

## A White Paper:

# Implementing Evidence-Based Practices in Texas Community Supervision

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*This White Paper was developed by Assessments.com (ADC) to present some options by which Community Supervision in Texas can move forward, relatively quickly, towards a more complete and sustainable implementation of Evidence-Based Practices (EBP)<sup>1</sup>. If well implemented, EBP will produce better short- and long-term outcomes for management, staff, offenders and their families and communities.*

*Specifically, this paper advocates: (1) improved use of risk/need and other assessments; (2) increased reliance on assessment-driven supervision plans, in which Community Supervision Officers (CSOs) are provided with more sophisticated tools and skills to practice effective case management; (3) greater focus of valuable resources on efforts to successfully supervise the highest-risk offenders; and (4) more effective and efficient collection, sharing, analysis and reporting of all data relating to assessments, supervision plans and outcomes.*

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## Current Status

The goal of community supervision (adult probation) is to protect the community while supervising and rehabilitating offenders. Recent research indicates the best way to meet this goal is to enthusiastically embrace Evidence-Based Practices (EBP). This process begins with a valid, reliable risk and needs assessment that identifies those offenders who are most likely to commit new crimes and who need the most supervision, and it continues with a supervision plan that targets criminogenic and other needs. This process is mandated for all 122 Community Supervision and Corrections Departments (CSCDs) by the Texas Department of Criminal Justice, Community Justice Assistance Division (TDCJ-CJAD) Standard 163.35(c).<sup>2</sup>

## Assessments.

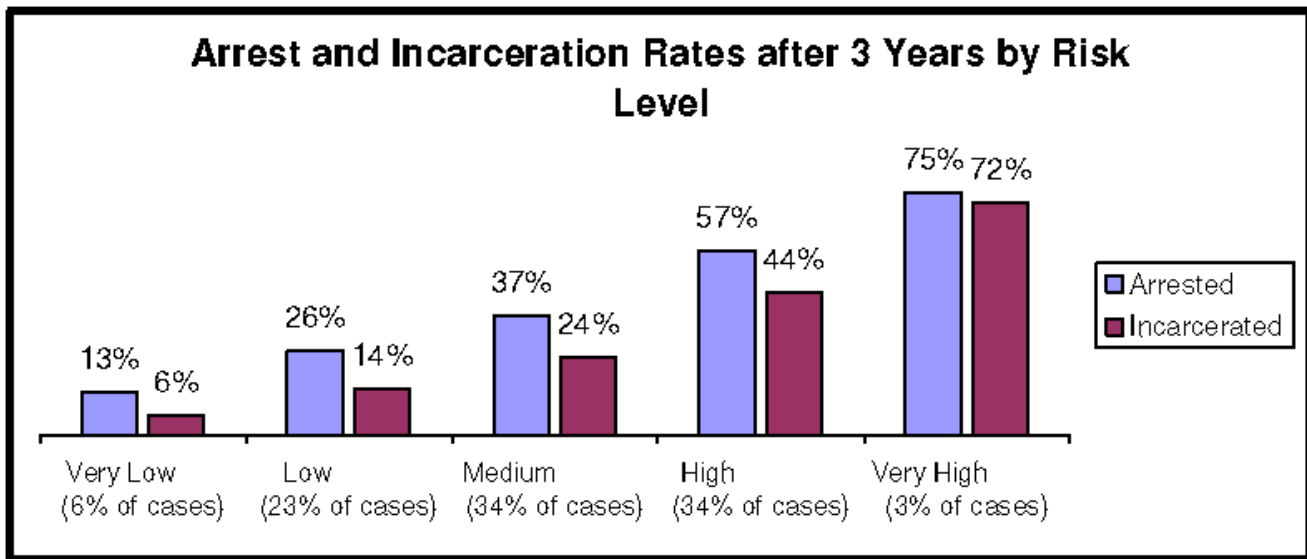
Wisconsin Tool. The risk assessment instrument currently used by CJAD is a modified version of the risk assessment developed in Wisconsin in the late 1970s. A departmental study conducted in March 2006, however, presented evidence of several serious issues relating to the reliability and validity of the Wisconsin tool<sup>3</sup>. Since then, CJAD has been investigating other assessment alternatives to find a risk assessment with greater predictive accuracy, and also to provide more guidance to the Community Supervision Officer (CSO) in addressing the criminogenic needs of offenders.

LSI-R. Several counties, Potter, Dallas and Harris, have been granted a waiver to use the LSI-R. The purpose of the waivers was to research the results, i.e., prediction accuracy, of the LSI-R vs. the Wisconsin tool. A preliminary validation study, dated July 27, 2007, was released by CJAD Research and Evaluation, based on a relatively small sample of offenders in Potter and Harris Counties. According to the study, additional analysis is still required in order to produce a meaningful comparative report.

TRAC. Additionally, TDCJ-CJAD has examined the possibility of developing a risk assessment instrument from data available in the Community Supervision Tracking System (CSTS) and arrest data from the Texas Department of Public Safety (DPS). This led to the development of a new, static-items-only Texas Risk Assessment

Classification (TRAC). An excellent paper produced by TDCJ-CJAD Research and Evaluation in June 2007 describes the TRAC's development in detail.

