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STATISTICAL PREDICTION IN CORRECTIONS

A series reporting the results of applied research in corrections for administrators and practitioners

THE USE OF PREDICTION METHODS IN A COUNTY CORRECTIONS SYSTEM

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INTRODUCTION

Statistical prediction in corrections has shown itself to be one of the most important tools in the field today. The purpose of this brief paper is to describe the status and evolution of the prediction methodology in the Marion County (Oregon) Corrections Department.

Several of the key points presented here apply not only to statistical prediction as a correctional tool, but also to ongoing research in this area. Research, other than being important to the one who conducts it, will not have any lasting impact on the field unless a strategy is devised to implement its findings. In Marion County, several key communication media were used to aid the implementation strategy for statistical prediction. Briefly stated, they were as follows:

- National Institute of Corrections (NIC) training (the researcher was used as a trainer).
- NIC publications.[1]
- Professional organizations (the American Probation and Parole Association and the Oregon Corrections Association) that provided more exposure to the content and the researcher.
- Team development (an organizational development strategy created by Jay Hall).

BACKGROUND

The Marion County Department of Corrections was formed in January 1979, following the passage of the Oregon Community Corrections Act by the 1977 Session of the Oregon Legislature. The agency was placed in the executive branch of county government, and its director serves at the pleasure of a board of commissioners who are full-time, paid elected officials.

The empowering legislation made it optional for a county to participate; jurisdictions that chose to participate had to perform three basic actions:

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[1] In particular, Vincent O'Leary and Todd R. Clear, *Community Corrections in the 1990's*, Washington, D.C.: National Institute of Corrections, 1984.

- Appoint a Citizen Advisory Committee to oversee the local program.
- Present a biennial plan that specifies what the county will do with the state resources provided.
- Maintain financial accountability to the plan as submitted or amended.

The Department of Corrections has been characterized as a "full service" community corrections agency because of the full range of sanctions it attempts to offer to the courts and the state Parole Board. On any given day, its client population is made up of 1,800 to 2,000 adult offenders, distributed as follows:

- 60 percent felony probation
- 20 percent felony parole
- 20 percent misdemeanant probation

The department also operates a 58-bed minimum-security residential facility and manages the 108-bed county jail. The department recently completed the planning of a new 255-bed county jail, which is currently under construction, with completion planned for the fall of 1988.

CORRECTIONS IN THE 1990's

The NIC funded a short-term technical assistance project to produce a case history of the Marion County Department of Corrections,[2] in which the author, Nora Harlow, states:

> The conceptual framework MCCC [Marion County Community Corrections] had lacked from the beginning was serendipitously provided by a paper on limited risk control developed by Vincent O'Leary and Todd Clear[3] for the National Institute of Corrections and distributed during the NIC "peer consultation" training the MCCC director attended in early 1985. This training also enhanced the director's commitment to team management and reemphasized the need for improved communications skills. The years 1985-86, therefore, brought a coalescing and sharpening of diverse efforts that had previously been linked only loosely to one another and to departmental mission. These [resulted] in the refinement and formalizing of classification, case management, and management information systems and further work to improve internal communications and broaden the base of management decision-making and responsibility. . . .
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> . . . With a framework in place for conceptualizing the department's mission, MCCC was able to move more decisively in refining its organizational structure and developing the tools needed to implement the limited risk management model. Over the next year, the statement of mission, objectives and outcomes was again rewritten to focus on risk management and deemphasize activities and results with no obvious relationship to risk control. Policies, procedures, and work plans were revised to reflect the new mission statement, and performance measures were further refined. To provide a more complete continuum of sanctions, minimum-supervision cases were shifted into the community service unit, creating a separate organizational unit for low-risk offenders and management began looking at the

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[2]Nora Harlow, *Marion County Corrections, A Case History 1979-86*, National Institute of Corrections, TA 86-030, October 1986.

