The Council of State Governments Justice Center

Mission

We develop research-driven strategies to increase public safety and strengthen communities.

Who We Are

We combine the power of a membership association, representing state officials in all three branches of government, with the expertise of a policy and research team focused on assisting others to attain measurable results.
How We Work

- We bring people together
- We drive the criminal justice field forward with original research
- We build momentum for policy change
- We provide expert assistance
Our Special Projects

FACE TO FACE
Connecting Policymakers to People Involved with the Correctional System

THE STEPPING UP INITIATIVE

the NATIONAL REENTRY RESOURCE CENTER

Judges & Psychiatrists Leadership Initiative

NATIONAL INVENTORY OF COLLATERAL CONSEQUENCES OF CONVICTION
Our Areas of Focus

- Corrections
- Courts
- Law Enforcement
- Substance Addiction
- Youth
- Mental Health
A data-driven approach to reduce corrections spending and reinvest savings in strategies that can decrease recidivism and increase public safety.

The Justice Reinvestment Initiative is supported by funding from the U.S. Department of Justice’s Bureau of Justice Assistance (BJA) and The Pew Charitable Trusts.

38 states have pursued a Justice Reinvestment (JR) approach with technical assistance from the CSG Justice Center, The Pew Charitable Trusts, the Crime and Justice Institute, or the Vera Institute of Justice. Map reflects states that the CSG Justice Center has worked with on JR.
Delivers technical assistance (TA) and training for Second Chance Act grantees

Advances the knowledge base of the reentry field

Promotes what works in reentry and successes of grantees

Facilitates peer networks and information exchange

Provides information for people returning to communities and their families
Latest News and Resources in Reentry

National Criminal Justice Initiatives Map

Directories for State and Local Reentry Services
Hot Topics in Public Safety

- Addressing mental illnesses and substance addiction
- Bail reform
- Diversion
- Gender-responsive services for women
- Housing
- Law enforcement responses
- Opioid and methamphetamine addiction
- Prison overcrowding
- Sentencing
California Diversion Statute

California Department of State Hospital (Felony) Incompetent to Stand Trial (IST) referrals

**Primary Diagnosis by Fiscal Year**

- Psychotic Disorders
- Mood Disorders
- Psychosis NOS
- Substance Disorders
- Cognitive Disorders
- PD/Malingering

**Percent with 15+ Prior Arrests by Fiscal Year**

47% Did not access Medi-Cal benefits in 6 months prior to arrest

47% Homeless

Juvenile Justice
The CSG Justice Center consolidated research into four core principles to reduce recidivism and improve other outcomes for youth in the juvenile justice system.

1. Base supervision, service, and resource allocation decisions on the results of **validated risk and needs assessments**

2. Adopt and effectively implement **programs and services demonstrated to reduce recidivism and improve other youth outcomes**, and use data to evaluate the results and direct system improvements

3. Employ a **coordinated approach across service systems** to address youth’s needs

4. Tailor system policies, programs, and supervision to reflect the distinct **developmental needs of adolescents**
CORE PRINCIPLE 1: employ the risk, need, responsivity framework to improve youth outcomes and use resources efficiently

**Risk Principle**
Identify and focus supervision and services on those youth most likely to reoffend

**Need Principle**
Identify and address the key needs that are the primary causes of youth’s delinquent behaviors

**Responsivity Principle**
Match youth to services based on their strengths and how they respond to treatment

**VALIDATED RISK ASSESSMENT**
A risk assessment is an evaluation of both dynamic and static factors that predict risk of recidivism. A risk assessment is considered validated if it has statically proven through multiple research studies to demonstrate a high probability of predicting whether youth will reoffend.
Use validated assessments to match youth with the appropriate level of supervision and to identify and address youth’s needs.

