



**Justice  
Reinvestment  
Initiative**  
Minnesota

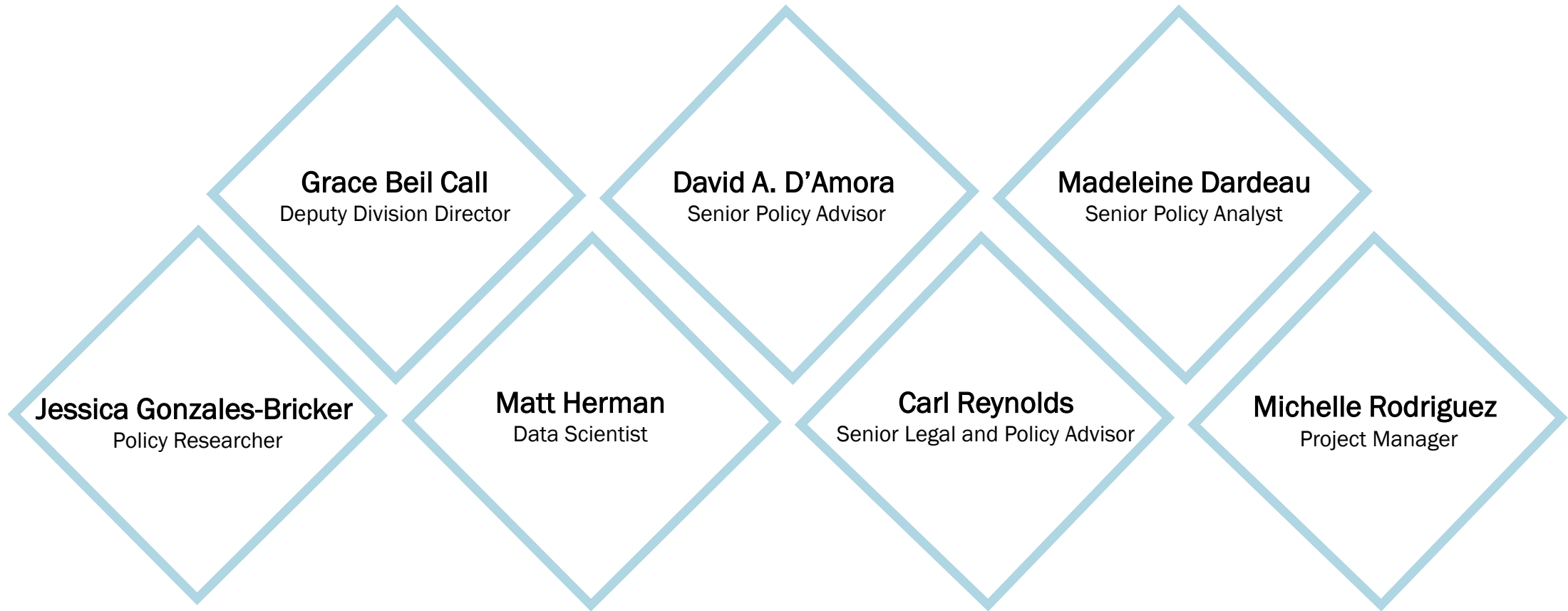


**Justice  
Center**

# Minnesota's Justice Reinvestment Initiative

Second Presentation to the Governor's Council on Justice  
Reinvestment January 21, 2022

# CSG Justice Center Staff Introductions





**Justice  
Reinvestment  
Initiative**  
Minnesota

## Overview

- 1** Recap and Project Background
- 2** Sustainable Funding
- 3** Supervision Assessment
- 4** Advancing Tribal Government Supervision
- 5** Next Steps

**Background**

**1**



# The Minnesota Justice Reinvestment Initiative has two working groups with slightly different roles and responsibilities.

## Governor's Council on Justice Reinvestment

- Provides strategic direction on the development of policy recommendations
- Creates momentum for adoption of policy recommendations
- Approves the Justice Reinvestment Initiative policy package

## Delivery System Working Group

- Assesses the various community supervision models operating in the state
- Defines base-level supervision standards
- Identifies a balanced and sustainable funding model for Minnesota's community supervision system
- Establishes a pathway for tribal governments to supervise people on probation and supervised release

Throughout this process, CSG Justice Center staff examined both qualitative and quantitative data.

## Qualitative Data

- Surveyed judges and probation directors
- Reviewed statutes, case law, appropriations, and published reports
- Met with local criminal justice stakeholders, including victims' groups
- Conducted an in-depth supervision assessment



## Quantitative Data

- Secured data sharing agreements with 21 CCA agencies and 23 CPO agencies
- Analyzed probation data, including conditions and LS/CMI risk and needs assessments
- Analyzed pretrial and juvenile probation data
- Analyzed prison data, including risk and behavioral health assessments
- Analyzed supervised release data, including MnSTARR risk assessments and violations
- Analyzed sentencing data

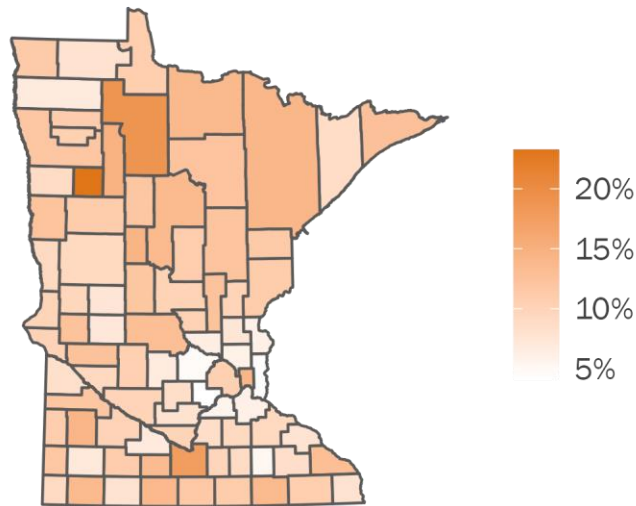
# The Delivery Systems Working Group has covered the following subjects across seven meetings:

- Sentencing trends
- Probation and supervised release trends
- Probation and supervised release recidivism rates
- Pretrial supervision
- Juvenile probation
- Budget models in other states
- Minnesota's supervision budget
- Assessment of supervision in Minnesota

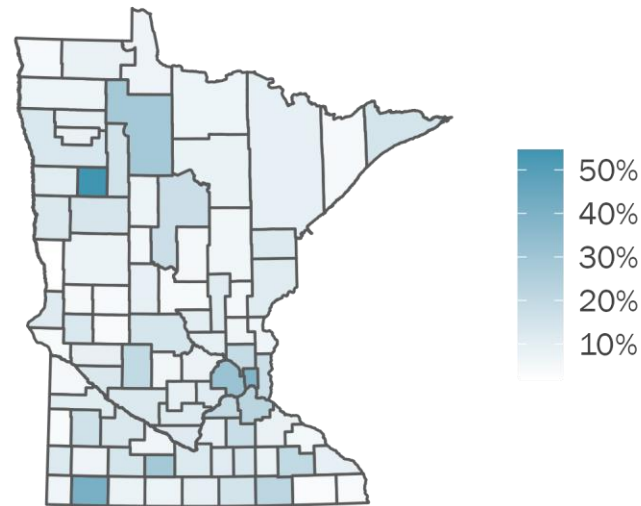
# Ultimately, the goal is to achieve a Minnesota supervision system that is effective, equitable, and adequately resourced across counties that are extremely different.

How do counties have equal access to the supervision system with the best outcomes for their populations and not just the system they can afford?

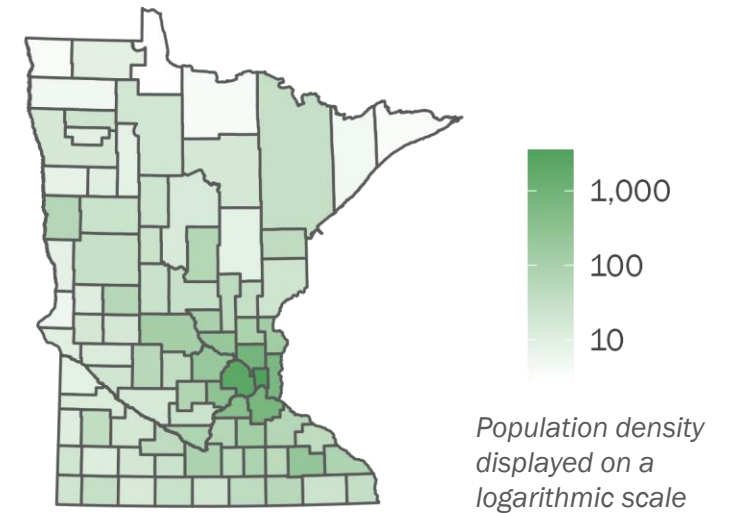
### Poverty



### BIPOC



### People per Sq. Mile



U.S. Census Bureau, American Community Survey 2015–2019 5-Year Estimates, Table C17002, B03002, and B15002.



# Sustainable Funding

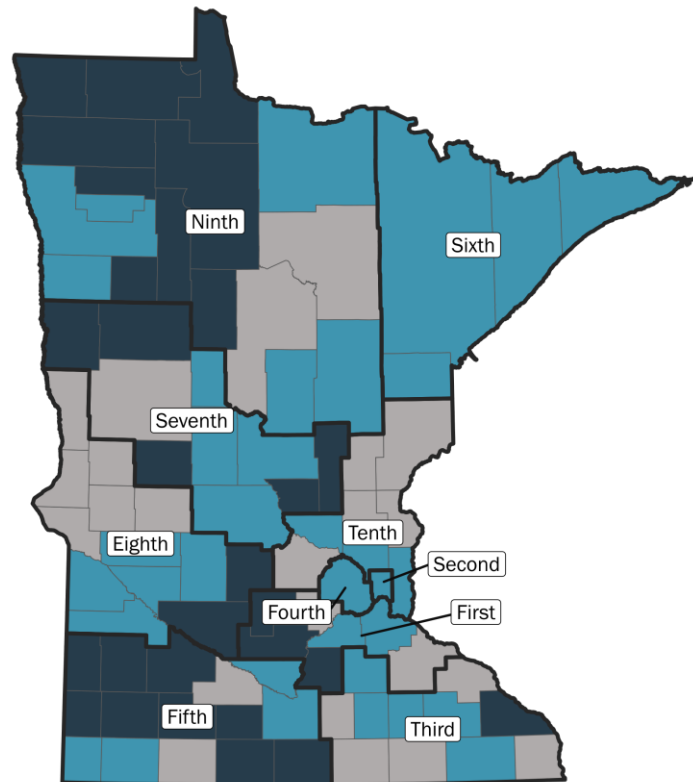
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# Key Takeaways from the Last Presentation

1. In 2020, Minnesota spent the lowest proportion of state general funds on corrections.
2. Over time, corrections spending has increased, and the state has prioritized spending on prisons.
3. For many years, the state has put a lot of time, energy, and resources into improving its delivery systems and funding approaches.
4. The state grant/subsidy funding mechanisms are different for each system and result in inequitable state investments in effective supervision practices.

# Minnesota's community supervision system is unusual in that counties have three options.

Minnesota Counties by Probation Delivery System and Judicial District, 2021



- Community Corrections Act (CCA) agencies provide all probation services (*71% of all adult probation*)
- Department of Corrections (DOC) provides all probation services (*18% of all adult probation*)
- County Probation Officer (CPO) provides services for juveniles and adult non-felonies, while the DOC provides probation services for adult felonies (*11% of all adult probation*)

Minnesota Department of Corrections, *Fact Sheet: Correctional Delivery Systems* (St. Paul, Minnesota: Minnesota Department of Corrections, July 2021).

# Three systems has meant that there are three or four basic funding streams at the heart of the questions for this group.