"This tool was constructed using factors known to be associated with recidivism and available from CSTS and DPS data, and used a sample of 10,418 felony offenders placed on community supervision in FY 2003. Offenders were tracked from their date of placement on community supervision to three years after their placement date. The recidivism rates (defined as arrest or incarceration with 3 years of placement) are shown below.



The percentage in parentheses below the risk classification refers to the percent of all cases classified at that risk level

**STRONG.** A similar validation study was completed by the Washington State Department of Corrections (WA DOC) in two stages – in 2003 and 2007. In the first study, after using the LSI-R for more than a decade, WA DOC decided to look for something more predictive, and also more objective, with increased inter-rater reliability, greater ease of system use, and that lessened the difficulty of defending legal challenges. To accomplish these goals, WA DOC commissioned the Washington State Institute of Public Policy (WSIPP) and Assessments.com to create and implement a new tool, which is currently in use in the statewide WA DOC system – the STRONG, the Static Risk and Offender Needs Guide <sup>4</sup>.

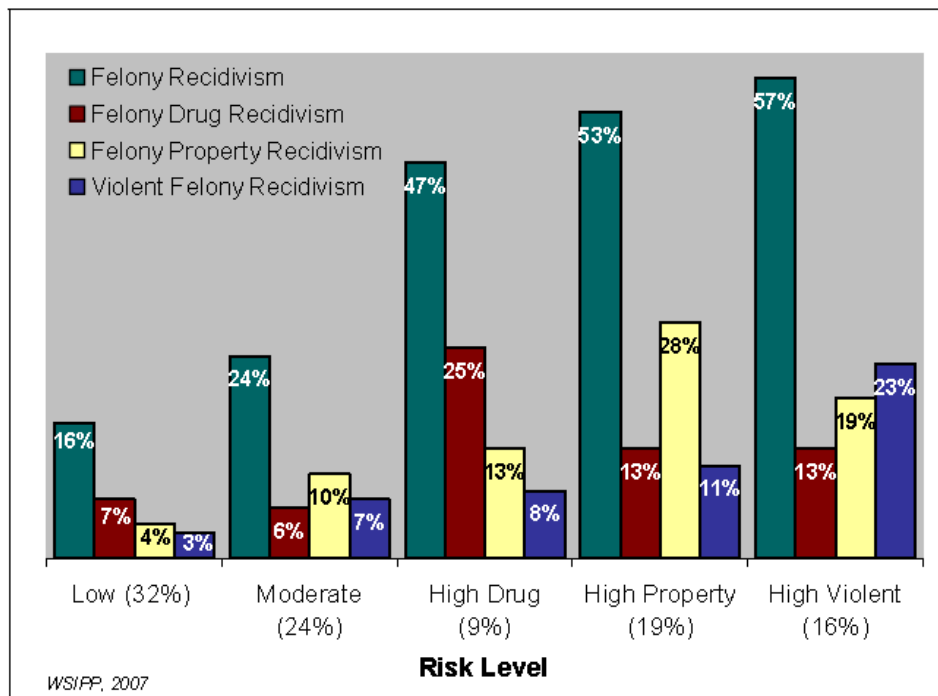
The Static Risk Assessment is a 26-item tool constructed from the factors most strongly associated with recidivism which were organized into the following six categories: demographics, juvenile record, commitments to DOC, adult felony record, adult misdemeanor record, and adult sentence violations.

The Static Risk Assessment was validated by WSIPP in March 2007 and, like the TRAC, was found to have greater predictive accuracy than the LSI-R <sup>5</sup>. The 2007 validation study included all offenders released from prison/jail or placed on community supervision in the State of Washington over a 14-year period, from 1986 to 2000, which created a very large sample size of 308,423 offenders. The Static Risk Assessment was then cross-validated by an analysis of 51,648 different offenders released in 2001-2002 – to demonstrate that it would be valid for use with other populations. The recidivism rates (defined as a subsequent conviction for a felony offense committed within three years of placement in the community) are shown on the following page in two charts.

The first displays the recidivism rates for each of the risk levels for the validation sample, and the second chart compares the percentage distribution of offenders sentenced with community supervision and offenders sentenced to prison by risk level. A brief analysis of the charts is presented on the page following the charts.

