The Criminal Court Assessment Tool: How should it be implemented?

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Generally speaking, what is a risk assessment tool?

- Risk Assessment tools use an actuarial approach of prediction, not unlike insurance companies determining rates on specific classes of people
- Risk assessment tools are algorithms that use data points to reach a supposed prediction of an individual's criminal risk, either on a scale from "low" to "high" or with specific percentages.

In Other Words...

... how likely will a particular behavior occur based on what we know about that person

The problem from a criminal justice context is that no actuarial approach can ever 100% accurately predict an individual's behavior

Is This Really "Science"?

- Any risk tool will have any of the biases of the tool creators baked into the tool
- Best practice is to always validate the tool on a local population and to revalidate it periodically
- The criminal history factor is fraught with issues, namely, law enforcements proclivity to over-police predominantly minority and poor neighborhoods

How do data points turn into scores?

- After testing a new tool, researchers wait 6 months to 3 years to review the results.
- If they see statistically significant corollary between how a large percentage of people answered a particular question and most of those people did get arrested (or not arrested) or failed to appear in court, it becomes a predictive question to consider using in the risk tool
- Once researchers determine which question are valid, they then assign those questions point values

Should these risk tools really be making decisions for us?

- Short answer is: **NO**
- Risk tools are just that, tools
- Risk tools should inform a decision-maker and that decision-maker should use that information as well as other non-risk tool information before making any decision

How would these decisions be made if we eliminate the risk tools?

- Eye test (unstructured professional judgment)
- Charge-based decision-making
- Needs-based decision-making

Questions to ask about any risk tool

- What is the tool purporting to measure? What was it designed to do?
- Is it an open-sourced tool or is it proprietary?
- Does it ask static questions, dynamic questions, or both?
- Who can administer the tool? Is a specific training or degree needed?

Are people punished for having high needs on the C-CAT?

NO

- Targeting and addressing the needs of an individual can help reduce the risk of future criminal justice involvement
- A site can try to mitigate against over-conditioning someone by matching the level of a person's risk score with the level of intervention

Uses resources where they are needed the most

Some FAQs about the C-CAT

- Why does the age question score so high for young people?
- Are people being 'punished' for not working or being in college?
- Why are drugs and alcohol scored separately?
- Should marijuana be included in the drug questions?

Some FAQs about the C-CAT (cont.)

- Are we violating a defendant's due process rights by asking these questions?
- Do any of these questions violate HIPAA?
- Do we have to ask the questions as ordered & worded?
- Can we just change the scoring on items we do not like or agree with?

What happens next?

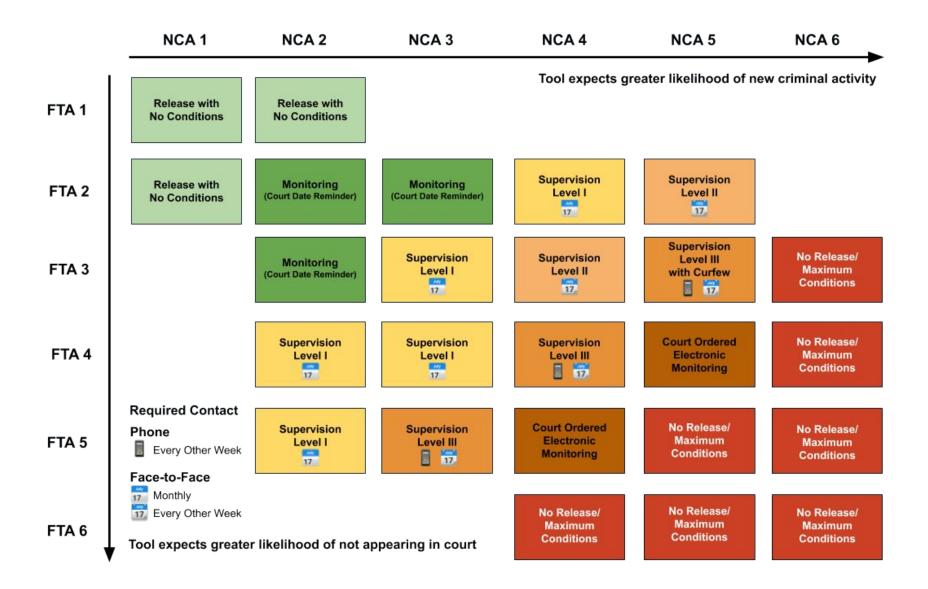
- A release conditions matrix is created to determine levels of supervision. Those conditions are determined by the local powers that be.
- In other words, the tool measures the risk, the local stakeholders manage the risk.

Risk Classification of C-CAT

- Low Risk (0-6)
- Moderate Risk (7-10)
- Moderate-High Risk (11-15)
- High Risk (16-highest)

Sample Release Conditions Matrix

	Release Conditions Matrix a.k.a. Decision Making Framework	ROR	Misdemeanor SRP	Non-Violent Felony SRP	Violent Felony SRP	Electronic Monitoring
Court Date Reminder	LOW					
Phone Calls Per Month	MODERATE					
	MODERATE/HIGH					
In-Person Meetings Per Month	HIGH					



Always Remember . . .

No risk assessment tool can accurately predict the behavior of a specific individual

Questions?



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