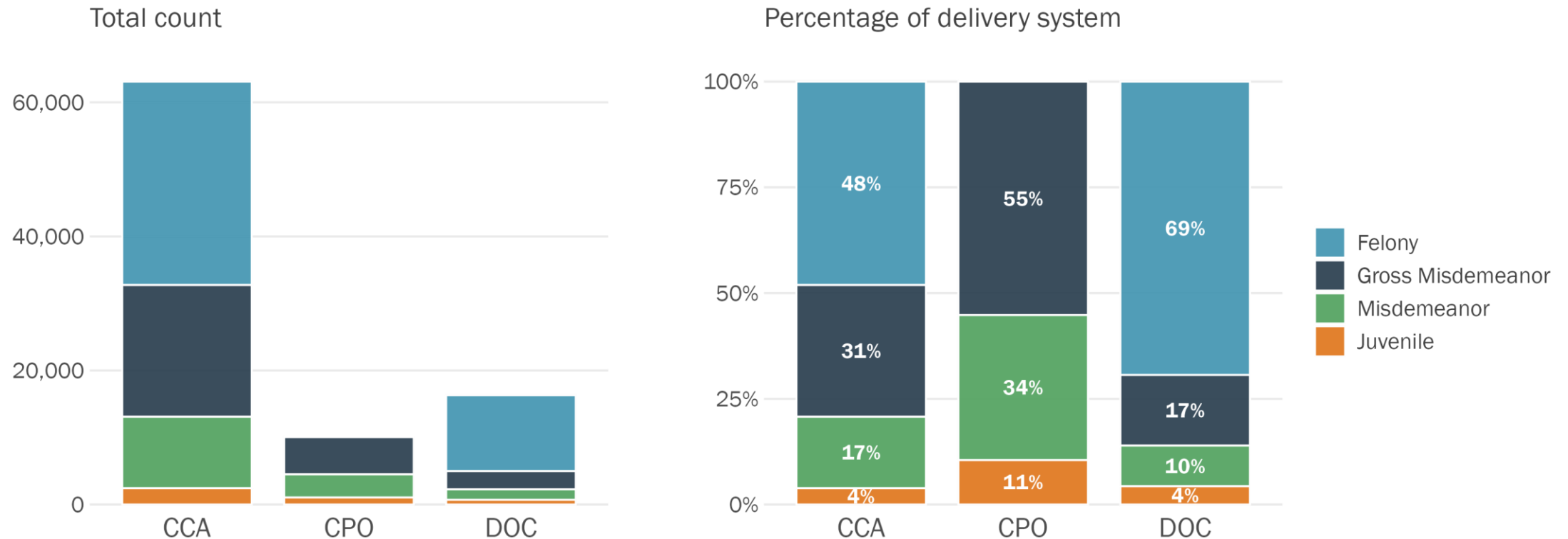
**CCA:** An agency's or county's share is based on factors such as the county's share of the 10–24-year-old population and case filings as well as a measure of the county's revenue-generating ability. The state's total contribution to this subsidy has increased incrementally.

**CPO:** The Department of Corrections (DOC) determines each county's share by caseload and the county is (ostensibly) reimbursed 50 percent of their costs; some CPO counties also receive caseload/workload reduction funding (dating to the 1997 reforms).

**DOC:** Funding for DOC agents is 8 percent of the department's budget and comes to a \$4.00 per diem (excluding Intensive Supervised Release). The DOC also receives reimbursement from CPO counties where DOC provides supervision for adults on felony probation and supervised release.

# The three systems, supported by investments from both the state and local counties, look quite different by population and scale.

## Probation Population by Delivery System, Dec. 31, 2020

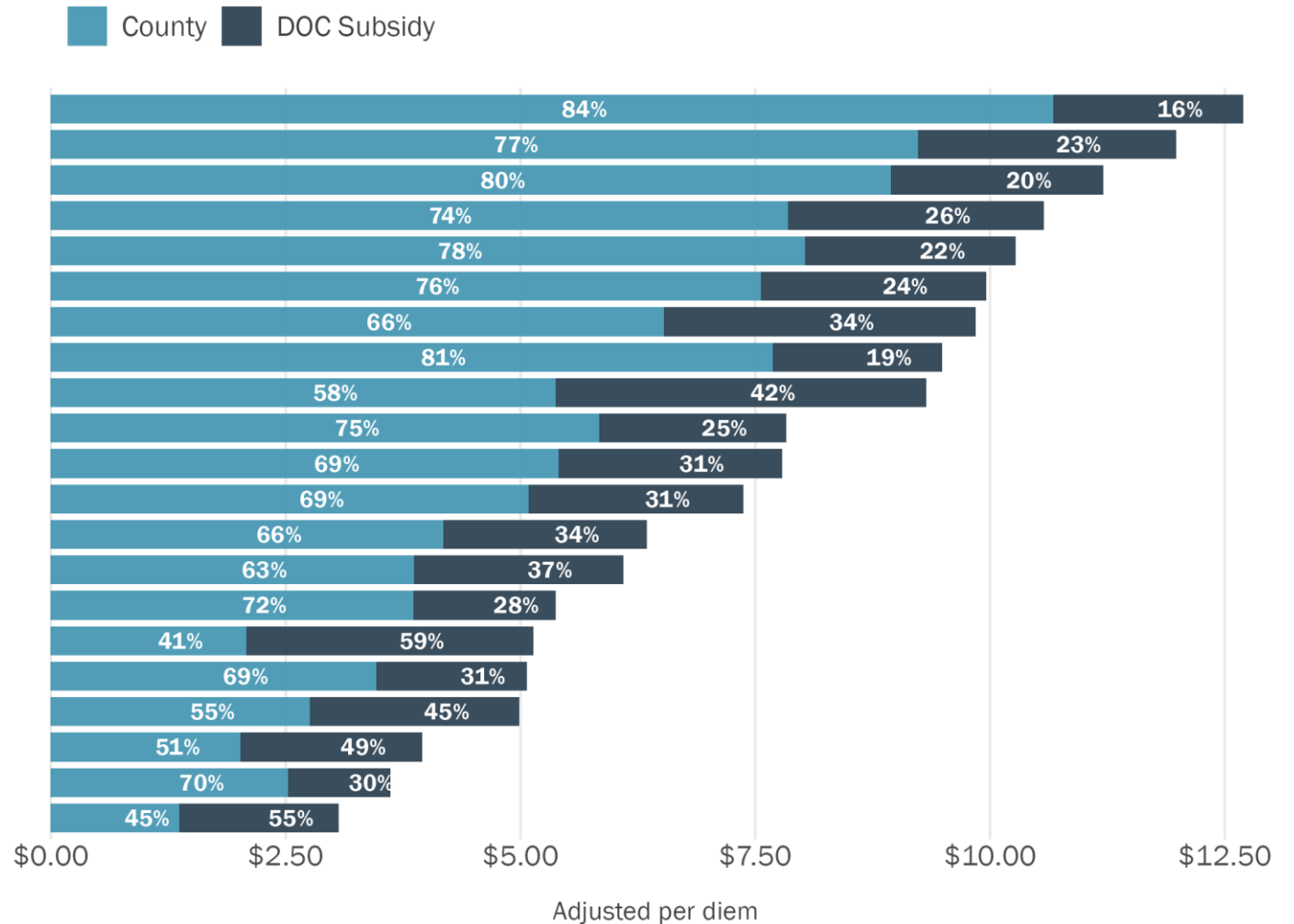


Minnesota Probation Survey, 2020.



## CCA Agency Expenditures Per Person Per Day

Excludes adult and juvenile facilities expenditures



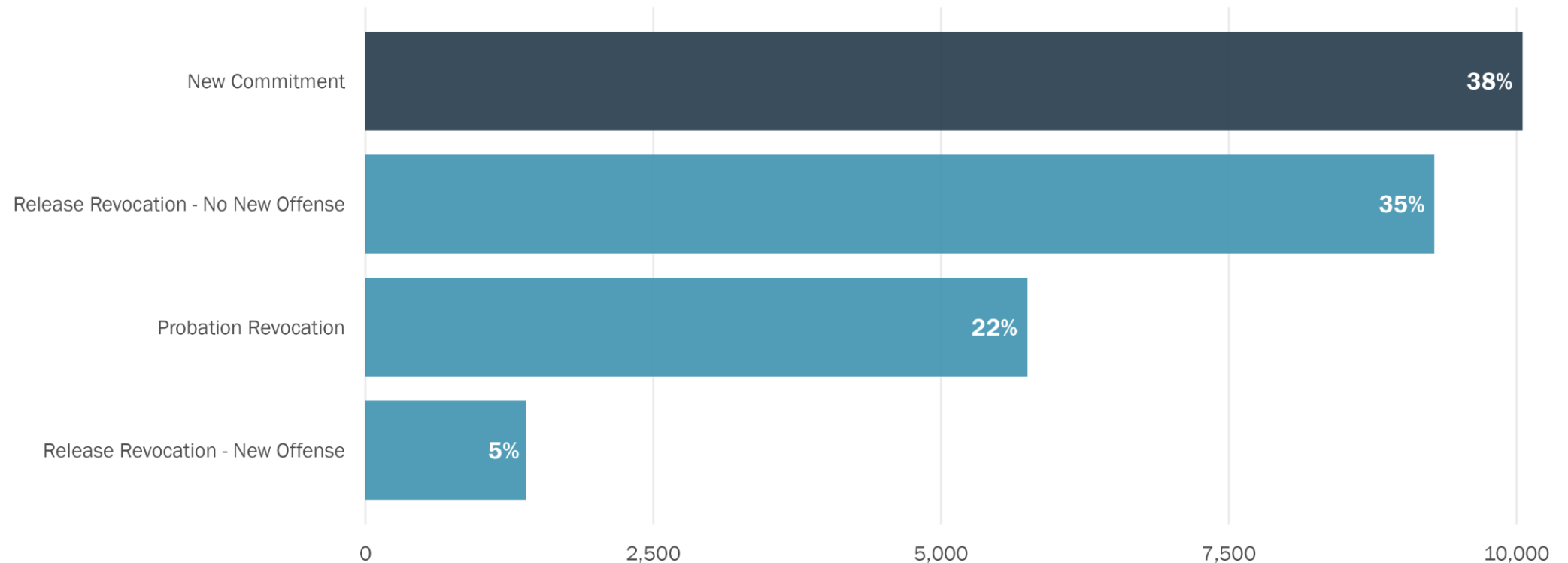
Per diem expenditures for CCA agencies range from \$3 to \$13 per person under supervision.

Some counties contribute more than **80 percent** of their CCA agency’s budget, while 3 contribute **less than half**.

CCA Agency Comprehensive Plan Budgets, 2020–2021; Minnesota Probation Survey, 2020.

# More than 60 percent of admissions to prison are due to supervision failures.

**Prison Admissions by Commitment Type, 2017–2020**



CSG Justice Center analysis of MN DOC prison admissions data.

## Estimated costs of incarcerating or reincarcerating people on supervision are high.

- On January 1, 2022, there were 7,511 people in prison.
- An estimated 11 percent (826) were admitted for a supervised release revocation and another 14 percent (1,051) were admitted for a probation revocation.
- This would have come out to approximately \$61.6M annually.

# Key Takeaways

1. The state grant/subsidy funding mechanisms are too complex.
2. The amount of state and county dollars spent on corrections varies dramatically by county and agency.
3. Counties contribute the majority of funds spent on community supervision.

# Supervision Assessment

3



# Preview of the Supervision Assessment

1. There are inconsistent tools and use of risk and needs assessments, unvalidated instruments, and disconnection from case planning.
2. The workforce does not “look like” the clients on supervision, and there is no requirement for gender-specific or culturally specific training or programs.
3. There is a lack of consistent coaching and quality assurance for supervision officers.
4. Community programs vary in quality and availability, including mental health, substance use, batterer’s intervention, and problem sexual behavior treatment programs
5. Providers are inconsistent in what, how, and when they report information back to community supervision.