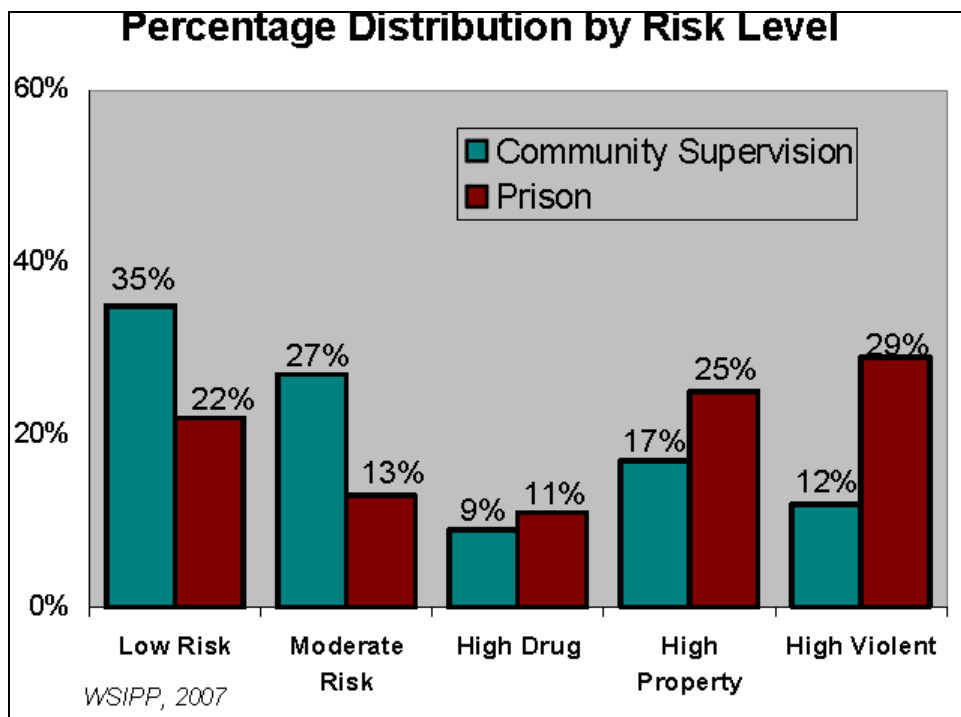
**STRONG Chart 1**

**Recidivism Rates for Each Risk Level of the Validation Sample**



**STRONG Chart 2**

**Percentage Distribution by Risk Level**



The first chart displays the recidivism rates for each of the risk levels for the validation sample. The bottom axis shows the percentage of offenders in each risk level. For example, 32 percent of the offenders are classified as low risk. In addition, the bars in the chart show the recidivism rates for each risk level. Therefore, for low-risk offenders, 16 percent recidivated with a felony offense, 7 percent with felony drug, 4 percent with a felony property, and 3 percent with a violent felony offense.

Between 47 and 57 percent of offenders in the three high risk levels recidivated with a felony.

- For high drug risk offenders, 25 percent recidivated with a felony drug offense.
- For high property risk offenders, 28 percent recidivated with a felony property offense.
- For high violent risk offenders, 23 percent recidivated with a violent felony offense.

The second chart compares the percentage distribution of offenders sentenced with community supervision and offenders sentenced to prison by risk level. This chart shows 35 percent of community offenders are low risk to reoffend compared to 22 percent of prison offenders. Twenty-nine percent of the offenders sentenced to prison are at high risk to reoffend with a violent offense compared with 12 percent on community supervision.

There are a number of differences apparent in reviewing the recidivism charts presented above for the TRAC and the STRONG, and the reader is encouraged to review the two validation studies in detail. But, perhaps one of the most striking is the difference in classification as illustrated in the table below. The STRONG was constructed to produce three scores: felony, property/violent, and violent scores. These three types of risk scores allow the assessment to break the high-risk level into three, more specific levels: high risk for drug, property, or violent recidivism -- which allows probation and corrections professionals to make better supervision, placement early discharge and re-entry decisions.

<b>STRONG</b>	<b>TRAC</b>
Low Risk	Low
Moderate Risk	Minimum
High-Risk Drug	Medium
High-Risk Property	High
High-Risk Violent	Maximum

Both the TRAC and the STRONG recidivism findings are also potentially important to Texas CSCDs because, in accordance with the "risk principle" of EBP and based on the empirical evidence provided by use of these validated, reliable assessment instruments, CSCDs could legitimately reduce their active caseloads by up to one-third in order to focus their efforts on the higher-risk offenders who are roughly 3 times as likely to commit new crimes in the absence of effective rehabilitative treatment. Use of either of these tools would certainly allow CSCDs to utilize resources more effectively, and that is a valuable, positive and easily achievable outcome.

### Supervision Plans.

This is probably the area with the greatest shortcomings at the present time. Though it is not a desirable situation for the vast majority of Texas CSCDs to be currently using an outdated, unreliable risk assessment instrument, at least active efforts are underway to correct that. In the case of Supervision Plans, however, no such effort is being mounted. According to the CJAD Research and Evaluation's "TRAC Development Paper of June 2007, "The (TRAC) static risk assessment is not a method to determine an offender's needs; it is only an assessment on the potential of an offender to recidivate. It will be left to the CSCDs to determine what an offender's needs are and how to supervise that offender."

This is the form for completing a Supervision Plan currently in use and approved by CJAD:

**Supervision Plan**

*Instructions: The plan should be a joint problem solving effort between the CSO and the offender. The CSO should only fill in those areas which are non-negotiable (e.g., court-ordered conditions) prior to the planning session with the offender.*

<p><b>Problem Statement:</b> State 1) the problem behavior of the offender, 2) the need which it serves, and 3) the undesirable results of that behavior</p> <p>Undesirable behavior:</p> <p>A need being served by that behavior:</p> <p>Results/consequences of that behavior:</p>
<p><b>Behavioral Objective(s):</b> State a behavioral outcome (an alternative to the problem behavior which meets the need noted in the P.S.). The objective should also be positively stated, measurable, time-framed, and realistic.</p>
<p><b>Offender Action Plan:</b> State the methods, techniques and resources the offender will use to achieve the objectives and how the offender will verify when he is achieving the objective.</p>
<p><b>CSO Action Plan:</b> State the methods and techniques the CSO will use to assist the offender and how the CSO will verify the objectives are being achieved.</p>
<p>Offender's Signature:</p>
<p>CSO's Signature: <span style="float: right;">Date:</span></p>