**STEP 1:** Assess risk of reoffending using validated tool
- Low Risk
- Medium Risk
- High Risk

**STEP 2:** Minimize supervision for low-risk youth and focus resources on high-risk youth
- Diversion OR Probation
- Probation
- Probation OR Residential Placement

**STEP 3:** Assess needs and match youth to services
- Referrals to behavioral health system if needed
- Identify and address risk factors that drive delinquent behavior

**DYNAMIC RISK FACTORS**
Dynamic risk factors are those that can change through development or system interventions. The most prevalent factors for young people include: family/parenting challenges; negative beliefs and attitudes; negative peers; poor school performance; substance use; and a lack of social attachments.
CORE PRINCIPLE 2: Implement programs and services demonstrated by research to reduce recidivism

COMMONLY USED, BUT GENERALLY INEFFECTIVE PROGRAM and PRACTICES

• Large, overcrowded, custodial correctional facilities
• Restrictive residential placements for mental health treatment
• Boot camps, curfew laws, and other disciplinary and surveillance focused programs
• Services that youth don’t need or that don’t address the primary causes of their delinquent behavior
A consistent link has been established between appropriate treatment, recidivism reduction, and cost savings.

<table>
<thead>
<tr>
<th>Program Name</th>
<th>Total Benefits</th>
<th>Costs</th>
<th>Benefits Minus Costs (Net Present Value)</th>
<th>Benefit To Cost Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Functional Family Therapy (youth in state institutions)</td>
<td>$37,554</td>
<td>($3,358)</td>
<td>$34,196</td>
<td>$11.21</td>
</tr>
<tr>
<td>Aggression Replacement Training (youth on probation)</td>
<td>$16,076</td>
<td>($1,552)</td>
<td>$14,524</td>
<td>$10.38</td>
</tr>
<tr>
<td>Functional Family Therapy (youth on probation)</td>
<td>$29,944</td>
<td>($3,357)</td>
<td>$26,587</td>
<td>$8.94</td>
</tr>
<tr>
<td>Multisystemic Therapy</td>
<td>$23,082</td>
<td>($7,576)</td>
<td>$15,507</td>
<td>$3.05</td>
</tr>
<tr>
<td>Drug court</td>
<td>$7,318</td>
<td>($3,159)</td>
<td>$4,159</td>
<td>$2.32</td>
</tr>
<tr>
<td>Other chemical dependency treatment for juveniles (non-therapeutic communities)</td>
<td>$220</td>
<td>($3,193)</td>
<td>($2,973)</td>
<td>$0.07</td>
</tr>
<tr>
<td>Scared Straight</td>
<td>($13,491)</td>
<td>($66)</td>
<td>($13,557)</td>
<td>($204.33)</td>
</tr>
</tbody>
</table>
Establish service use and oversight processes to ensure programs are implemented effectively.
CORE PRINCIPLE 3: Collaborate across systems to address youth’s needs

60 to 70 percent of confined youth have a mental illness.

25 to 50 percent of confined youth have a substance use disorder.

65 percent of youth under supervision have past/current involvement in the child welfare system.

More than 50 percent of confined youth have reading and math skills significantly below their grade level, have repeated a grade, and have been suspended or expelled.
Partner with behavioral health, child welfare, and education systems to assess and effectively address youth’s needs.

