

Madeline “Mimi” Carter
Principal, Center for Effective Public Policy
Silver Spring, MD
301-589-9383; cartermm@cepp.com

Diversion as an Evidence-Based Decision Point

Implications of contemporary research findings on future policy & practice

Objectives

1. Define what is meant by “evidence-based”
2. Briefly describe two key research findings that have strong relevance to future work in the diversion field
3. Touch upon key issues in risk assessment
4. Conclude with the observation that being clear about our purposes in establishing or administering diversion programs is critically important

Being Evidence-Based

Being “evidence-based” in the justice field simply means to know and apply research evidence to the work that we do.

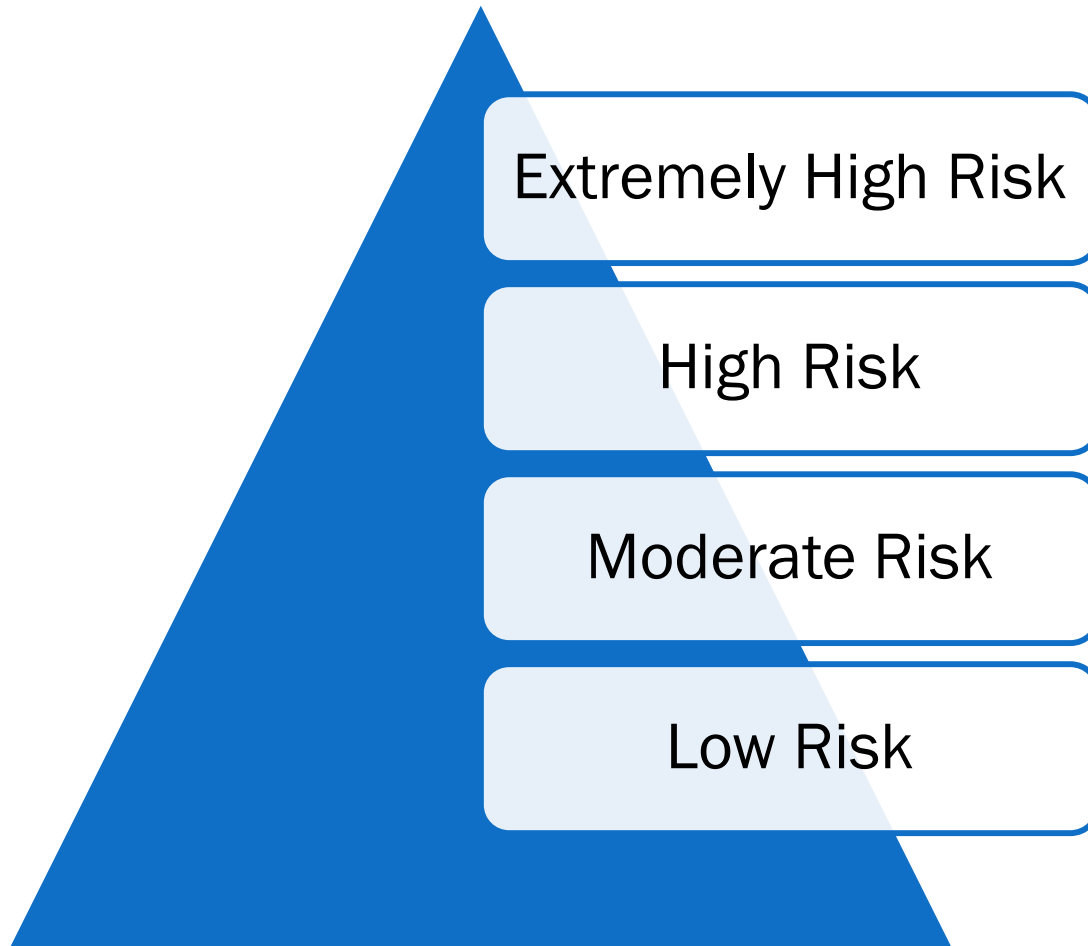
Applying the evidence...

Key Research Finding #1: Who we focus on matters

What we know

- Research is unequivocal on this point:
 - When it comes to predicting and influencing behavior, we can have more impact on some people than on others

Offender Risk to Reoffend



Applying the evidence...

Key Research Finding #2: What we focus on matters

Prevent what specifically?

- To prevent something from occurring:
 - We must know how to identify it when we see it
 - We must know what to do when we find it

Assessment of What?

- ❑ Risk of likelihood of non-appearance for court? Risk of likelihood of pre-trial misconduct?
 - Examples: VPRAI, ORAS
- ❑ Risk of continued drug use?
 - Examples: UNCOPE, Drug Abuse Screening Test
- ❑ Risk of likelihood of re-offense?
 - Any re-offense?
 - Examples: LSI-R, COMPAS
 - Violent re-offense?
 - Example: VRAG
 - Sexual re-offense?
 - Example: Static-99