[3]O'Leary, Vincent and Todd R. Clear, *Community Corrections in the 1990's*, Washington, D.C., National Institute of Corrections (1984).
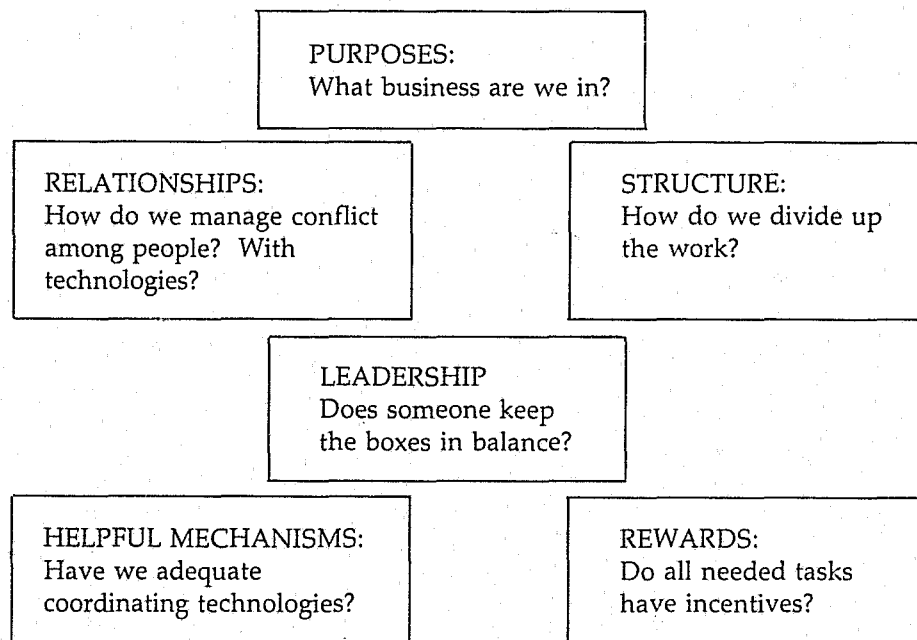
possibility of establishing an intensive supervision (IPS) unit along the lines of the Georgia and New Jersey models.

With NIC assistance, MCCC also undertook the studies needed to develop risk and needs assessment tools and to flesh out its design for a computerized management information system that would support the function of ongoing feedback for planning and evaluation purposes.

The O'Leary and Clear paper cited above is a widely distributed NIC mono- graph written in nonresearch language, and its statistical prediction methodology is integrated in a broad philosophical framework.

To implement O'Leary and Clear's risk management principles, an overall stra- tegy was needed. The strategy chosen was a team management approach to problem solving and change. The first step was to utilize Jay Hall's "team development" concept in a seminar/retreat attended by the department supervi- sors. In this group-process setting, a task force of supervisors and department line staff digested the O'Leary and Clear article sentence by sentence and pro- posed actions to be taken to implement the limited risk control model.

The decision to "formalize" the process of risk prediction in the agency has led to many changes that are still in process. Perhaps the best way to describe the change effort is to use Weisbord's[4] six-box organizational model:

PURPOSES:
What business are we in?

RELATIONSHIPS:
How do we manage conflict among people? With technologies?

STRUCTURE:
How do we divide up the work?

LEADERSHIP
Does someone keep the boxes in balance?

HELPFUL MECHANISMS:
Have we adequate coordinating technologies?

REWARDS:
Do all needed tasks have incentives?

Risk prediction in the practical field of corrections could be seen as a "helpful mechanism" in Weisbord's model. Many jurisdictions that have implemented

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[4]M. Weisbord, "Organizational Diagnosis: Six Places to Look for Trouble With or Without a Theory," *Group and Organization Studies*, 1:430, 1976.

the NIC model classification project have used the risk scale developed in Wisconsin. However, in Marion County and many of the other jurisdictions, this model has affected every other aspect of the agency. Its impact in Marion County can be summarized as follows, using the six-box model:

- *Purposes: What business are we in?* The choice of risk prediction brought about a conscious effort to rewrite the mission of the agency to embrace the principle of "limited risk control." Perhaps the most important and lasting impacts to the agency have been in the area of purpose. The key to all sanctions and their use flows from a well developed and understood purpose statement.

- *Structure: How do we divide up the work?* The implications here were to shift the client classification decisions from the caseworkers to the intake and pre-sentence investigation stages of the agency. The continuum of sanctions has been reordered, based on risk control. More reasoned and consistent decisions on client sanctioning were made possible on an agencywide basis.

- *Rewards: Do all needed tasks have incentives?* The best and most effective rewards have been achieved by efforts to improve the supervision techniques of the management staff. Concentrating on desired behavior of employees and reinforcing that behavior in a timely fashion has been the strategy here. Again, the strategy was an offshoot of the task force review of the O'Leary and Clear paper.

- *Helpful Mechanisms: Have we adequate coordinating technologies?* The risk prediction scale itself became the major feature of this box. Again, NIC technical assistance was a major aid in this area. Brian Bemus, in his report to Marion County, states:

  > Corrections in the 1980's is characterized around the central theme of "risk." Sentencing, parole release decision-making and probation and parole supervision priority have all been subjected to modification, even drastic change, in an effort to focus limited resources on offenders who present the most or least risk.

  > As a result, in the last five years, probation and parole agencies have been exposed to both model case management and limited risk management. We are expected to be tough on the high risk offender and weed out the low risk offender while at the same time limiting our liability (risk of making an error).

