Digital Transformation of Community Supervision

Moving into a “Brave New World”

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"YOU NEVER CHANGE THINGS BY FIGHTING THE EXISTING REALITY. TO CHANGE SOMETHING, BUILD A NEW MODEL THAT MAKES THE EXISTING MODEL OBSOLETE."

- BUCKMINSTER FULLER
Today’s Learning Objectives

Learners will

- Identify how has the Risk, Needs, Responsivity (RNR) model supports justice involved individuals, especially with drug and mental health issues?
- Explore how digital transformation can assist corrections program fully actualize R-N-R?
- Examine the use of asynchronous digital education and support for correction officers
Shifts and Changes in Community Supervision

Historically, criminal justice and punishment systems existed to serve justice to offenders and protect the public. Throughout history, every society, has had unique models of employing these concepts, giving rise to a variety of theories about how to address offenders and their actions.

American criminal justice, evolving from our English Puritanical roots, tried numerous approaches such as punishment, incapacitation, deterrence, retribution, restoration, and rehabilitation.

1970s’ pervasive thought was “nothing works” to rehabilitate offenders ...

1990s’ extensive data examination indicated that individualized approaches to crime, complemented with community-based approaches, can prove effective in reducing offender recidivism.

The rise of Risk-Need-Responsivity theory has played a central role in discrediting the “nothing works” perspective, and thereby revitalizing the movement for rehabilitation.
Problem - Mass Incarceration

2,400,000 + persons in prison
60% non-violent offenders
>60% have mental illness
~70% have substance use disorder

4.5 million persons under probation or parole—239% increase since 2010
A Subtle but Seismic Shift

“In many ways, modern justice policy is beginning to adopt public health strategies, focusing on broad-based, systemic intervention, and the application of the minimum but appropriate amounts of supervision, sanctions, accountability, services, and resources to achieve the intended result.”

Pretrial Diversion

✓ An alternative to prosecution, typically, at the pre-charge stage.

✓ Low-mid risk offenders are diverted from traditional criminal processing into programs of community supervision and service.

✓ Those successfully completing diversion are not charged or, charges are dismissed.

✓ Unsuccessful participants are returned for prosecution.

3 major objectives:

• Prevent future criminal activity by certain offenders by diverting to community supervision and services.
• Save prosecutive and judicial resources for higher risk offenders.
• Provide, when appropriate, for restitution to communities and victims of crime.

The period of supervision and treatment are variable and based on the results of an R-N-R based plan between the diversion officer and diversioner.
Effects of Diversion Programs

- Highly effective at reducing criminogenic risks and future crimes,
- Can maintain connections to family and job,
- More likely to receive appropriate treatment,
- 12 months after diversion, fewer use drugs,
- Reduces jail time for offenders, from ~173 days to ~ 40 days,
Pinal County Diversion Program
Diversion In The US Timeline

- **1947**: At the encouragement of the Judicial Conference of the US, Diversion Programs in US begin through Juvenile Probation
- **1968-1970**: President’s Commission on Prisoner Rehabilitation, Comprehensive Drug Abuse Prevention and Control Act of 1970 recommended that the US use diversion programs for drug offenses
- **1982**: 1st Federal Program established - Pretrial Services Act of 1982
- **2010**: 45 US states had 298 diversion programs

The Key To Rehabilitation, Diversion Programs In America’s Criminal Justice System: A Report By The Center For Prison Reform (2015).
**PCAO Diversion Timeline**

- **2015 - Present**
  - 1387 Defendants Referred to Diversion
  - In House Program
  - Interventions
  - Offense Specific
  - No Sliding Scale Fee
  - No Assessment

- **2017 - Present**
  - In House Program
  - Completed a Comprehensive Caseload Analysis
  - Transportation
  - Appropriate Services
  - Financial Hardship
  - Implemented Community Driven Services Projects
  - ORAS Assessment
  - Interventions Based On Need & Instant Offense
  - Application for Reduced Fees & Sliding Scale Fees
  - Contact Standards Based On Risk Level
  - 2018-2019, 13% Increase in Participation
  - Expanded program to accept of out of state cases
  - Data Driven Program
  - 1.2 Million Dollar Grant Research Project
Diversion Success Rates by Misdemeanor and Felony

- **Successful Cases**
  - 85% Misdemeanor
  - 83% Felony
  - Total 105

- **Resumed Cases**
  - 68% Misdemeanor
  - Total 50

- **Total Cases**
  - 85% Misdemeanor
  - 83% Felony
  - 873 Total

- **Diversion Success Rates by Misdemeanor and Felony**
  - Total Cases 1028
  - 68% Misdemeanor
  - 83% Felony
Success Rates for Defendants By Charge

Graph showing success rates for various charges.
Success Rate By Ethnicity

- African American: 34, 9, 43
- Caucasian: 251, 33, 284
- Asian: 2, 0, 2
- Hispanic: 92, 16, 108
- Native American: 16, 3, 19
- Multiple Races: 1, 0, 1
- Hawaiian/Pacific Islander: 3, 1, 4
- Unknown: 5, 1, 6