This is a screenshot of the Offender Needs Assessment Overview Report which serves as the first step for the Washington State Department of Corrections Supervision Plan:

Assessments.com - WA State DOC - Build 6.6 - Microsoft Internet Explorer provided by WA State Dept. of Corrections

Address: http://ospimp/case\_plans/case\_plan.asp

[Show/Hide All Status History]

**Offender** | **Staff**

Date Created: 3/31/2008 11:04:42 AM  
 Re-assessment Due:  
 OSP Status: In Work

**Offender Needs Assessment completed by Luann Kawata on 3/31/2008**

**Risk Level Classification: LOW**

Need			Domain <i>Click Domain Name to Select</i>	Protective		
Low	Moderate	High		Low	Moderate	High
██████████			SEXUAL DEVIANCY			
██████████			COPING SKILLS			
██████████			COMMUNITY EMPLOYMENT	██████		
██████████			ATTITUDES / BEHAVIORS		██████████	
██████████			EDUCATION		██████████	
██████████			FRIENDS		██████████	
██████████			RESIDENTIAL		██████████	
██████████			MENTAL HEALTH		██████████	
			FAMILY			
			AGGRESSION		██████████	
			ALCOHOL / DRUG USE		██████████	

[Display Offender Needs Assessment Overview](#)

**Comply with all In Effect Conditions**

Effective Date:	3/31/2008	End Date:	Upon release, report to your CCO and thereafter make a correct report as directed
Effective Date:	3/25/2008	End Date:	Home Visit
Effective Date:	3/31/2008	End Date:	Obey all municipal, County, State, Tribal, and Federal laws

[Submit For Approval](#) [OMNI Conditions](#) [OMNI Chronos](#)

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This sample, from the Offender Supervision Guide of the STRONG as implemented by WA DOC, is consonant with the "Need Principle" which states interventions should target the dynamic risk factors related to the criminal behavior. This needs assessment includes 11 major domains related to offender criminal behavior based on the research literature: (1) Education; (2) Community Employment; (3) Friends; (4) Residential Stability; (5) Marriage/Family; (6) Alcohol/Drugs; (7) Mental Health; (8) Aggression; (9) Attitudes/Behavior; (10) Sexual Deviancy and (11) Coping Skills.

The above report, which is automatically generated once the 55-item needs assessment has been completed, displays risk factors on the left and protective factors on the right. The domains, in the center, are displayed in order of prioritized risk to help guide the CSO to develop a supervision plan focused on addressing each offender's highest criminogenic needs first.

The software simplifies and organizes this process and provides a critical reporting function for monitoring individual and systemic progress toward the desired positive outcomes. However, it is up to the CSOs to use their professional judgment to choose which behavioral problems to work on based on responsivity issues; and to choose those actions which the offender is most ready, willing and able to take as part of the change process.

## Current Challenges

### **Making diversion programs work.**

As you know, the Texas State Legislature has been providing significant funding in recent years to implement evidence-based diversion programs. Since FY 2006, these funds have been distributed to 48 CSCDs statewide. These 48 CSCDs account for 78% of the felons on community supervision in Texas. In a "Report to the Governor and Legislative Budget Board on the Monitoring of Community Supervision Diversion Funds" dated December 2008, three indicators were highlighted as evidence that the additional investments in EBP for community supervision by the 79th and 80<sup>th</sup> Texas Legislatures are providing positive results:

- As the felony probation population has risen by 3.1% since FY 2005, to a total of 170,779 in FY 2008, felony revocations to TDCJ have decreased 0.4%.
- Cumulatively, departments receiving additional diversion funding had fewer felony revocations in FY 2008 than in FY 2005, while revocations for departments not receiving any additional diversion funding increased.
- One discrete component of the diversion program was incorporation of early discharge in progressive sanctions models to provide incentives for probationers to be successful and to decrease caseload sizes. CSCDs receiving additional funding in FY 2006-2007 and FY 2008-2009 increased early discharges 45% from FY 2005 to FY 2008, while departments that received no additional funding increased early discharges 35%. (NOTE: As a result of implementing the STRONG, WA DOC adopted a new policy only to offer to offenders who score Low or Moderate on the Static Risk Assessment, the opportunity to earn a 50% reduction in supervision time served, i.e., early discharge – an excellent example of how CSCDs could better use an improved risk assessment process to reduce caseloads and increase management efficacy.)

These diversion programs were designed to reduce recidivism, or provide alternatives to incarceration, and they are working. As a result, many CSCDs support additional funding to build a broader skill set for officers that encompasses access to a wide range of proven assessments, supervision plans that target an offender's criminogenic needs, and provided in an efficient single-repository management information system. With current budget constraints, this has to be accomplished in the most cost-effective manner.

### **Implementing Best Practices.**

Other needs that can be addressed relatively easily once leadership commits to sustaining a firm adherence to evidence-based practices:

- A true needs assessment to better evaluate an offender's dynamic risk factors (criminogenic needs), as well as his/her protective factors and responsivity issues. The STRONG includes such a tool – the Offender Needs Guide, and provides an easy-to-use system that also uses those assessment results to create and guide the supervision plan all the way to re-entry.
- Enhanced staff job satisfaction through increased training in Motivational Interviewing (MI) – a technique and set of skills that has been proven to increase staff (as well as offender) efficacy.
- Updated protocols policies and practices (new business rules) to improve planning and delivery of integrated service for clients, along a continuum of care.
- Better data management, especially regarding the various tools/instruments and reports currently being used in the CSCDs.