# CSG Justice Center staff assessed various supervision systems in Minnesota.

Counties were selected to reflect the diversity of the state.

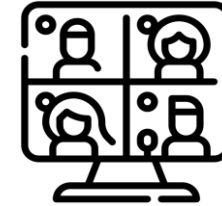
- 4–5 agencies from each delivery system—13 total
- Counties both large and small, by geography and population

CPO Assessment	Completed
Grant	✓
Itasca	✓
Mower	✓
Wright	✓
CCA Assessment	Completed
DFO	✓
Arrowhead Regional	✓
Morrison	✓
Hennepin	✓
Sherburne	✓
DOC Assessment	Completed
Beltrami	✓
Carver	✓
Clay	✓
Wright	✓

# CSG Justice Center staff conducted over 80 meetings with staff from, and people supervised by, each supervision delivery system.



- 60-minute meeting with the **director** of each county/region
- 60-minute interviews with **community agencies** providing programming, if available



- 60-minute focus group with **female clients**
- 60-minute focus group with **male clients**
- 60-minute focus group with the **supervision agency's administration**
- 90-minute focus group with **supervision officers**

# In focus groups, people on supervision shared compelling experiences and perspectives.

The agents want to be helpful, not to take you down. He provides me with resources and solutions.



It is hard being on probation in different counties with different expectations from the agents.



My (ISR) agent holds me accountable and gives me the structure I need to succeed.



My agent is available 24/7 and always returns my calls no matter what the time.



The last county I was in wanted you to fail, but here they want you to succeed.



I couldn't afford the programs [required as conditions].



CSG Justice Center assessment of supervision systems, conducted August–November, 2021.

# People on supervision in multiple systems must overcome additional hurdles to successfully discharge from supervision.

**82,056**

adult probation windows started  
between Jan. 2018  
and June 2020

**11,179**

**14%**

more than one sentence date

**5,048**

**6%**

more than one supervising agency

**2,399**

**3%**

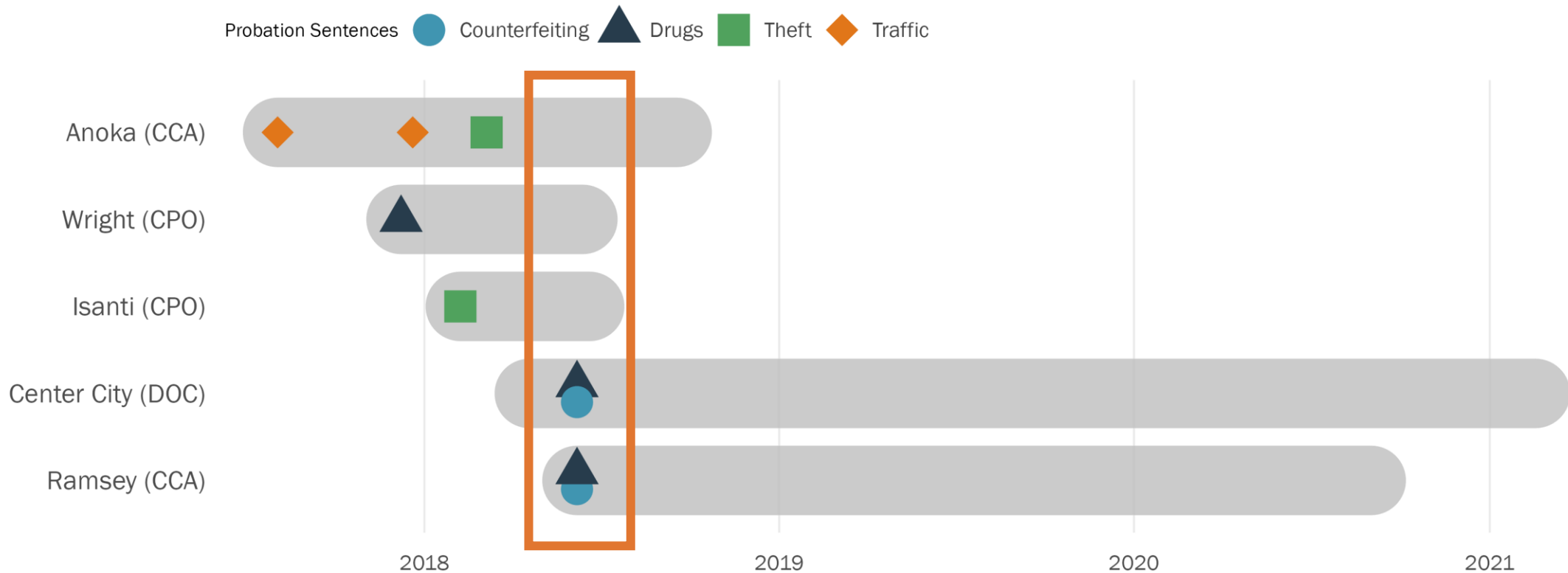
more than one delivery system

CSG Justice Center analysis of MN DOC probation data with terms starting between Jan. 2018 and June 2020.



# One person's path through the supervision system touched five agencies and all three delivery systems.

## Supervision Terms and Sentences to Probation



CSG Justice Center analysis of MN DOC probation data.

# Reducing recidivism is about targeting the right people, using the right programs and practices, and ensuring program quality and effectiveness.

Nine Strategies of Supervision Based on the Principles of Effective Intervention	
1	Assess risk, needs, and responsivity.
2	Enhance intrinsic motivation.
3	Target interventions based on assessments and appropriate dosage.
4	Frontload interventions during a person's supervision term.
5	Ensure adequate investment in and access to proven programs (e.g., CBT).
6	Use assessment-driven case planning to facilitate behavior change.
7	Respond effectively to negative behavior and increase positive reinforcement.
8	Engage with supports in the community.
9	Measure outcomes and provide feedback.

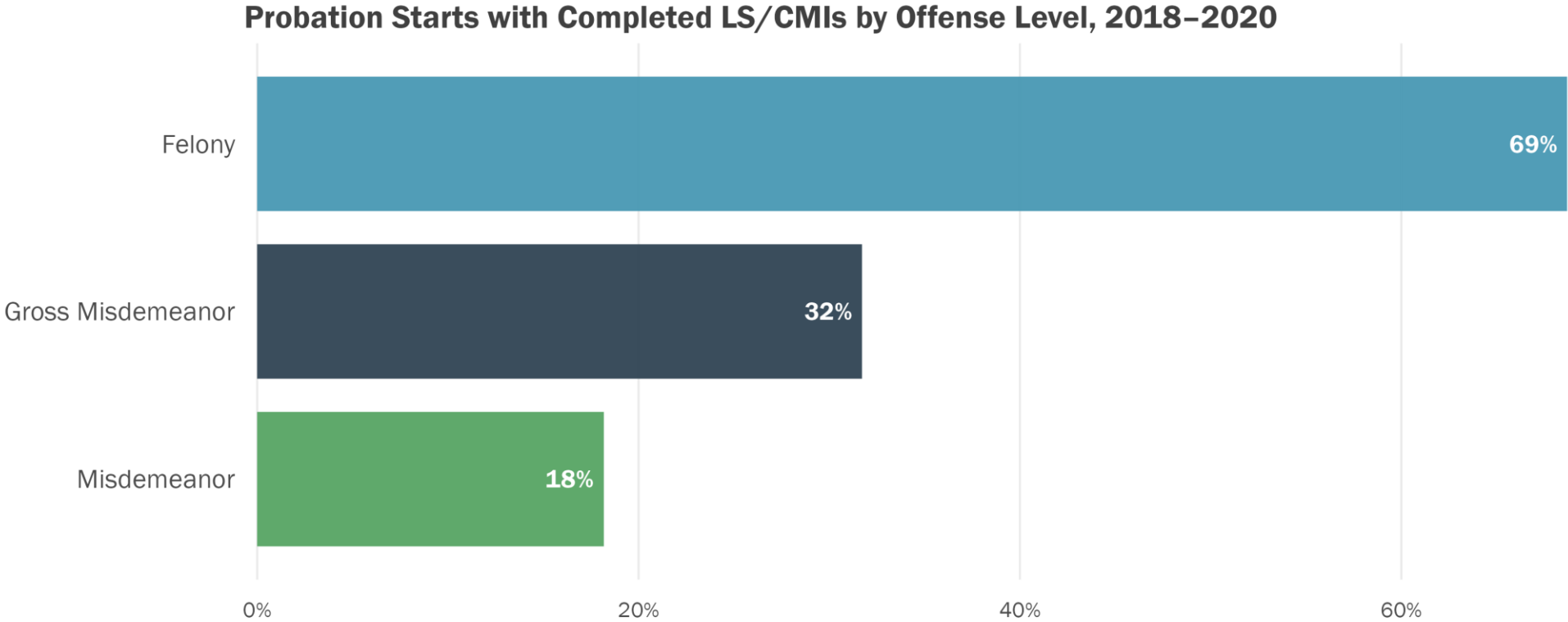
Brad Bogue, *Implementing Evidence-Based Practice in Community Corrections: The Principles of Effective Intervention* (National Institute of Corrections and Crime and Justice Institute, 2004), <https://nicic.gov/implementing-evidence-based-practice-community-corrections-principles-effective-intervention>.

# Focus on Change

There were many strengths and terrific professionals across the systems, and this cannot be overstated.

However, work remains, and this overview uses the nine strategies to frame our assessment of the priorities that must be met to ensure continuity in evidence-based practices and the experience of people under supervision across systems.

# LS/CMI assessments are completed for nearly 70 percent of people on felony probation.



*The alternative assessments used by these agencies are not included in these numbers; CSG Justice Center analysis of MN DOC probation data with terms starting between Jan 2018 and June 2020.*

# 1.

## Assess risk, needs, and responsivity.



**Validate the LS/CMI** or develop and validate one criminogenic risk screener and one risk assessment tool for use across the systems.

*If the state is unable to agree to one screener and one risk assessment tool, adopt a five-level risk and needs system and map (and validate) the tools in use.*



**Develop consistent policy on the use of risk and needs tools.**



### Recommendations

## 2. Enhance intrinsic motivation.

- Codify among all three systems that one role of community supervisors is to be a **change agent**.

- Help agents **disaggregate motivation and accountability**.

- All delivery systems need to intentionally plan to develop a workforce that better mirrors clients served.