  > Out of this focus on risk a number of *model* systems were developed in an effort to assess risk in a valid, reliable fashion. The Minnesota sentencing guidelines use a risk scale to help determine length and type of sentence and resulted in the elimination of the Parole Board. [Note: The U.S. Department of Justice is in the process of developing federal sentencing guidelines and plans to phase out the U.S. Parole Commission by the early 1990s.] The federal salient factors [model] has been adapted or modified by several parole authorities (Texas and Oregon) and has been validated by the U.S. Parole Commission as well as the Texas Board of Pardons and Paroles. Finally, the Wisconsin risk scale, developed and validated for probation and parole supervision in the late 1970's, has been implemented in nearly 100 agencies throughout the U.S. and Canada.

More recently, the profession is attempting to improve or fine-tune the ability to predict risk. The Iowa risk scale for parole decision-making, with its focus on predicting assaultive behavior, is the most notable. In addition, many other agencies have developed their own scales for use at various points in the criminal justice process.

With both the proliferation of "valid" risk scales and "model" systems, probation and parole agencies are faced with a decision. Which scale is best for our agency? Can we just pick a scale that looks good or is supported by good PR? Marion County Community Corrections, within their process for developing a limited risk management system, chose not to "pick" a scale but use research methods to choose or modify a scale that fits their goals as well as resources.

○ *Relationships: How do we manage conflict among people?* The key to managing this aspect has been the decision to pursue and follow-through team development in the agency by the supervisors and director. This process is once again in revision because of the merger of the jail with the Community Corrections Department. A new set of relationships are emerging.

○ *Leadership: Does someone keep the boxes in balance?* Harlow states in her case history paper:

An outsider looking at MCCC today sees a bewildering variety of changes occurring simultaneously. Office automation and computerized management information systems are being implemented in stages, with some portions already in place and others planned or underway. A case management system is being fleshed out; risk and needs assessment instruments have been developed, casebanking was recently introduced, and an intensive probation supervision program is being established on an experimental basis. The presentence investigation process is under study, and short-format reports may be in use in the near future. Team management concepts are building the evolution from "top-down" decision-making to a more participative management style. The agency's statement of mission and objectives was recently rewritten to emphasize its commitment to risk management, and performance measures are being developed to focus organizational energies on results. The organizational structure remains fluid: changes in lines of authority and responsibility are periodically updated on a magnetic board.

These diverse developments are now coming together within a conceptual framework provided by the limited risk control model of O'Leary and Clear, but the origins of most can be traced back through the history of MCCC, some to events that occurred or ideas that were current before the department was created. Their persistence through the years can be explained in part by the continuity in leadership both within and outside the organization that has enabled basic values and assumptions to become "embedded" in the culture of MCCC and to some extent in the systems with which it works. There are exceptions. Some ideas, such as team management, are new to MCCC, while some external actors, such as the sheriff, could not be described as committed to values or assumptions that MCCC appears to hold.

Marion County has invested three years to date in its effort to research, design, and implement risk prediction techniques in the department's operation. For this jurisdiction, risk prediction has not been a "quick-fix" approach to improving

the decisionmaking of the agency. Committed and consistent leadership is the key to the institutionalization of such a fundamental part of the corrections decisionmaking fabric.

CONCLUSIONS

Statistical prediction in corrections is an important and evolving "helpful mechanism" in the field today. Research on this subject is particularly beneficial to the field when combined with:

- ◦ Effective communication strategies with practitioners (such as the O'Leary and Clear monograph).
- ◦ NIC training and technical assistance that includes the research in its design.
- ◦ Practitioner involvement with researchers and research content in training and other professional meetings.
- ◦ Federal agency technical assistance resources that support implementation and other learning experiences.
- ◦ Efforts that integrate the research into the philosophical framework of the jurisdiction.
- ◦ Consistent leadership that keeps the "boxes" (in the Weisbord model) in balance.

Yes, I agree with Clear in his statements that risk prediction will occur in the criminal justice system and a more formalized, research-validated process is greatly needed. The content of the research is important and needs to be teamed with a process to communicate and integrate it with the field.

I also *strongly* concur with the need to develop and validate these risk prediction tools in the specific jurisdiction. Marion Cour.ty's experience using Bemus as a consultant followed essentially the same process outlined by Clear. The most valuable learning from this experience has been the insight into prediction tool composition and our own agency functioning, which was previously not understood.

The NIC is currently awarding a contract to do a follow-up on the model classification project and determine its impacts on the field. I would recommend that the risk tool validation issue be pursued in that follow-up. Also, a more formal and ongoing effort to bring practitioners and researchers together should be undertaken. It appears that the NIC is the logical agency from which this leadership should come.