- In short, a data-driven, evidence-based strategy that departments can stand behind, that provides relevant and defensible information for good decision-making and effective case supervision.

### **Working toward a common vision.**

*This section is excerpted from the Texas Community Supervision Strategic Plan Report authored by the Texas Community Supervision Strategic Planning Committee, July 2006.*

"The structure of community corrections in Texas is complicated. Criminal court judges appoint the directors of local Community Supervision and Corrections Departments (CSCDs). At the state level, TDCJ-CJAD oversees CSCDs. CSCDs also receive counsel and direction from the Judicial Advisory Council (JAC,) that has as its charge to advise the director of CJAD and the Texas Board of Criminal Justice on matters of interest to the judiciary. The Judicial Advisory Council is comprised of members appointed by the Supreme Court and Court of Criminal Appeals of Texas. The Probation Advisory Committee, as appointed by the JAC, provides ideas for improving community supervision in Texas.

"So while CSCDs are local entities, they are also responsible to and connected with powerful state organizations with statewide standards, mandates, and accountability. This tension between local control and state authority is always a challenge, but in a state the size of Texas, with its geographic and demographic diversity, the challenge is considerable. For community supervision its many, often-competing overseers further increases the challenge.

"Many community supervision leaders believe that a common vision and some broad agreements would help balance individual and statewide roles and would ultimately benefit all involved parties. As such, during its October 2005 meeting, the Probation Advisory Committee appointed a Strategic Planning Committee and tasked it with the development of a Strategic Plan."

**The Number One Strategy developed by this well-appointed Strategic Planning Committee was: Identify risks and needs of all offenders and develop appropriate supervision strategies. The top two ACTIONS offered to support this strategy:**

- Use reliable and valid methods for assessing risks and needs.**
- Relate supervision strategies to the identified risks and needs.**

### **Implementing Evidence-Based Practices.**

The challenges outlined in this section are not insignificant. Change is never easy – not for offenders and not for government agencies. But, the principles of EBP – which have been repeatedly proven to work in creating positive change in individuals – can also successfully be applied to organizational change.

- **Assess Actuarial Risk/Needs.** This White Paper, along with the excellent research documents provided by TDCJ-CJAD Research and Evaluation in recent years, and the recommendations of the Strategic Planning Committee cited above, and the top three goals as detailed in this year's TDCJ Strategic Plan for FY 2009-2013 (see below), provide an already-fully developed blueprint for what needs to be done.
- **Enhance Intrinsic Motivation.** Change comes from within. For CSCDs, that means management and staff. Do you have readiness, willingness and an ability to change?



- **Target Interventions.** If a CSCD is ready, willing and able to change, there are resources available – within each CSCD and in both the public and private sector – to ensure that departmental efforts are targeted for maximum efficiency and effectiveness.
- **Skill Train with Directed Practice.** There is no way around it. Without good and on-going training of new skills for management, staff and offenders, there will be no positive outcomes for CSCDs.
- **Increase Positive Reinforcement.** Here is something that doesn't cost any money, and that has been proven to pay amazing dividends in supporting change.
- **Engage Ongoing Support in Natural Communities.** For offenders, this means engaging with families and friends, support groups and organizations, schools and churches, employers and social service agencies in the places where the offenders live. For CSCDs, it means collaborating with, educating and gaining buy-in from internal and external stakeholders – staff and management, higher-ups in TDCJ-CJAD, the 81<sup>st</sup> Texas State Legislature, other players in the criminal justice and judicial system, advocacy and other community interest groups, industry associations, and private sector vendors.
- **Measure Relevant Processes/Practices.** This is where a good management information system can really help. Some CSCDs are in excellent shape in this regard. Many, perhaps most, have room for improvement in the way they capture data, the type of data they do capture, avoiding data islands, sharing information and eliminating data entry redundancies and errors, managing and analyzing individual aggregate data, and reporting data. It is generally worthwhile and necessary, when initiating a new EBP implementation, to direct a significant portion of effort towards a review of current practice in this regard, as well as visioning the details of a new, improved system.
- **Provide Measurement Feedback.** Quality Assurance and adherence to the fundamentals is key to sustainability of any project involving change. It is easier to get off to a good start than it is to maintain integrity to the original vision, mission and goals. One thing that helps is to measure what matters and then learn from the evidence you compile to do more of what works and less of what doesn't.

## Options for Implementing EBP

Assuming the two preceding sections have made a persuasive case for implementing EBP more completely within your CSCD, what are your options? How can you gain the benefits of improved outcomes for your organization and your clients at a cost you can afford?