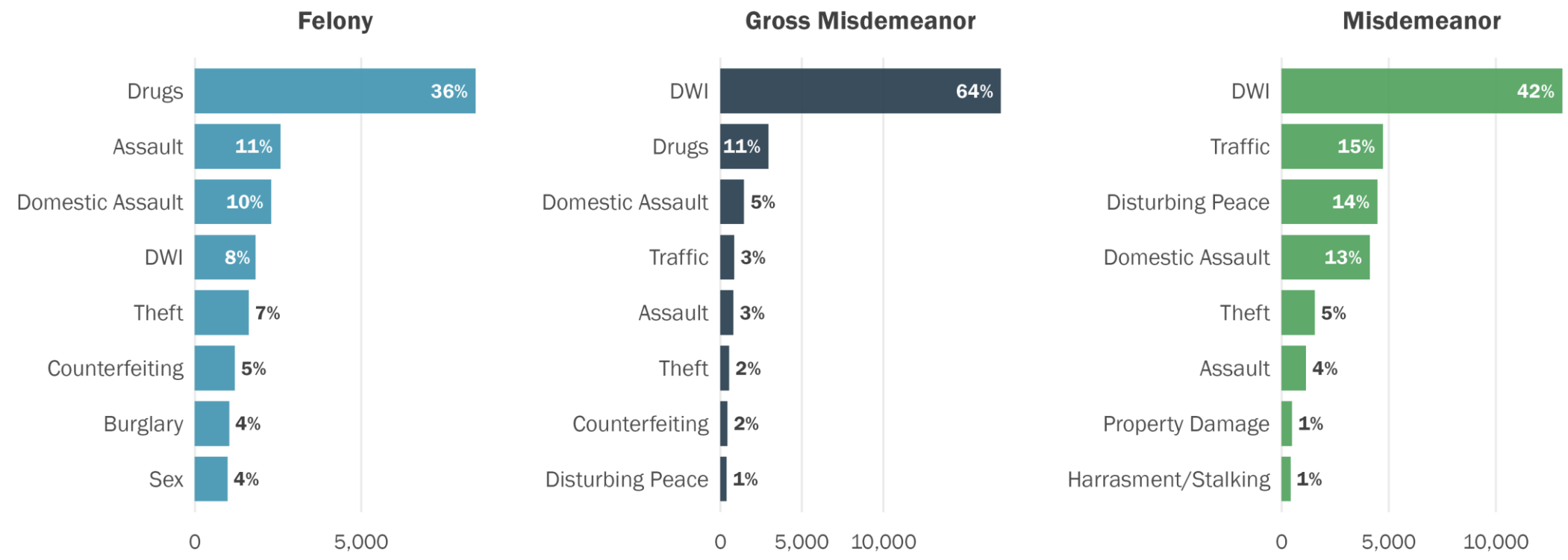
- Develop a **training and quality improvement process**.



### Recommendations

# The number of people on probation for offenses related to drugs and driving while intoxicated (DWI) speaks to the need for chemical dependency treatment for people on supervision.

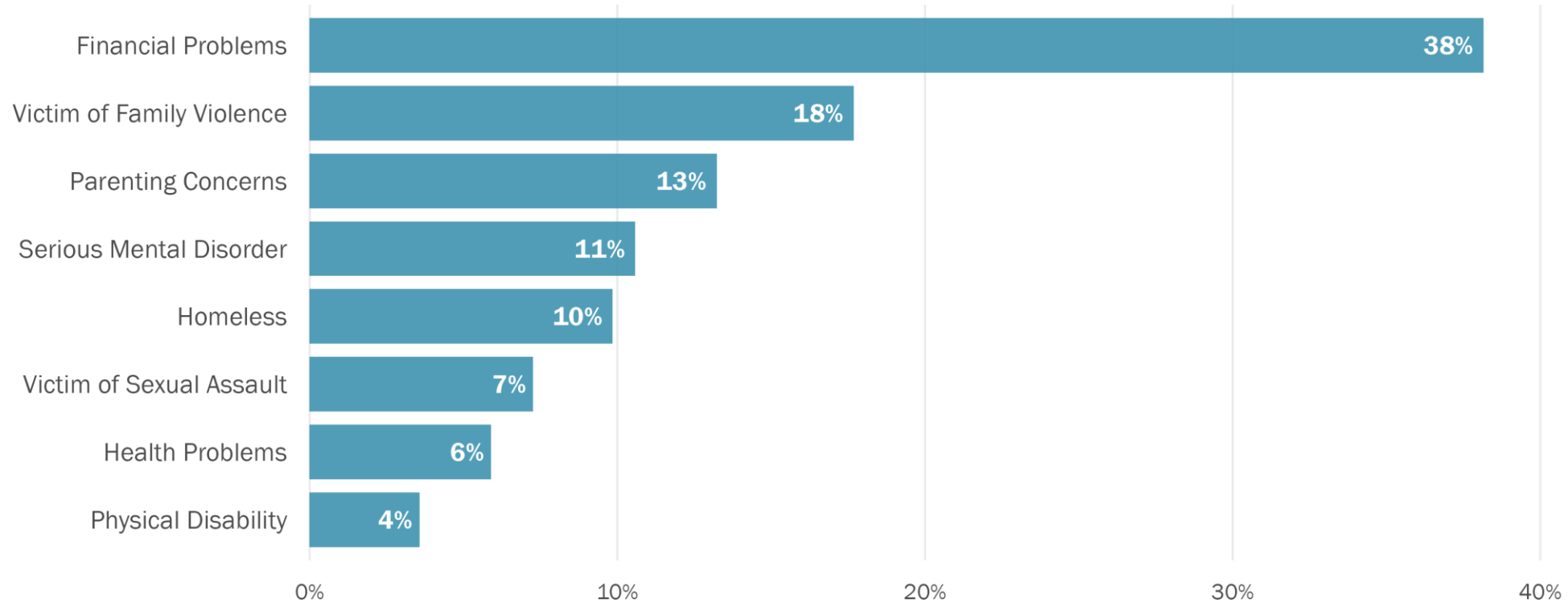
Top Offense Categories of People on Probation by Level, 2018–2020



CSG Justice Center analysis of MN DOC probation data with terms starting between Jan 2018 and June 2020.

# Financial problems, family violence, homelessness, and mental illness are other issues people on probation experience.

Percentage of LS/CMI Assessments by Client Issues Identified, 2018–2020



Only includes clients with completed LS/CMIs during probation term.  
CSG Justice Center analysis of MN DOC probation data with terms starting between Jan 2018 and June 2020.



3.

## Target interventions based on assessments and appropriate dosage.

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Complete the development of a **formalized case planning** process across the three systems.



Integrate the **Smart Chrono** reporting with the case plan.



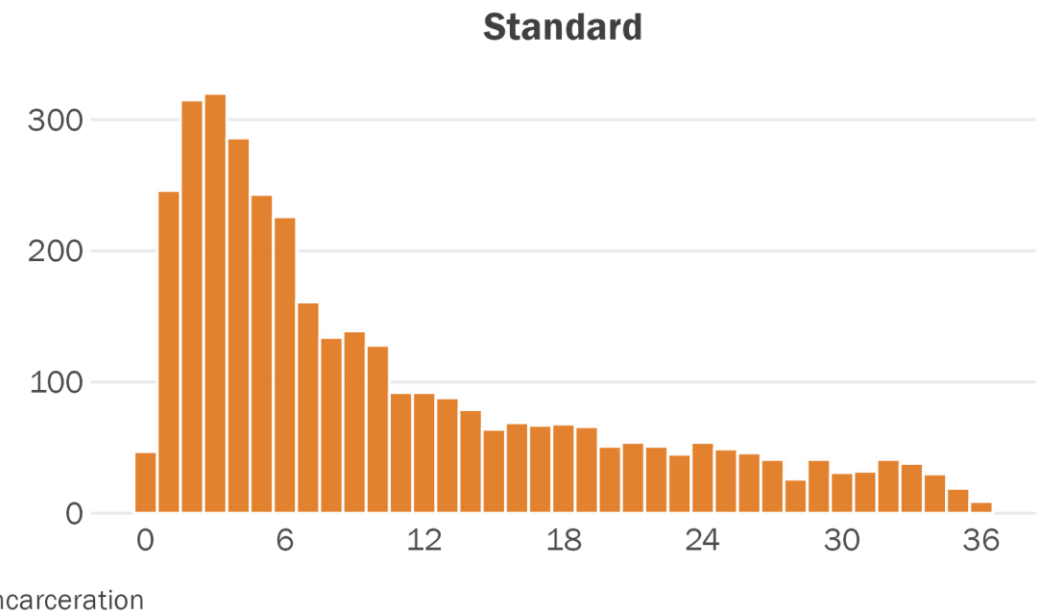
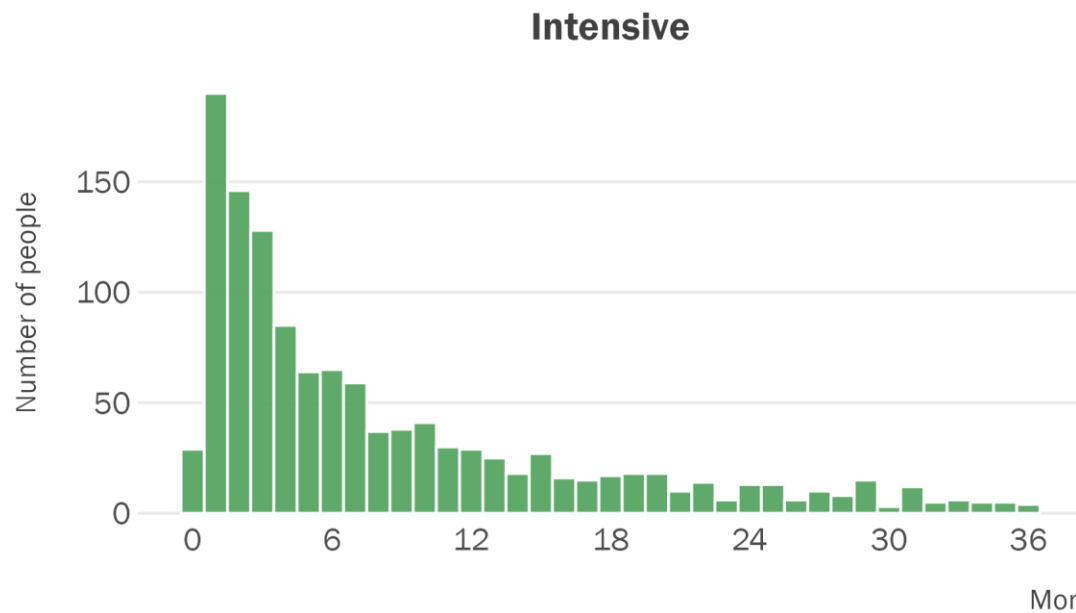
**Determine evidence-based treatment approaches** for clients in the criminal justice system and require providers serving criminal justice clients to adhere to those practices.



### Recommendations

# Supervised release failures most commonly occur in the first six months of supervision, indicating the importance of frontloading supervision and interventions.

**Time to Reincarceration from Supervised Release Start**  
Supervised release terms starting Jan 1, 2016–Dec 31, 2017



CSG Justice Center analysis of MN DOC supervised release data.

# 4.

## Frontload interventions during a person's supervision term.

- Develop one statewide standard and format for **provider reports to agents**.

- **Assess people prior to release from incarceration** or at the pre-sentence level. If not, assess within 14 days of release or placement on probation.

- **Refer to programs based on risk and needs**, including mental health and substance use needs.

- Determine where the gaps in insurance coverage exist and adjust the state's eligibility guidelines to **ensure that clients can access needed treatment**.

- Increase who can access **medical transportation** for clients who have transportation difficulties.

- Maximize use of **telehealth** for people in the criminal justice system.



### Recommendations

5.

## Ensure adequate investment in and access to proven programs (e.g., cognitive behavioral treatment).

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Develop a statewide evidence-based practice coordinator to ensure that evidence-based practices are consistently utilized across the systems.