<table>
<thead>
<tr>
<th>Behavioral Health</th>
<th>Child Welfare</th>
</tr>
</thead>
<tbody>
<tr>
<td>• <strong>standardized screening</strong> and use validated</td>
<td>• Establish <strong>shared goals to address youth needs</strong> to reduce recidivism and</td>
</tr>
<tr>
<td>assessments to <strong>identify treatment needs</strong></td>
<td>increase permanency/safety</td>
</tr>
<tr>
<td>• Ensure <strong>sufficient service capacity</strong>, with an</td>
<td>• Share information on <strong>cross-systems involvement</strong></td>
</tr>
<tr>
<td>emphasis on community-based, family-based and</td>
<td>• Promote a <strong>coordinated approach</strong> to assessments, dispositions, case</td>
</tr>
<tr>
<td>cognitive behavioral interventions</td>
<td>planning, and service provision</td>
</tr>
<tr>
<td>• Provide for a <strong>continuity of care</strong></td>
<td>• <strong>Involve families</strong> in all major decisions</td>
</tr>
<tr>
<td>• Establish Medicaid as a <strong>sustainable funding</strong></td>
<td></td>
</tr>
<tr>
<td>source</td>
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<table>
<thead>
<tr>
<th>Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Establish alternative <strong>pathways and improve</strong></td>
</tr>
<tr>
<td>career/technical education and postsecondary</td>
</tr>
<tr>
<td>opportunities</td>
</tr>
<tr>
<td>• Provide education and workforce development services</td>
</tr>
<tr>
<td>that <strong>match youth and employer’s needs</strong></td>
</tr>
<tr>
<td>• Identify <strong>education liaisons</strong> that can support</td>
</tr>
<tr>
<td>prompt re-enrollment</td>
</tr>
<tr>
<td>• Collect and <strong>track data on educational outcomes</strong></td>
</tr>
</tbody>
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CORE PRINCIPLE 4: Tailor supervision and services to youth’s developmental needs and circumstances

Youth Are Developmentally Different than Adults

- Their families, peers, schools, and communities have a significant influence on their beliefs and actions
- They engage in risky behaviors and fail to account for the long-term consequences of their decisions
- They are relatively insensitive to degrees of punishment
- They struggle to regulate their impulses and emotions

After reviewing decades of research, the National Academy of Sciences concluded that a developmentally-appropriate approach offers significant promise for improved youth outcomes
Focus supervision on promoting positive youth behavior change rather than surveillance.

<table>
<thead>
<tr>
<th>Focus on Surveillance</th>
<th>Focus on Positive Behavior Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Laundry list of supervision conditions</td>
<td>Developmentally appropriate conditions</td>
</tr>
<tr>
<td>Fixed and uniform case contact requirements</td>
<td>Contact requirements based on youth’s assessed risk level</td>
</tr>
<tr>
<td>No collateral contact requirements</td>
<td>Required family and school collateral contacts</td>
</tr>
<tr>
<td>Large caseloads, “check-in” visits</td>
<td>Small caseloads with sessions focused on behavior change/skill development</td>
</tr>
<tr>
<td>Minimal training</td>
<td>Training in engagement and cognitive behavioral techniques</td>
</tr>
<tr>
<td>Minimal use of incentives/rewards</td>
<td>Frequent use of incentives/rewards</td>
</tr>
</tbody>
</table>
Employ a graduated response to youth’s violations of the conditions of supervision.

<table>
<thead>
<tr>
<th>Risk of Reoffending</th>
<th>Low</th>
<th>Medium</th>
<th>High</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enhanced monitoring and services</td>
<td>Reassessment of risk/needs and required level of supervision and service plan</td>
<td>Reassessment of risk/needs and required level of supervision and service plan</td>
<td></td>
</tr>
<tr>
<td>Cognitive behavioral and accountability activities</td>
<td>Restricted privileges, and cognitive behavioral and accountability activities</td>
<td>Reassessment of risk/needs and required level of supervision and service plan</td>
<td></td>
</tr>
<tr>
<td>Warnings and reinforcement of conditions</td>
<td>Restricted privileges</td>
<td>Enhanced monitoring and services</td>
<td></td>
</tr>
</tbody>
</table>

Level of Misbehavior

Graduated Response
Executive Summary: Colorado Improving Outcomes for Youth (IOYouth)  
Launched in May in Partnership with CSG Justice Center

- Governor Hickenlooper established a statewide task force to oversee the initiative
- Council of State Governments (CSG) Justice Center a national nonprofit, nonpartisan, membership association of state government officials partnered with Colorado on this initiative
- IOYouth is supported by the U.S. Department of Justice through the National Reentry Resource Center