**Option #1.** In the current, budget-constrained environment, the first option has to be to try to do as much of what is required to accomplish your mission using your existing resources – basically a reallocation of how your organization spends its time and money. It might even be necessary to "do more with less." In either event, Assessments.com (ADC) can help. Presented on the following pages is information about how ADC can work with Texas CSCDs to help find financial efficiencies, increase operational effectiveness and address head-on the Department's top three goals as detailed in this year's TDCJ Strategic Plan for FY 2009-2013:

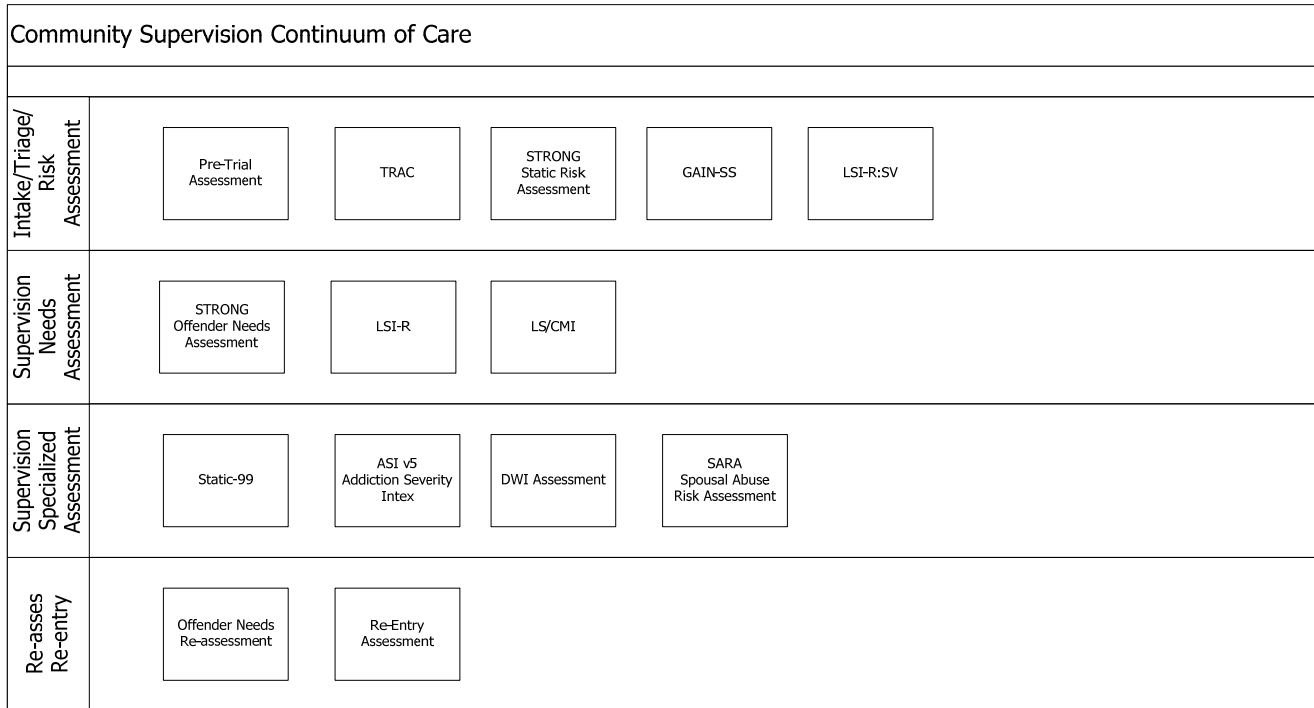
Goal A: To provide diversions to traditional prison incarceration by the use of community supervision and other community-based programs.

Goal B: To provide a comprehensive continuity of care system for special needs offenders through statewide collaboration and coordination.

Goal C: To provide for confinement, supervision, rehabilitation and reintegration of adult felons.

**Option #2. Tools, Automation, Reporting, in a Sustainable System**

The remaining options presented below are not necessarily mutually exclusive, and could be implemented together, or in some variation or combination. The diagram below shows the tools currently available in Assessments.com (the TRAC could be added easily, if requested):



As illustrated, assessment is really a process, not an event. It begins at Intake with triage instruments to address issues like bail/no bail, need for further immediate mental health or health assistance and determining the level of risk-to-re-offend. Then, depending on the results of the triage, it moves to a full needs assessment to identify risk and protective factors and responsivity issues so critical to a successful supervision plan. Then, the process continues with specialized assessments for special needs offenders. Finally, re-assessments need to be done on a regular basis throughout the period of community supervision through to a final re-entry assessment to help the offender with the transition back to the community.

In most cases, it would be a straight-forward process to integrate the ADC software with CSCDs' existing case management systems. At the current time, Corrections Software Solutions (CSS) provides support for three of every four CSCDs in the state. Assessments.com can integrate with that system.

**Option #3: Finding and Implementing the “Missing Link” (Effective Case Management)**

Validated and reliable assessments are an essential first step, and yet, by themselves, will not reduce recidivism. What is needed, and what is often missing, is a system of effective case management, wherein offenders and officers, together and collaboratively, utilize a wide array of resources, tools and skills to create long-term success, not just short-term compliance. Effective case management is deliberate, and differs significantly from the more traditional supervision model.

With effective case management, emphasis is placed on officers being trained and skilled in interpreting the results of validated assessments, in analyzing and prioritizing criminogenic needs, and in skillfully negotiating mutually-beneficial supervision plans, which increase offenders' motivation to change and seek services.

In addition, there is a critical connection between all the information-gathering that takes place along the various steps of from intake to adjudication, to disposition to Supervision Plans to re-entry. Making that information-gathering as efficient and evidence-based as possible, and then, focusing the access, analysis, and reporting of that information first and foremost to help CSOs intervene with their probationers in ways that have a measure or promise or success, is the missing link.