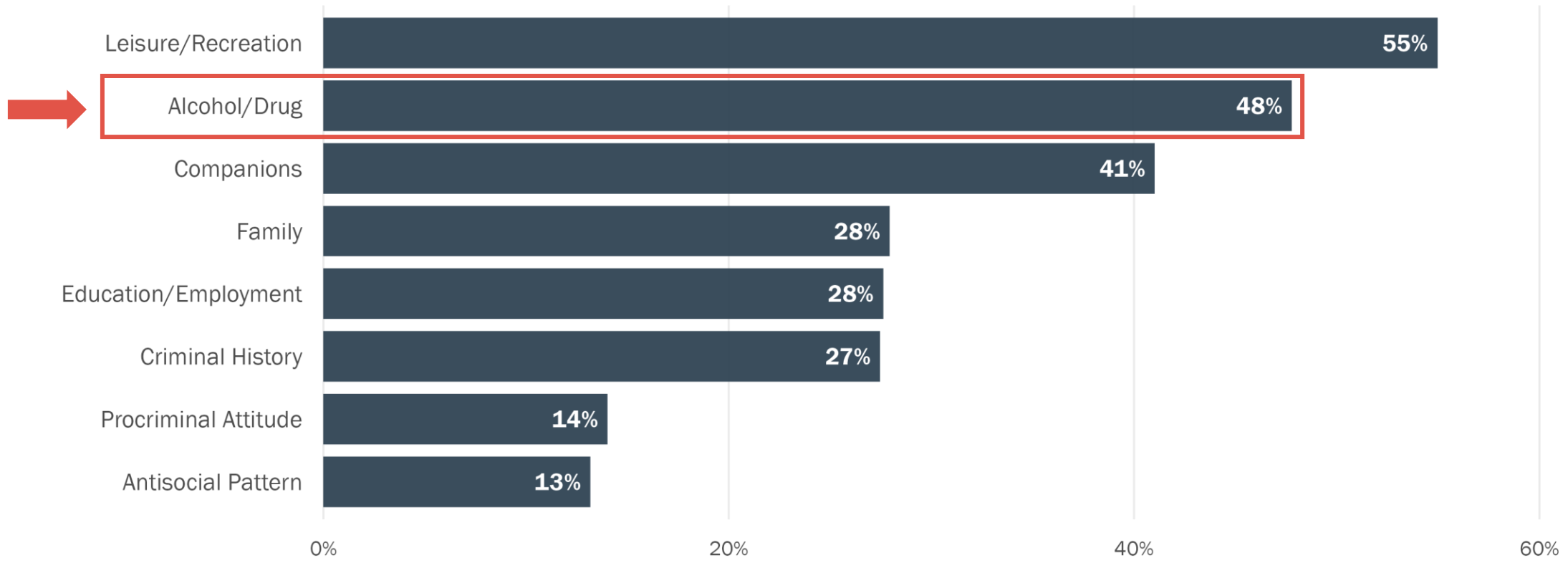
Fund specific training, coaching, and quality assurance positions for DOC, CPO, and CCA. Do not require these positions to carry a caseload.



### Recommendations

# LS/CMI assessments in Minnesota indicate that nearly half of those assessed have high substance use disorder needs.

Percentage of LS/CMI Assessments with High or Very High Score by Domain, 2018–2020



Only includes clients with completed LS/CMIs during probation term.  
CSG Justice Center analysis of MN DOC probation data with terms starting between Jan 2018 and June 2020.

6.

## Use assessment-driven case planning to facilitate behavior change.

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- Complete development of a formalized case planning process across the three systems.
- Evaluate agent performance with relevant personnel evaluations at least twice yearly. The part of the personnel evaluation related to skills and behaviors for behavior change should be the same across the three systems.



### Recommendations

# 7.

## Respond effectively to negative behavior and increase positive reinforcement.

- Develop **incentives** and use them four times more than sanctions to achieve behavior change.

- Develop an **incentives and sanctions grid** to provide officers with multiple options and associate those options with level of assessed risk.

- Develop a **consistent policy** across the delivery systems on the use of incentives and sanctions.

- Provide **ongoing coaching** on the appropriate use of incentives and sanctions.

- Include an evaluation of each agent's use of incentives and sanctions as part of the uniform **personnel evaluations**.



### Recommendations

## 8. Engage with supports in the community.

- Complete development of a **formalized, collaborative case plan process** with integrated Smart Chrono, including access for providers to enter progress data on clients.

- Develop **statewide incentives and protection** through legislation for employers and landlords working with people in the criminal justice system.



### Recommendations



## 9. Measure outcomes and provide feedback.

- Develop **shared definitions** of what matters in program provision, supervision stipulations, and supervision processes.
- **Assess the current capacity for data collection**, including how data are collected and what is needed to meet a statewide standard of data collection, and provide the needed support to counties with capacity gaps.
- **Track consistent information** in all three systems and ultimately upload to S3 to allow for a statewide quality assurance process.



### Recommendations

# Begin with these four recommendations to improve supervision practices across all three delivery systems.

## 1

Use one set of tools validated on the MN population. Tools must be validated across gender, race, and ethnicity.

## 2

Develop a formalized case planning process across the three systems.

## 3

Create a statewide EBP coordinator, enhance statewide training, and support coaching and quality assurance staff in each system.

## 4

Require evidence-based treatment approaches for clients in the criminal justice system being served by community providers.

# Supervision Outcomes

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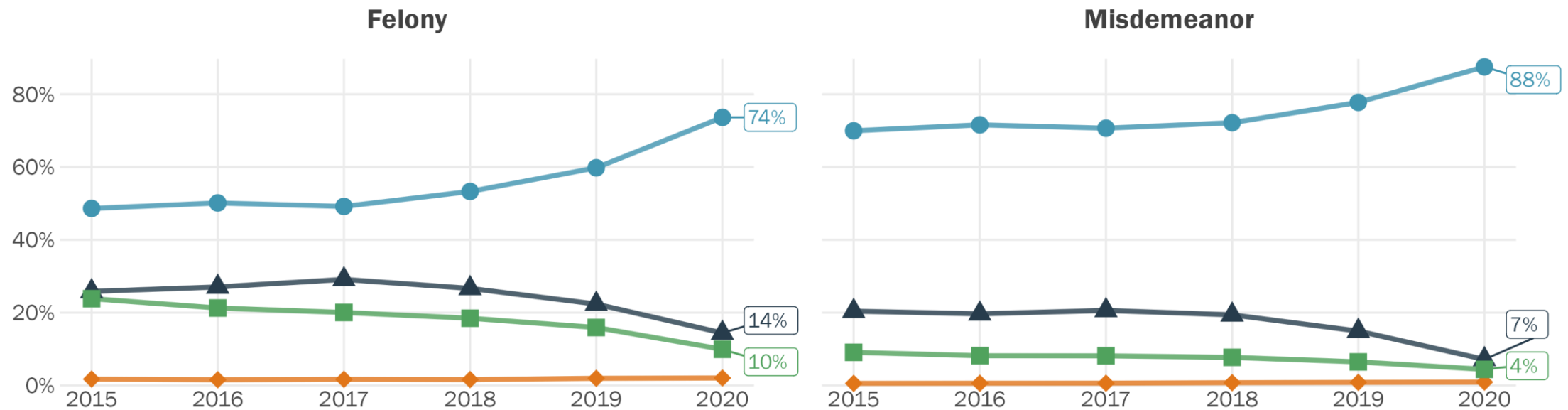
# Outcomes other than recidivism can help measure the success of people on probation.

- Increased client program completion
- Increased time between substance use events for people with a substance use disorder
- Increased number of clients gaining employment
- Increased number of clients able to remain housed
- Percentage of clients discharged early from probation
- Percentage of completed case plans or people completing their case plans
- Percentage of restitution collected
- Increased quality of life as reported by clients
- Increased number of landlords renting to clients
- Increased number of employers offering employment to clients

# Nearly three-quarters of people ending felony probation terms in 2020 were discharged successfully.

## Probation Discharges by Outcome and Offense Level

● Discharged ▲ Discharged with Ongoing Supervision ■ Revoked ◆ Other

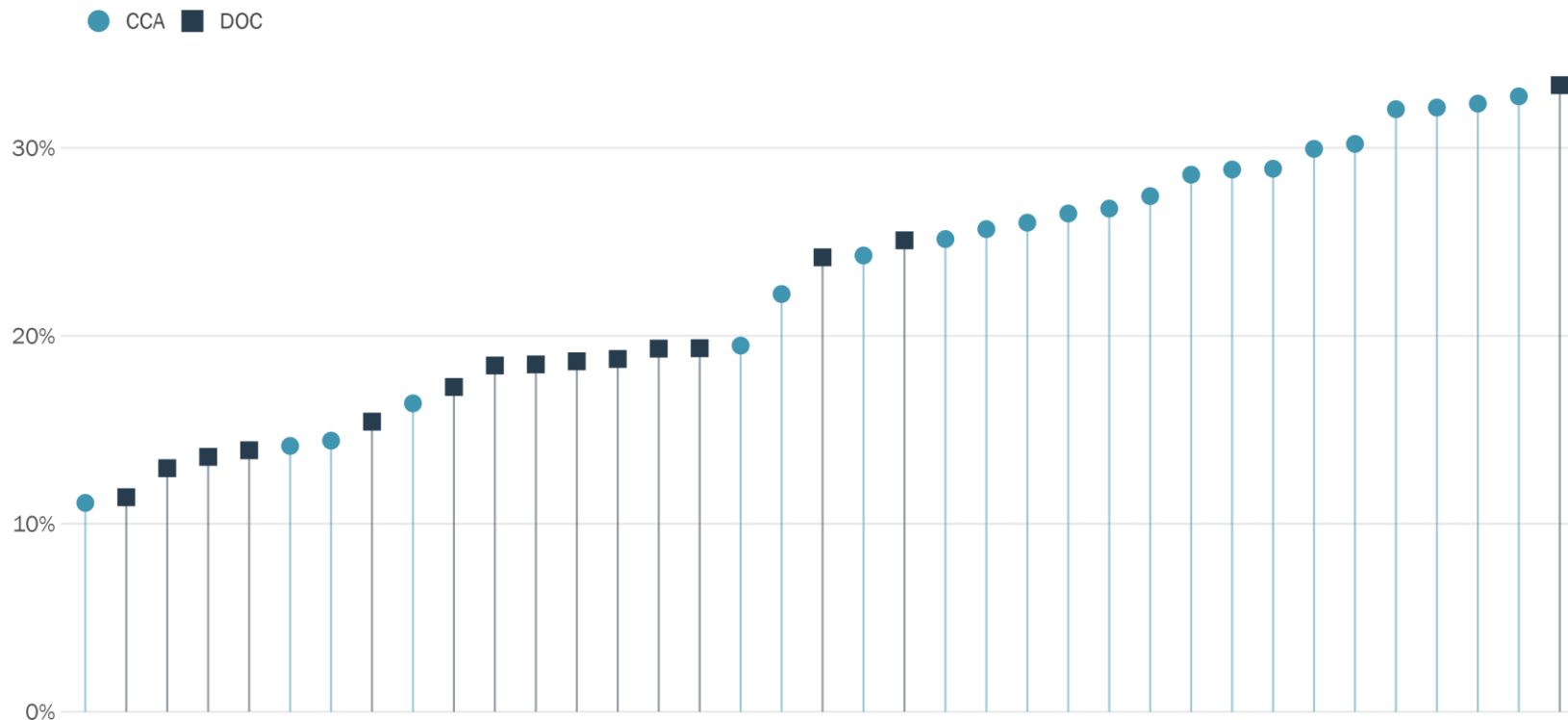


CSG Justice Center analysis of MN DOC probation data.

# There is wide variation in rates of reconviction for people on felony probation by supervision agency.

## Reconviction within Three Years of Probation Start by Agency

Felony probation terms starting July 1, 2015–Dec 31, 2016



The offense categories for people reconvicted of a felony are:

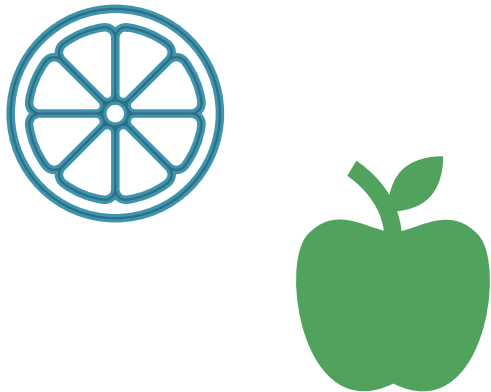
- Drug 38%
- Property 26%
- Person 24%
- Other 5%
- Weapons 3%
- Sex 2%
- DWI 2%

CSG Justice Center analysis of MN DOC probation data.