Risk Factors Correlated to Re-Offense



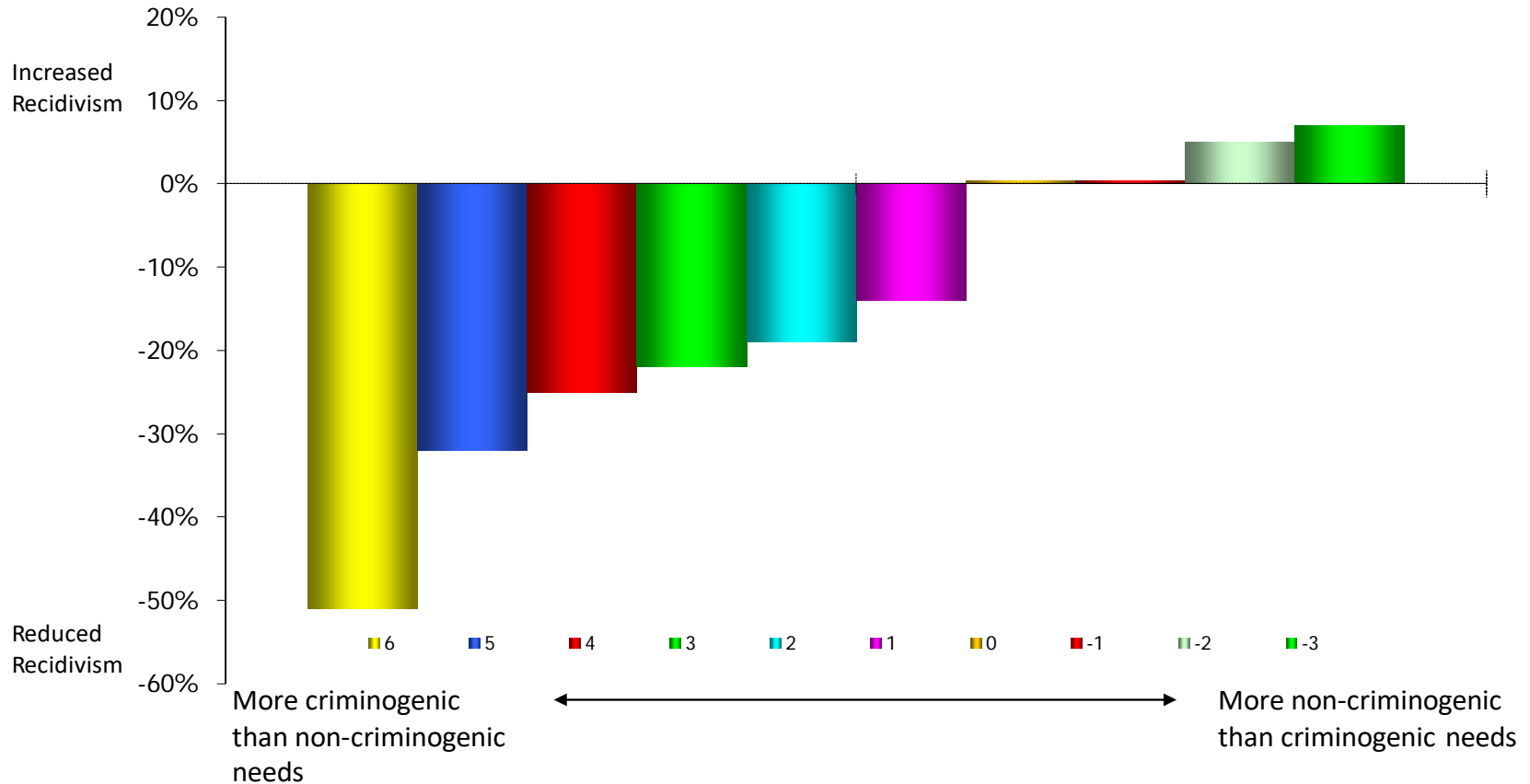
Common Historical Risk Factors (Static Risk Factors)

- Age at first arrest
- Current age
- Gender
- Criminal history

Common Criminogenic Needs (Dynamic Risk Factors)

- Antisocial attitudes, cognition
- Antisocial personality
- Antisocial associates, peers
- Family, marital stressors
- Substance abuse
- Lack of employment stability, achievement
- Lack of educational achievement
- Lack of pro-social leisure activities

Recidivism Reduction as a Function of Targeting Multiple Criminogenic vs. Non-Criminogenic Needs



In the EBDM Framework, we define a primary purpose of criminal justice intervention as “harm reduction”

- ❑ Harm reduction to the community
 - ❑ Improved public safety
 - ❑ Reduced criminal justice system costs
 - ❑ Healthy, contributing citizens—earning a legitimate wage, supporting their families, etc.
- ❑ Harm reduction to the defendants/offenders
 - ❑ Interventions that are effective and reduce the likelihood of re-offense
 - ❑ Interventions that are matched to offenders’ risk/needs
- ❑ Harm reduction to past and potential victims
 - ❑ Justice systems that are victim sensitive
 - ❑ Justice systems that are restorative
 - ❑ Justice systems that are effective in preventing future harm

This framework posits risk reduction as a key method to achieve harm reduction.

- ❑ If risk reduction is a key component of our goal in *diversion programs*
 - ❑ Who & what we focus on matters a great deal
 - ❑ We must first use an appropriate risk tool
 - ❑ Then...
 - ❑ To reduce risk with the low risk
 - ❑ Don't over supervise/intervene
 - ❑ To reduce risk with the moderate & high risk
 - ❑ Match intensity of intervention to risk level
 - ❑ Match type of intervention to individuals' risk factors
 - ❑ Focus on the “big four” risk factors
 - ❑ Focus on clusters of risk factors