
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<tr>
<td>3. Is prepared for the lesson (flip chart, overheads and handouts prepared).</td>
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<td>4. Incorporates homework review (Do participants report out on homework verbally/in writing?).</td>
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<tr>
<td>5. Correctly Models/Demonstrates skill first to participants.</td>
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<tr>
<td>6. Involves all participants by practice of skills and role plays.</td>
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<tr>
<td>7. Provides constructive feedback to participants.</td>
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<tr>
<td>8. Provides appropriate reinforcement for pro-social behavior in classroom setting.</td>
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<tr>
<td>9. Addresses issues of non-compliance immediately (e.g. no homework, late, unprepared).</td>
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<tr>
<td>10. Identifies/corrects anti-social behavior immediately.</td>
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<tr>
<td>11. Provides information to the group in a clear, concise manner.</td>
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<tr>
<td>12. Maintains objectivity/ non-judgmental.</td>
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<tr>
<td>13. Follows manual for the group.</td>
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</tr>
<tr>
<td>Totals (sum of points in each category)</td>
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<td></td>
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</tr>
</tbody>
</table>
System Level Change

Examples

- CJAC EBP Committee
- Justice Reinvestment: Rules Development
- UDC Risk Assessment and Case Planning Practice Committee
- State JRI Coordinator
- Adoption of LSI-R

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System Level Change Examples

EBP
Capacity Building Framework

Stakeholders
Mid-Management and Supervisors
Corrections Officers
Treatment Staff
System Level Change
National Examples

Capacity Building

• AIR: Interagency Working Group of Youth Programs
  www.youth.gov
• AIR: Center for Coordinated Assistance to States (CCAS)
• AIR: Neglected and Delinquent Technical Assistance Center (NDTAC)
• AIR: Technical Assistance Partnership (Systems of Care)
• Indiana House Bill 1006 – Criminal Justice Reform Study
Where is Utah

- House Bill: 348
- Justice Initiative: Rules

Organizational Readiness
- Governors Call to Action
  - Justice Reinvestment Initiative
  - Prison Relocation

Assessment of Policy and Practices
- Justice Reinvestment Recommendations
- Evidence-Based Practices Evaluations of Prison and Community Programs

Implementation and Equalization of Knowledge
- Program Implementation Changes
- Capacity Building Framework
- Training at all levels

Policy Development
- House Bill: 348
  - Justice Initiative: Rules

Continuous Quality Improvement: Program and System Level Monitoring
Policy
➢ Continue to Develop Justice Reinvestment: Rules

Implementation and Equalization of Knowledge
➢ Develop and Sustain the Capacity Building Framework
  ➢ Develop Mandated CORE Trainings/Booster Trainings To meet JR: Rules
  ➢ Develop Mandated Certification Process/Protocol to meet JR: Rules

Continuous Quality Improvement
➢ Develop continued evaluation process to measure both process improvement (program level EBP adherence) and Outcome
➢ Use data to drive improvement decisions at all levels (stakeholder, supervisor/mid-management), and treatment
References


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