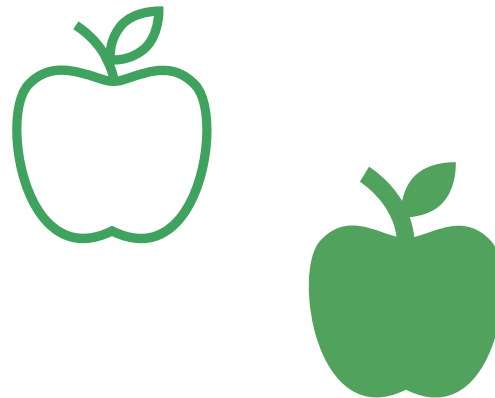
# Regression analysis makes it possible to compare outcomes between two groups, after accounting for group differences.

By using regression, we can account for key differences in the composition of a delivery system’s probation population—such as type of offense and age—to make an “apples to apples” comparison between different delivery systems.

Before regression



After regression



*Results  
expressed as  
an **adjusted  
relative rate  
index***

# When comparing people who start on felony probation in two systems in Minnesota, in one system people on supervision are...

**2.5x**

**more** likely to be incarcerated within three years

**1.5x**

**more** likely to be convicted of a felony within three years

**1.2x**

**more** likely to start a new probation term within three years

Adjusted relative rate index of predicted probability of incarceration, conviction, or probation calculated using a logistic regression model, controlling for age, gender, race, offense type, and county size. N = 22,900, N = 14,870, N = 19,078; Felony probation terms starting July 1, 2015–Dec 31, 2017. CSG Justice Center analysis of MN DOC probation data.



# Key Takeaways

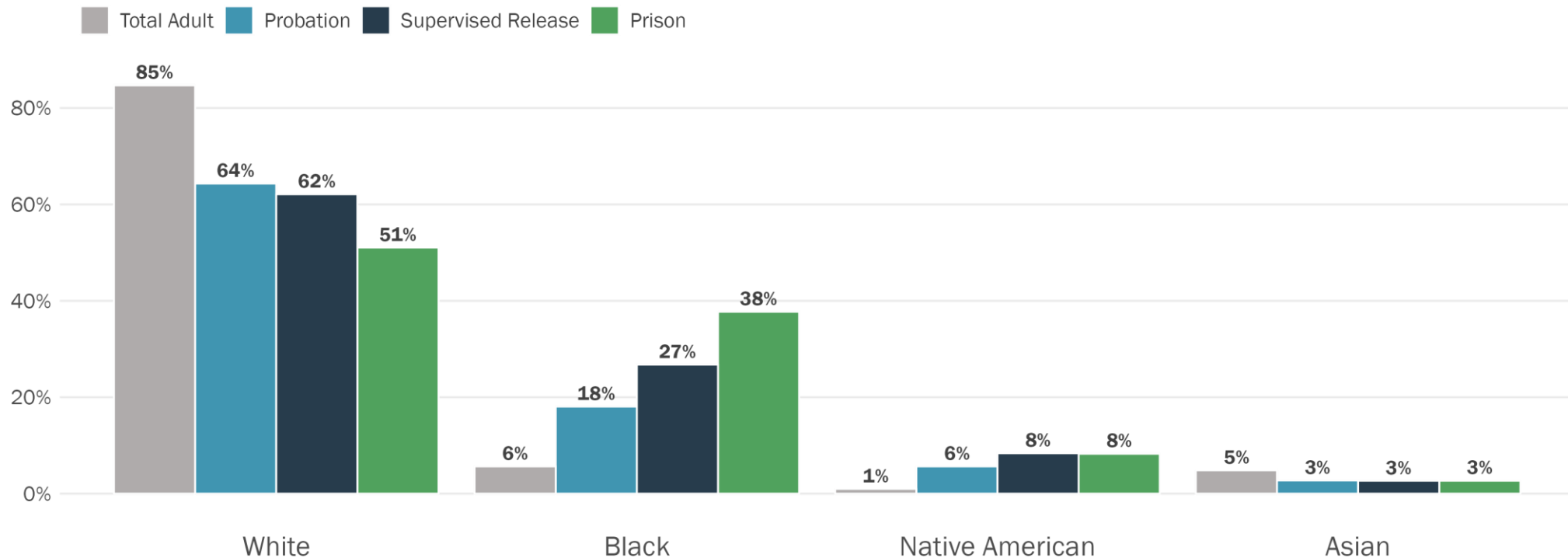
1. Minnesota can improve outcomes for people on supervision by deploying supervision based on the principles of effective intervention.
2. Most people successfully complete probation but many have complex needs.
3. Supervised release revocations most commonly occur in the first six months following release from prison and show that supervision should be frontloaded.
4. People on felony probation supervised by different systems are more likely to have recidivism events.
5. Recidivism is not the only (or even the best!) measure of the quality of a supervision system.

# Advancing Tribal Government Supervision

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# Black and Native American people are over-represented in probation, supervised release, and prison populations.

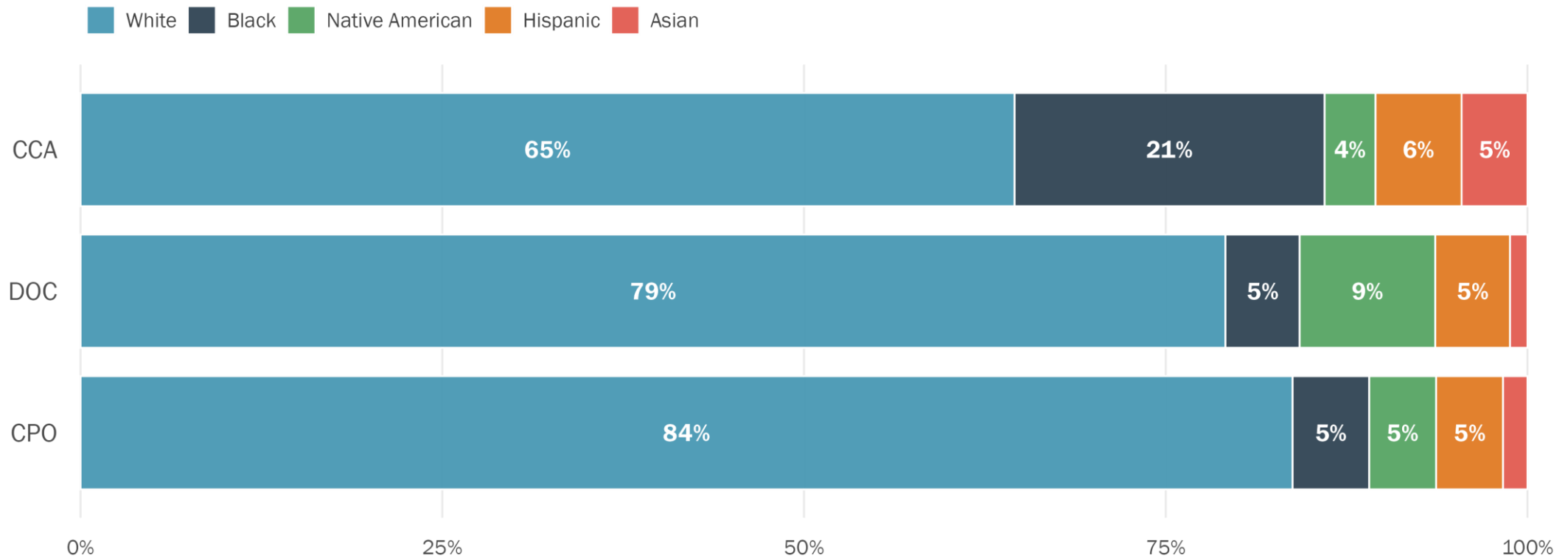
**Racial Composition of Justice-Involved Populations Compared to Total Adult Population**



MN Department of Corrections, *Adult Prison Population Summary, 2020*, 2; MN Department of Corrections, *Probation Survey, 2019*, 4; CSG Justice Center analysis of MN DOC supervised release data; US Census Bureau, *American Community Survey, 2019*.

# The racial makeup of the delivery systems differs, and supervision officers may need different cultural competencies to deliver appropriate services.

**Probation Starts by Delivery System and Race, 2018–2020**



CSG Justice Center analysis of MN DOC probation data with terms starting between Jan 2018 and June 2020.

# Compared to White people...

Native American people on felony probation were

**1.4x**

**more** likely to be reconvicted of a felony within three years

Native American people on misdemeanor probation were

**1.5x**

**more** likely to have a new probation term within three years

Black people on felony probation were

**1.2x**

**more** likely to be reconvicted of a felony within three years

Black people on misdemeanor probation were

**1.3x**

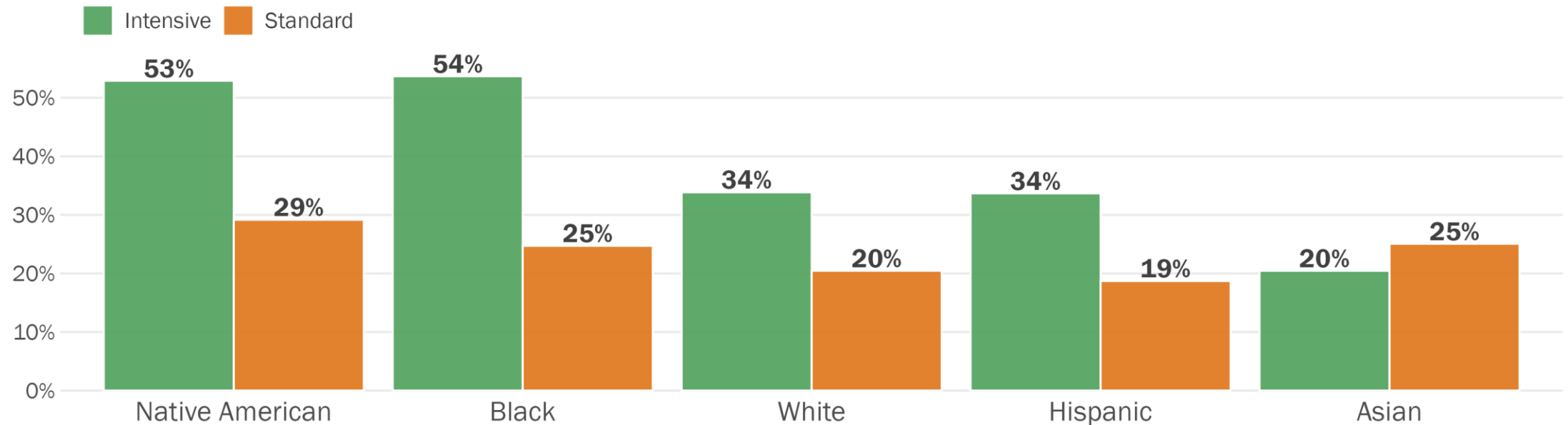
**more** likely to have a new probation term within three years

Adjusted relative rate index of predicted probability of incarceration or new probation term calculated using a logistic regression model, controlling for age, gender, race, offense type, offense level, and county size. N = 14,840, N = 49,298, N = 14,840, N = 49,298. Probation terms starting July 1, 2015–Dec 31, 2017. CSG Justice Center analysis of MN DOC probation data.

# Native American and Black people on supervised release are reincarcerated more often than people of other races.

## Reincarceration within One Year of Starting Supervised Release by Race

Supervised release terms starting Jan 1, 2016–Dec 31, 2019



CSG Justice Center analysis of MN DOC supervised release data.