<table>
<thead>
<tr>
<th>IOYouth Task Force Members</th>
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</thead>
<tbody>
<tr>
<td>Adam Zarrin, Office of Governor Hickenlooper</td>
<td>Lanie Meyers Mireles, Prowers County Human Services</td>
</tr>
<tr>
<td>Anders Jacobson, Division of Youth Services</td>
<td>Honorable Leslie Gerbracht, 3rd Judicial District</td>
</tr>
<tr>
<td>Honorable Ann Gail Meinster, 1st Judicial District</td>
<td>Sheri Danz, Office of the Child Representative</td>
</tr>
<tr>
<td>Arnold Hanuman, CO District Attorneys’ Council</td>
<td>Lindsey Sandoval, CO State Public Defenders</td>
</tr>
<tr>
<td>Barrie Newberger-King, CO State Public Defenders</td>
<td>Meg Williams, CO Juvenile Parole Board</td>
</tr>
<tr>
<td>Chief Bill Kilpatrick, City of Golden</td>
<td>Mike O’Rourke, 11th Judicial District,</td>
</tr>
</tbody>
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<tr>
<th>Co-Chair Senator Bob Gardner, CO State Senate</th>
<th>Representative Lois Landgraf, CO State House of Representatives</th>
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<tr>
<td>Honorable Brian Boatright, CO State Supreme Court</td>
<td>Co-Chair Representative Pete Lee, CO State House of Representatives</td>
</tr>
<tr>
<td>Chris Ryan, CO Judicial Branch</td>
<td>Rebecca Gleason, 18th Judicial District</td>
</tr>
<tr>
<td>Representative Dafna Michaelson-Jenet, CO State House of Representatives</td>
<td>Reggie Bicha, CO Department of Human Services</td>
</tr>
<tr>
<td>Daniel Makelky, Douglas County Human Services</td>
<td>Stacie Colling, Alternate Defense Counsel</td>
</tr>
<tr>
<td>Elise Logemann, CO Bar Association</td>
<td>Will Hays, Hilltop Community Resources, Inc.</td>
</tr>
<tr>
<td>Emily Humphrey, 8th Judicial District</td>
<td>Jeff Cuneo, CO Juvenile Defender Center</td>
</tr>
<tr>
<td>Jenifer Morgen, 17th Judicial District</td>
<td>Rebecca Wallace, American Civil Liberties Union</td>
</tr>
<tr>
<td>Julie DeNicola, Stepping Stones Advocacy</td>
<td></td>
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</tbody>
</table>
Executive Summary: Colorado IOYouth Based on a Comprehensive Assessment of the Juvenile Justice System

• Following the launch of the IOYouth Initiative in May 2018, CSG Justice Center staff spoke with a wide array of stakeholders to learn more about opportunities and challenges to improve outcomes for youth.

• CSG Justice Center staff gathered feedback from stakeholders across the state to ensure a diversity of perspectives, including through 9 site visits, calls and meetings with more than 100 people, and 6 juvenile facility visits.

• Case-level juvenile justice data and survey data from multiple sources also informed the assessment results.

• Task Force Members reached consensus on policy recommendations based on assessment findings to translate into legislation for 2019 session.
Executive Summary: Colorado IOYouth Resulted in Consensus-Based Policy Recommendations

1. Expand accessibility to evidence-based, pre-adjudication juvenile diversion programs across the state;
2. Develop clear criteria for detention eligibility in order to limit secure detention for youth;
3. Target CYDC resources more efficiently by focusing resources on youth most at risk of secure detention in order to reduce admissions to secure detention and prevent over supervision in the community.
4. Adopt a validated risk and needs assessment instrument to identify a youth’s risk of reoffending and use results to inform court decision making and case planning;
5. Establish statewide standards for juvenile probation that are based in research;
6. Improve the effectiveness of community-based services for youth on probation and parole; and
7. Expand the use of kinship care for youth in detention and commitment and under consideration for out-of-home placement.
Task Force Members Reached Consensus on Policy Recommendations Based on Assessment Findings that were then translated into SB19-108.