The ADC solution, which is not necessarily "ours," but one that we have built using our own experience and the findings of the best minds/researchers/meta-analyses worldwide, consists of several different components, including, but not limited to:

- Research
- Software and automation of data integration, in order to:
  - Decrease the time it takes to do the assessments (thus, more staff buy-in)
  - Increase the inter-rater reliability (thus, more confidence in the decisions made based on them)
- Staff Skill Development
- Department PPPs (Protocols, Policies, Practices)
- Stakeholder (both internal and external) participation, collaboration, and cooperation, including the courts, DAs, PDs, victims' rights groups, parents, families, etc.
- Quality assurance measures, including
  - Software reports
  - Inter-rater reliability measures
  - Taped-critiques/evaluations
  - On-site/live/sit-in evaluations
  - EBP/MI Liaisons (organization, roles and responsibilities, etc.)

This last bullet point is very important. For a CSCD to maintain a firm adherence to the principles of EBP over a sustained period of time, the department must be fully committed. One of several commitments is to organize and support a core group of in-house EBP/MI specialists whose role it is to support/improve/resolve EBP/MI-related issues. These Liaisons play a key role because they become the in-house experts on all things pertaining to the risk/needs assessments and the supervision plan specifically, and EBP and Motivational Interviewing in general. Liaisons serve not only as experts, but also as models, encouraging their colleagues to embrace EBP and MI, and ensure strong department-wide inter-rater reliability, implementation integrity and EBP sustainability.

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Solution Step One: Start with the various, multiple tools up front, in order to (1) Triage, (2) Streamline further with Responsivity, (3) get a report of Criminogenic Needs for behavior change/recidivism reduction.

Solution Step Two: Use the results of the tool(s) to chart the plan, literally, that demonstrates: (1) the priority of criminogenic needs; (2) the corresponding behavioral problems; (3) the corresponding behavioral objectives; (4) the behavioral-related action items/interventions/conditions (using automated point-and-click navigation and modifiable fields).

This process of building a Supervision Plan is often referred to as the “Independent Case Analysis,” and is part of the 5 steps of Effective Case Management, or CASES:

**C**ollecting – assessment and other investigation and information gathering techniques.

**A**nalyzing -- analyzing all relevant information gained to date

**S**tructuring – goals and actions with the client, also referred to as Case Plan Negotiation

**E**valuating – re-assessing and evaluating progress, often termed as “interim outcome measures:

**S**upporting – supporting the change process, which refers to long-term behavior modification, which, of course, would mean reduced recidivism.

Solution Step Three: Create a culture and environment that supports the triaging out of the way of lower risk offenders, leaving time and resources to dedicate to moderate-high or higher risk offenders. This culture change depends on staff and management truly believing in the rehabilitation of offenders as a credible means to reduce recidivism, whether effectuated by the CSOs themselves, or by the various programs/services.

Solution Step Four: Train the entire department, or as many as the budget will allow, in the various elements of EBP. Motivational Interviewing is a critical component here, and applies regardless of setting:

- Intake: The mechanics of MI, OARS (Open-ended questions/Affirmations/Reflections/Summarize), are applied to reduce defensiveness/resistance and gather more accurate information, thus creating more accurate and effective assessment information.
- Supervision: The ability to initiate the relationship, establish rapport, create collaboration, etc., is heavily dependent on MI and other, similar techniques.
- Supervision: The ability to negotiate a case plan. This means staff have the understanding, knowledge and skill set to (1) gauge what “stage of readiness for change” the offender is in, for each criminogenic need and (2) know what tools to use to move the offender along the stages of readiness to change to Action or, at the least, Preparation/Determination, if being brokered to an intervention/service.
- Supervision: to monitor progress, using MI skills, to plan for relapse, strengthen commitment to change, and to increase change talk and remove barriers.

## **Benefits**

Once implemented, the new tools and EBP approach will improve the classification of adult offenders in the community and make more accurate decisions regarding which offenders are awarded early discharge. Other benefits include:

1. Consistent method to document an offender's complete criminal conviction record.
2. Increased objective risks and needs assessment capability.
3. Increased sensitivity and Responsivity to specialized offender risks and specialized caseload management (e.g., DWI court, sex offenders, substance abuse caseloads, etc.)
4. Improved comprehensive reporting ability (i.e., combined offender profile report using multiple assessments' results)
5. Increased accuracy of Offender Early Discharge determination and Misdemeanor Supervision Eligibility decisions.
6. Ease of system use leading to better understanding of risk and need results.
7. Increase in staff ability to interview, assess, interpret assessment results, negotiate/communicate case plans, and built and sustain clients' motivation to change.
8. Ease of access to offender information after assessment.
9. Ease of querying specific offender information.
10. Lessened difficulty in defending legal challenges related to offender liberty.
11. Gender-neutral risk assessments.

## **Conclusion: Community Supervision in Texas does work**

The majority of offenders on adult probation in Texas successfully complete their sentences. The biggest challenge for the system is to reduce the number of offenders who do recidivate. Implementing EBP, as outlined in this White Paper would help. This will become even more apparent as the current economic situation worsens and the caseload for CSCDs undoubtedly increases.