# Compared to White people...

Native American  
people on  
standard SR were

**1.5x**

**more** likely to be  
incarcerated  
within one year

Native American  
people on  
intensive SR were

**1.3x**

**more** likely to be  
incarcerated  
within one year

Black  
people on  
standard SR were

**1.2x**

**more** likely to be  
incarcerated  
within one year

Black  
people on  
intensive SR were

**1.1x**

**more** likely to be  
incarcerated  
within one year

Adjusted relative rate index of predicted probability of reincarceration using a logistic regression model, controlling for age, gender, offense type, supervision delivery system, prison term prior to release, and county size. N = 16,802; Supervised release terms starting Jan 1, 2016–Dec 31, 2019. CSG Justice Center analysis of MN DOC supervised release data.

# Key Takeaways

1. Native American and Black people are overrepresented in the probation, supervised release, and prison populations.
2. For both adults and juveniles on probation, the DOC has the largest proportion of Native American clients.
3. Native American and Black people are reconvicted of felony offenses after starting probation at higher rates than White people on probation.
4. Minnesota can eliminate barriers and work with tribal leaders on a concrete plan for supervision.



**Next Steps**

**5**

**How does  
community  
supervision in  
Minnesota currently  
hold up against  
these three  
principles?**

**1. Effectiveness**

Is the Minnesota approach working?  
Are people succeeding?

**2. Equity**

Is the Minnesota approach fair?  
Does every person get equal  
opportunities to succeed?

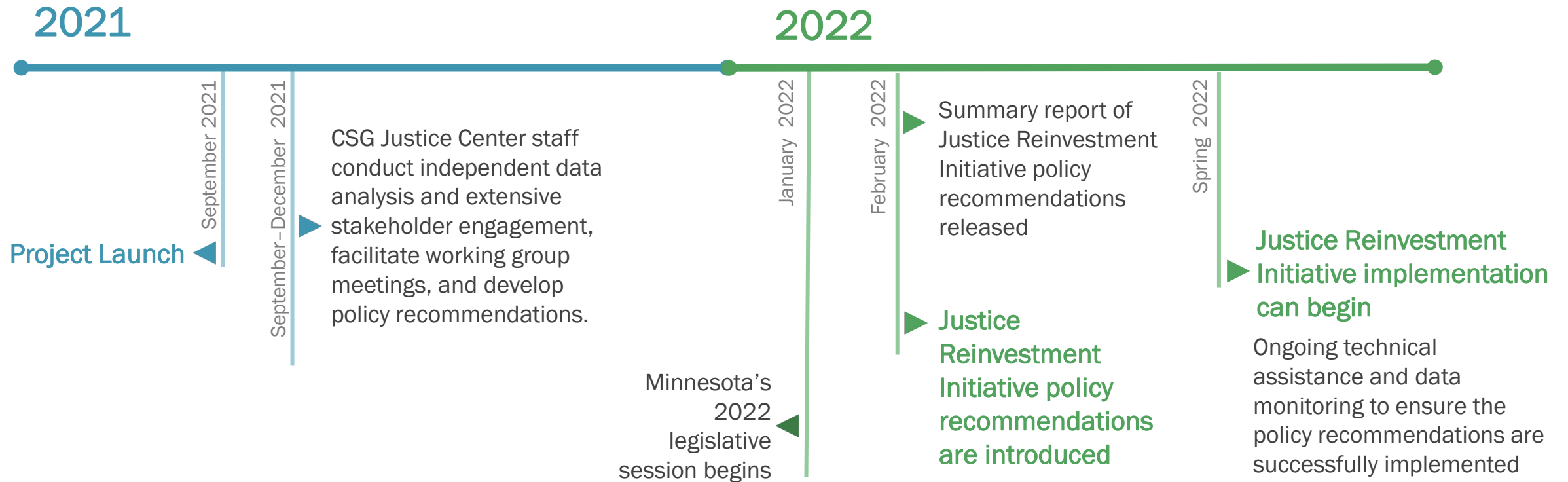
**3. Resources**

Is Minnesota supervision funded in a  
way to ensure it is effective and  
equitable?

# Calendar of meetings and deadlines for both groups

Date	Activity
Sep. 28	First Delivery System Working Group Meeting
Oct. 21	Second Delivery System Working Group Meeting
Nov. 18	Third Delivery System Working Group Meeting
Dec. 10	State of Oregon Peer Sharing on Budget
Dec. 16	Fourth Delivery System Working Group Meeting
Jan. 6	Juvenile Data Review
<b>Jan. 7</b>	<b>Governor's Council on Justice Reinvestment</b>
Jan. 11-12	Virtual Behavioral Health Summit
Jan. 13	Fifth Delivery System Working Group Meeting
<b>Jan. 21</b>	<b>Governor's Council on Justice Reinvestment</b>
Jan. 24	Sixth Delivery System Working Group Meeting
<b>Jan. 27</b>	<b>Governor's Council on Justice Reinvestment</b>
<b>Feb. 1</b>	<b>HF 63 Report Due to Legislature</b>

# Minnesota's Justice Reinvestment Initiative will run through 2022.



# Thank You!

Join our distribution list to receive updates and announcements:

<https://csgjusticecenter.org/resources/newsletters/>

For more information, please contact Michelle Rodriguez at  
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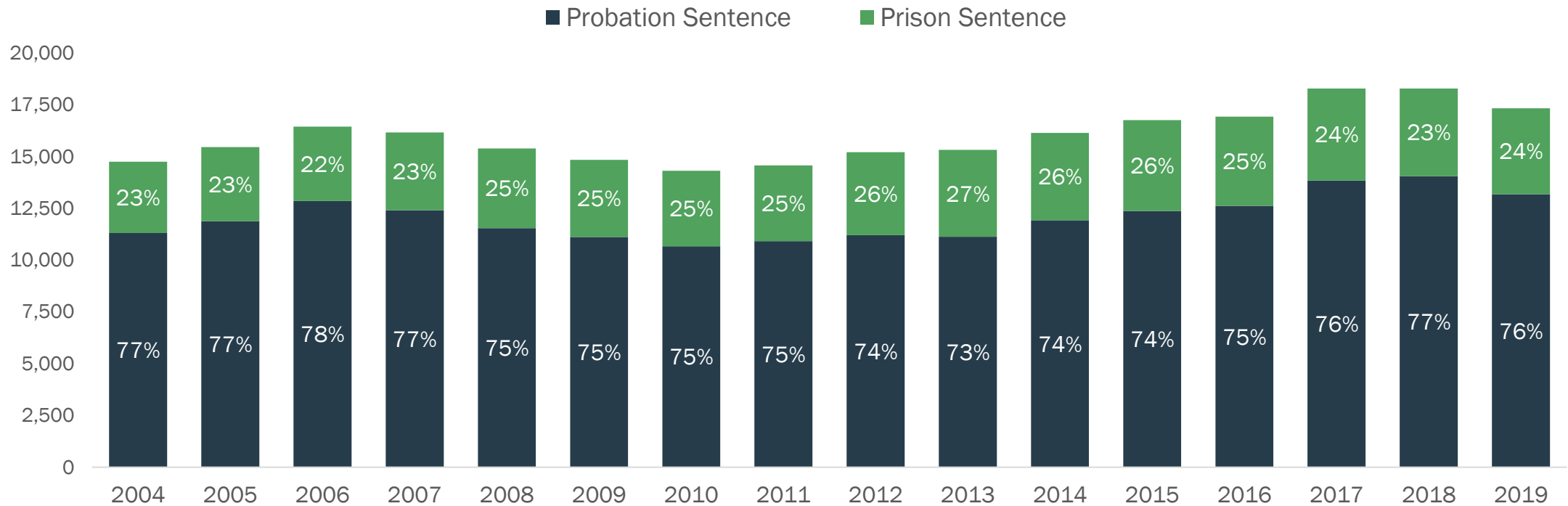
Although Minnesota has a low incarceration rate, its probation rate is among the highest in the country. Minnesota's rate of people under correctional control is 11th highest among states.



Todd D. Minton, Lauren G. Beatty, and Zhen Zeng, PhD, *Correctional Populations in the United States, 2019*, (Washington, DC: Bureau of Justice Statistics, 2021).

# Sentences to probation make up about three-quarters of all felony sentences.

Number of People Sentenced to Probation or Prison by Year Sentenced, 2004–2019



Minnesota Sentencing Guidelines Commission, *2019 Sentencing Practices* (St. Paul, MN: Minnesota Sentencing Guidelines Commission, 2020).

# PRINCIPLE 1: Assess risk, needs, and responsivity.

**Risk assessment tool:** an instrument used to estimate the likelihood of future criminal behavior and to inform decision-making following convictions. Additionally, specialized risk tools are used for specific types of offending.

**Risk and need assessments (RNA)** sort people into categories based on likelihood of future criminal behavior.



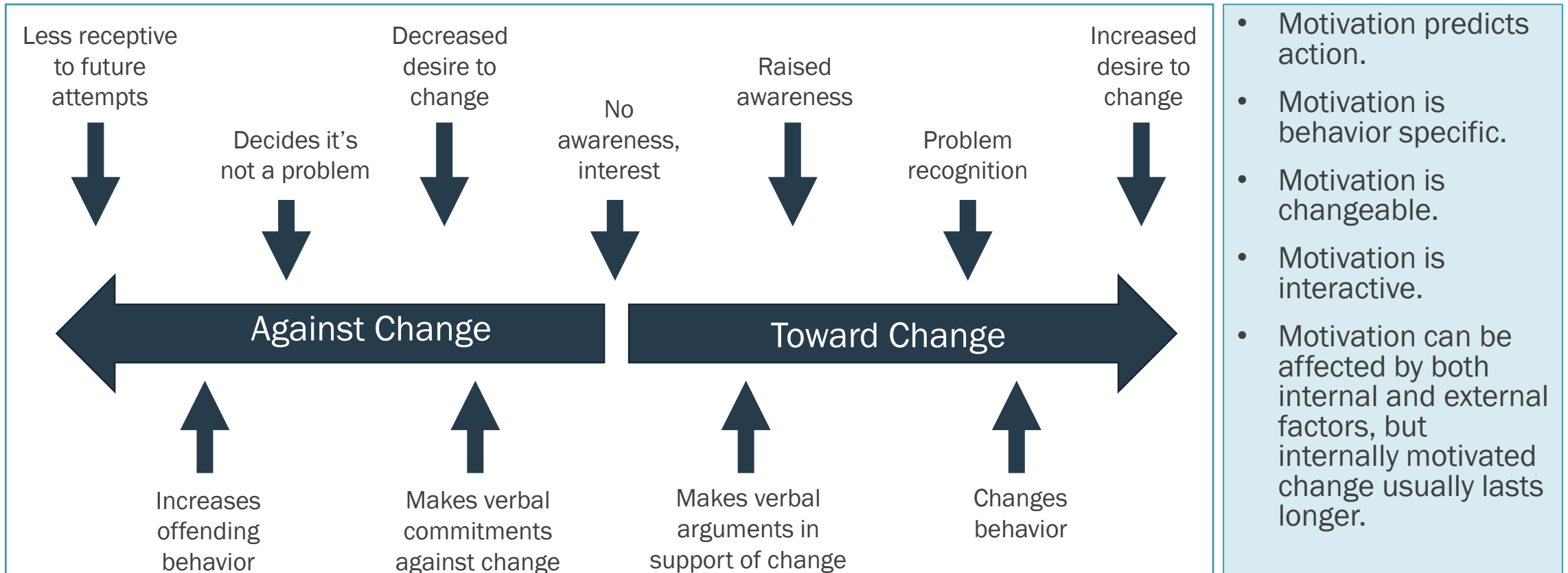
## Risk level is not an indicator of:

- ≠ Dangerousness
- ≠ Severity of offense
- ≠ Guarantee of reoffending or non-offending
- ≠ Offense-specific reoffending
- ≠ Level of need for services

James Bonta and D.A. Andrews, *The Psychology of Criminal Conduct, 6th Ed.* (New York: Routledge, 2017), 185.