- Adopting a validated risk and needs assessment to be used by juvenile courts, the division of youth services (DYS), juvenile probation, and parole;
- Adopting (or revising current) a research-based detention screening; instrument, develop a plan for training on the new instrument, and submit a report on the use of the new instrument;
- Establishing criteria for the alternative services and report on the effectiveness of the alternative services;
- Adopting a form affidavit for parents and guardians to complete;
- Expanding diversion opportunities to all eligible youth in Colorado, and requires district attorney's offices to use a risk screening tool to inform a juvenile's eligibility for diversion and need for services. It also directs the division of criminal justice to collect data and report on juvenile diversion programs;
- Restricting the removal of a juvenile from the custody of a parent, unless the detention screening is conducted and specified findings are made (requires justification for use of overrides), and it also limits what populations of juveniles may be placed in detention;
- Requiring the development of a statewide system (or locally aligned system) of graduated responses and incentives to promote positive behavior and address probation violations; and
- Requiring the development of statewide standards for juvenile probation supervision and services.
Reentry
The Reentry Field Has Grown and Advanced

- Improving reentry and reducing recidivism are central to the missions of local, state, and federal agencies.
- A diverse set of constituencies embrace the goal of helping people who are returning to their communities.
- The science on what works to reduce recidivism has advanced considerably.
- Many state and local governments and their community-based partners are applying the latest research to policy, programming, and practice decisions.
Current Context Reveals Opportunities for Future Growth

• Significant progress made, but there is much more to do.
• Reentry now means recidivism reduction, but performance and measurement challenges persist.
• Reentry success has been embraced by corrections leadership and select champions from other fields.
The Future of Reentry

Reinvigorates *the basics.*

Redefines *performance,* the new metrics.

Rethinks *who* is involved in reentry.
The Future of Reentry

Reinvigorate *the basics*.

**Current Context:**
Significant progress made, much more to do.

**Future View:**
Scaling the fundamentals must continue to be in the foreground of justice policy and practice.

Redefine *performance*, the new metrics.

**Current Context:**
Reentry now means recidivism reduction, but performance and measurement challenges persist.

**Future View:**
Moving beyond recidivism-only into real-time, actionable data that can shift responses at the individual, program, and system levels.

Rethink *who* is involved in reentry.

**Current Context:**
Reentry success has been embraced by corrections leadership and select champions from other fields.

**Future View:**
Integrating multidisciplinary, comprehensive partnerships, and non-traditional reentry allies (e.g. public health, school districts, community colleges, industry leaders) with core reentry champions.
Key Areas of Need

- Behavioral health
- Education
- Health care
- Housing
- Employment
- Identification documents, childcare, and other needs
Tribal Reentry Challenges: Intergovernmental Dynamics

- Federal entities
- Local/State entities
  - Local jails
  - State Department of Corrections and Community Supervision
- Tribal jails

Reentry Task Force
National Inventory of Collateral Consequences of Conviction

- Searchable online database
- Over 40,000 consequences
- Statutes and regulations in all fifty states, the federal system, and the District of Columbia, U.S. Virgin Islands, and Puerto Rico
National Inventory of Collateral Consequences of Conviction

Easy searching by Jurisdiction, Keywords, Consequence Type, Offense Type, Duration, Discretion

See up-to-date details of a consequence, link to official state source, print, and export information
Contact Information

• Sarah Wurzburg, Deputy Program Director, Behavioral Health, The Council of State Governments Justice Center
  swurzburg@csg.org

• Jennifer Kisela, Deputy Program Director, State Initiatives, The Council of State Governments Justice Center
  jkisela@csg.org