To meet the challenge, TDCJ is requesting a budget increase of \$71 million just to cover the expected basic needs of community supervision in the near future. As Steven Enders, executive director of the West Texas Community Supervision and Corrections Department pointed out in a recent Op-Ed in the *El Paso Times*, "Difficult as it may be to ask for such an increase at this time of economic distress, it is far more practical and less expensive to have a good strong probation system than to build more prisons. Keeping one offender on probation costs the taxpayers an average \$2.13 a day in comparison to \$44 a day in prison. That is not counting the cost of constructing more prisons."

Texas spent about \$2.3 billion to build prisons in the 1990s, increasing the capacity from fewer than 50,000 beds to 154,000 today. One result: between 1985 and 2005, the Texas prison population jumped 300 percent.<sup>6</sup> However, as the February 2008 study referenced above, by the PEW Center, "One in 100: Behind Bars in America," goes on to point out, "Prison costs are blowing holes in state budgets but barely making a dent in recidivism rates." Indeed, according to the Report, with its current prison and jail population of 152,661, Texas has become the nation's imprisonment leader. The budget for TDCJ to manage that population in the current biennium is \$4.5 billion, 79 percent of the total department budget.

On the other hand, according to TDCJ's current Strategic Plan, total felony and misdemeanor probationers under community supervision has decreased over the past decade to 431,494, and more funding for diversion programs

has had proven positive effects on reducing probation and technical revocations. In short, Texas Community Supervision, which is managing roughly three times the number of offenders as are incarcerated, is proving to be a very cost-effective alternative.

Clearly, there is a great need in Texas, at this moment in history, to reduce the rate of adult incarceration. This can be accomplished – without diminishing public safety – as has been proven by Community Supervision's ongoing reductions in felony probation revocations and technical revocations. To gain even better results, TDCJ-CJAD and the individual CSCDs should move forward, now, towards a more complete implementation of Evidence-Based Practices.

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## ENDNOTES

### **1 Eight Evidence-Based Principles for Effective Interventions**

1. Assess Actuarial Risk/Needs.
2. Enhance Intrinsic Motivation.
3. Target Interventions.
4. Skill Train with Directed Practice (use Cognitive Behavioral treatment methods).
5. Increase Positive Reinforcement.
6. Engage Ongoing Support in Natural Communities.
7. Measure Relevant Processes/Practices.
8. Provide Measurement Feedback.

### **2 (c) Supervision Process.** CSOs shall provide direct supervision for cases to include, but not be limited to, the following tasks;

#### **(1) Orientation/Intake...**

(2) **Assessments.** An assessment process that gathers relevant and valid information shall be completed on every offender. This process shall specifically address the offender's risk factors, need areas, obstacles to meeting those needs, offender strengths and offender resources. The CSO shall request specialized assessments for offenders when it is determined that alcohol or drug abuse contributed to the offense and pursue specialized evaluations when they would significantly assist in the development of appropriate supervision plans for special needs offenders.

(3) **Case Classification.** Within two (2) months of the date of community supervision placement, acceptance of a transfer case or discharge from any residential facility, jail or institution, the CSO shall complete an approved TDCJ-CJAD case classification instrument to assist in the evaluation of the degree of supervision needed by each individual based on the offender's risk and/or needs. Within ten (10) working days of the date of an offender's admission to a Community Corrections Facility (CCF), the CSO assigned to supervise the offender in the facility shall complete the TDCJ-CJAD case classification/assessment instrument.

(4) **Strategies for Case Supervision (SCS) Assessments.** Within two (2) months of the date of community supervision placement, acceptance of a transfer case or discharge from any residential facility, jail or institution, the CSO shall conduct a SCS assessment on each felony offender classified as maximum on case classification, unless a SCS was previously completed. While the SCS assessment may be a useful case management tool, it is not required for offenders during participation in residential programs.

(5) **Case Supervision or Treatment Plan.** Within two (2) months of the date of the most recent community supervision placement, acceptance of a transfer case or discharge from any residential facility, the CSO shall develop a written individualized case supervision or treatment plan based on the offender's risk and need factors to address specific problem areas and assist the offender to achieve responsible behavior. The supervision or treatment plan shall be completed within ten (10) working days from the date of an offender's admission to a CCF.

(6) **Reassessments.** CSOs shall reevaluate risk and need factors and supervision plans at least every 12 months for all direct cases. An approved TDCJ-CJAD reassessment shall be completed any time a significant change occurs in the status of the offender. Any necessary modification of the supervision plan shall be indicated in writing in the case file. Upon discharge from a residential facility, the CSO assigned to supervise the offender in the facility shall complete a discharge plan.

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- 3** Zhang et al. found that the Wisconsin risk assessment cannot accurately predict across ethnic backgrounds (1990). Research also suggests that the Wisconsin tool cannot differentiate the needs of an individual and therefore can only separate individuals into categories of risk (Zhang et al. 1990). Connolly (2003) showed that the Wisconsin tool only gives a 20% improvement over chance in assessing an offender's risk. Similar findings in the lack of predictive power were found in Harris (1994) and Yacus' (1998) studies.
- 4** In Washington, this was implemented as the Offender Supervision Plan System (OSPS). Assessments.com now markets the system as the STRONG - the Static Risk and Offender Needs Guide.
- 5** Robert Barnoski and Elizabeth K. Drake. (2007). Washington's Offender Accountability Act: Department of Corrections' Static Risk Assessment. Washington State Institute for Public Policy
- 6** "One in 100: Behind Bars in America," PEW Center for the States, February 2008