# PRINCIPLE 2: Motivational interviewing, rather than persuasion tactics, is a more effective strategy for initiating and maintaining behavior change.



Scott Walters et al., *A Guide for Probation and Parole Motivating Offenders to Change* (Washington, DC: U.S. Department of Justice National Institute of Corrections, 2007).

# PRINCIPLE 3: Target the right people and focus the highest-intensity resources on people at the highest risk of recidivating.

People who are assessed as low risk:



Can stop committing crime with minimal intervention in many cases.

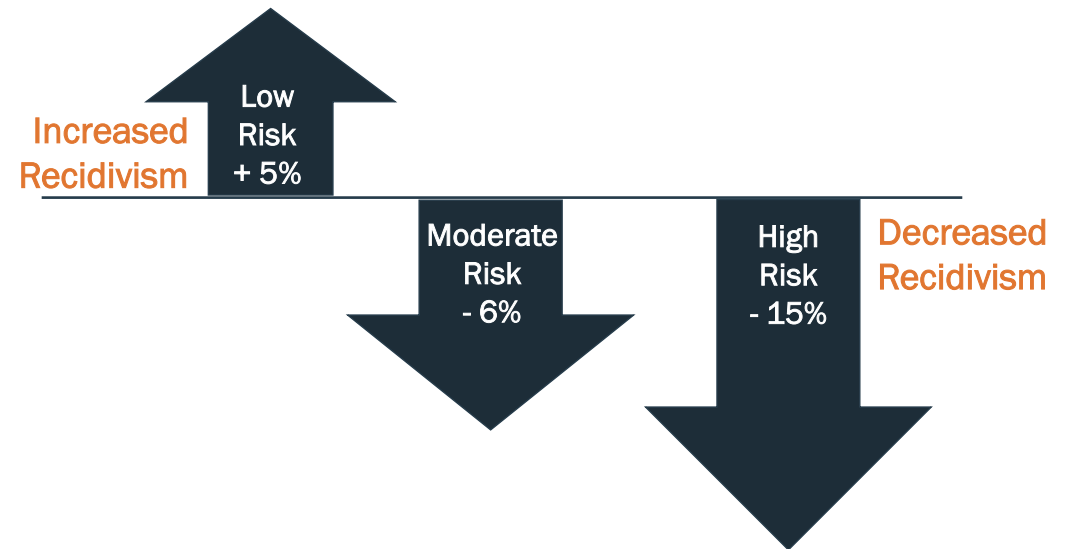


Have positive patterns of behavior that can be disrupted by intensive services and supervision.



Have been shown through research to learn more ingrained criminal behaviors when put with higher-risk individuals.

Average Difference in Recidivism by Risk for Individuals in Ohio Halfway Houses, 2006–2007

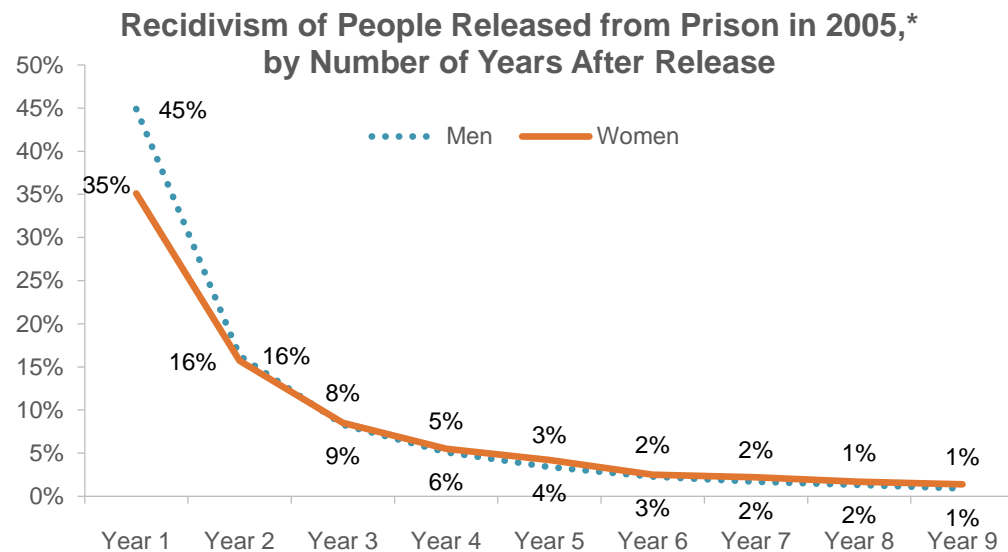


Christopher T. Lowenkamp and Edward J. Latessa, *Evaluation of Ohio's Community Based Correctional Facility and Halfway House Programs – Final Report* (Cincinnati, OH: Center for Criminal Justice Research, Division of Criminal Justice, University of Cincinnati, 2002); James Bonta and D.A. Andrews, *The Psychology of Criminal Conduct*, 6th Ed. (New York: Routledge, 2017), 20, 177.

# PRINCIPLE 4: Frontload supervision and treatment to address criminogenic needs that drive behavior.

## RESEARCH

Supervision and supports should be focused on the period when people are most likely to reoffend.



\*Based on the first arrest after release from prison, for people serving sentences in 30 states.

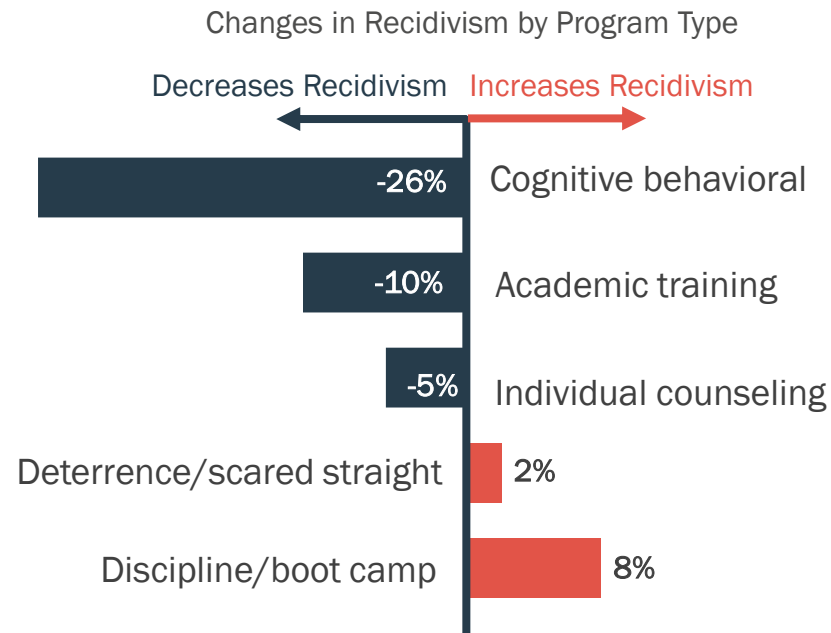
Most recidivism events occur within the first year following release from prison.

By combining valid **risk and needs assessment** information with individually tailored **frontloaded supervision and treatment**, including referrals and connections to community supports, justice systems can impact recidivism the most.

# PRINCIPLE 5: Ensure adequate investment in access to proven programs.

## RESEARCH

Programs, treatment, and services should meet the unique needs of people in the criminal justice system.



Programs should utilize **cognitive behavioral approaches** regardless of area of focus (e.g., criminal thinking, substance use, sex offender).

**Skill building** with structured skills practice is an essential component of effective programs.

Systems should prioritize **gender-responsive** services and **trauma-informed** approaches.

All programming should be provided with attention to **responsivity factors**.

# PRINCIPLE 6: Use assessment-driven case planning to facilitate behavior change.

## RESEARCH

Focus case-planning goals on identified criminogenic need areas to facilitate positive behavior change.

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Antisocial Personality Pattern

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Antisocial Attitudes

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Antisocial Associates

---

Substance Use Disorder

---

Family/Marital Stressors

---

Poor School/Work Performance

---

Few Leisure or Recreation Activities

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## Condition Setting

Tailor special conditions to need areas identified as “high risk” or as a “significant problem.”

## Case Planning

Focus case planning goals on identified criminogenic need areas to proactively address needs prior to violation behavior.

## Programming/Referrals

Ensure that programming addresses criminogenic needs.

There are many services that are not designed as evidence-based programs but are still important components of a comprehensive treatment plan.

James Bonta and D.A. Andrews, *The Psychology of Criminal Conduct, 6th Ed.* (New York: Routledge, 2017), 181, 196.

# PRINCIPLE 7: Increase positive reinforcement and respond effectively to negative behaviors.

## RESEARCH

Punishment alone is not an effective way to bring about long-term behavior change, partly because the negative behavior tends to return when the punishment is discontinued.

Incentives should be used **4x** more often than **sanctions** to promote and sustain behavior change.

- Rewards and sanctions must be meaningful to the person receiving them.
- Punishment can STOP behavior but doesn't replace it with appropriate behavior.
- It is important to reinforce desired behaviors so those continue after punishment discourages undesired behavior.
- All staff should be trained in the use of the behavioral management system so that skills and strategies learned in treatment are consistently reinforced.
- Formal menus of incentives and sanctions should be developed statewide.

Eric J. Wodahl, "Utilizing Behavioral Interventions to Improve Supervision Outcomes in Community-Based Corrections," *Criminal Justice and Behavior* 38, no. 4, 2011.

# PRINCIPLE 8: Engage with supports in the community.

## RESEARCH

Prosocial support for individuals in their communities upon reentry or while on supervision can provide positive reinforcement of desired new behaviors.

## Examples of prosocial supports include:

- Collaborative comprehensive case plan for reentry
- In-reach by community-based treatment providers to establish relationships
- Relapse prevention plan, use of peer recovery support if applicable
- Engagement with supportive family friends, community resources (including education, employment, housing, treatment providers)

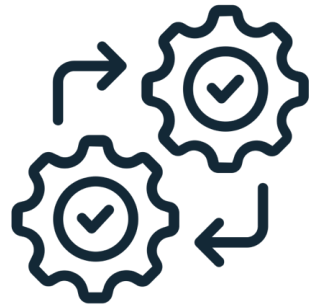
Brad Bogue, "Implementing Evidence-Based Practice in Community Corrections: The Principles of Effective Intervention" (National Institute of Corrections, 2004), <https://nicic.gov/implementing-evidence-based-practice-community-corrections-principles-effective-intervention>.

# PRINCIPLE 9: Measure outcomes, provide feedback, and use data to inform actions.

## RESEARCH

Data should be the driver for change at multiple levels of supervision delivery.

Correctional leadership, management, supervisors, and officers all need access to timely data showing how actions impact outcomes.



What gets measured,  
gets managed.

- Trainings should be followed by staff coaching.
- Institute quality assurance and continuous quality improvement processes.
- Knowledge and performance expectations should be tied to job description and performance evaluations.
- Program evaluations should be conducted on a regular basis to ensure quality and effectiveness.
- Evaluate how data are used to improve outcomes.

The Pew Charitable Trusts and MacArthur Foundation, *Evidence-Based Policymaking: A Guide for Effective Government* (Washington, DC: Pew-MacArthur Results First Initiative, 2014).



# This analysis examines three recidivism outcomes within three years of people starting probation.



## Incarceration

Matched people on probation to prison admissions occurring within three years of starting probation using Minnesota Department of Corrections data



## Felony Conviction

Matched people on probation to felony sentences in which the offense was committed within three years of starting probation using Minnesota Sentencing Guidelines Commission data



## New Probation Term

Matched people on probation to new probation terms for felonies or misdemeanors starting within three years of starting probation using Minnesota Department of Corrections S<sup>3</sup> data