Legend: Successful, Resumed, Total
ORAS Assessment Results

389 ORAS Assessments Have Been Completed
The Intersection of Criminal Justice and Technology

- Problems drive technology decisions
- Humane and
  - minimally-intrusive,
- Inclusive
- Implemented with true consent
- Less is more
- Sustainable
Principles for Technology in Criminal Justice

Problems drive technology choice
• Objectives - problem that technology will address
• Specific expectations/outcomes

Humane
• Focused on defendants
• Comfortable, easy to use, minimally-intrusive, and non-stigmatizing
• Add to quality of life rather than add stress
• Reinforcing of positive behavior

Inclusive
• No-cost to the defendant
• Accessible - language, culture, readability, relevant

Implemented with true consent
• Easy to understand consent, in multiple formats, and potential impacts
• If and how data will be shared

Less is more
• Most universal technology
• Start small

Sustainable

- Increasing officer:defendant ratio, increasing risk level, vast distances
- Cell phone app, easy to use, non-stigmatizing, reduces risk of missed appts. gamification recognizes positive behaviors
- Free for Medicaid eligible,
- Multimedia design, multiple languages, multi-format/language consent
- Cost effectiveness and benefit analysis prior to conclusion

(Center for Court Innovation, 2018)
Technology that has changed our lives...
GLOBAL MARKET

Unique mobile subscribers
- 2017: 5.0bn
- 2025: 5.9bn
- PENETRATION RATE: 66% (66%) & 71% (CAGR 2017-25: 2.1%)

Mobile internet users
- 2017: 3.3bn
- 2025: 5.0bn
- PENETRATION RATE: 43% (43%) & 61% (CAGR 2017-25: 5.3%)
IT'S A PRETTY BIG DEAL

Text is the single most used feature on a smartphone, with 97% of all smartphone users having texted within the last week. Think about that. On mobile devices (which take up the majority of web traffic), people text more than they use the internet.

- 5,035,000,000 (5.035 billion) texters worldwide.
- 277,000,000 texters in U.S.
- 97% of smartphone owners text
- 26,033,333,333 (26 billion) texts per day in U.S.
- 55 minutes: time Americans spend texting/day

(GSMA Intelligence, 2019; Pew Research Center, 2018)
Digital Transformation of Community Supervision

TITLE: Digital Transformation of Community Supervision  
FUNDED BY: DOJ, Bureau of Justice Administration. Justice Reinvestment Initiative  
RECIPIENT: Pinal County Attorney’s Office (PCAO)  
DURATION: 01 Jan 2020 - 31 Dec 2023  
FUNDING: $1,250,000  

GOAL: Framed by the principles of Risk-Needs-Responsivity our goal is to increase positive outcomes for diversion eligible misdemeanor and felony defendants under community supervision by providing diversion officers with digital access to EPICS-II training and support while implementing and testing a model digital case management and treatment:
Objective 1

Configure the digital platform to deliver

- Assessment System (standardized and surveys),
- Digitize and deliver EPICS-II to prevent “drift” in community supervision skills
- Procure or develop responsive content (Anger mgt., MI, CBT, mindfulness, career preparation, contingency management, instructional strategies)
- Populate a Pinal County resource library with SDOOH including physical and mental health
- Integrate iTether with the existing PCAO MS Access database to inform and monitor the comprehensive treatment plan
Objective 2

- Educate/prepare DOs using EPICS-II, assessments of criminogenic needs, and responsive EBP treatment via the digital platform, and use valid data analytics for case management decisions.

- Educate and prepare DOs to assess, plan, treat/support, and monitor diversioners using iTether platform.
Risk-Needs-Responsivity

- **Risk principle**: How likely is the defendant to engage in criminal behaviors and re-offend... *Criminogenic Risk*

- **Need principle**: Based on individual differences, what areas in a defendant’s life should be targeted for intervention and supervision in order to reduce the likelihood of re-offending... *Criminogenic personal biopsychosocial needs*

- **Responsivity principle**: What strengths and personal factors may potentiate or hinder the effectiveness of the treatment... Evidence-Based or Informed Practices
Risk Strategies - Who to Target

- Match level of services to level of risk
- Prioritize supervision and treatment resources for higher risk clients
- Higher risk clients need more intensive services
- Low risk clients require little to no intervention
- “If it ain’t broke, don’t fix it”
Needs Strategy - What to Target

• Assess criminogenic needs and target those needs with treatment and interventions
  • Dynamic or “changeable” risk factors that contribute to the likelihood that someone will commit a crime.
  • Changes in these needs / risk factors are associated with changes in recidivism.
Responsivity Strategy - How to Target

- Individual strengths
  - Family
  - Faith
  - Employment
  - Community
  - Healthy hobbies
  - Physical health
  - Motivation

- Self-esteem
- Empathy
- Persistence
- Academic successes (even small)
- Grit
- Learning styles

1) Identify offender strengths as they can be considered “protective” factors that may be built upon in treatment planning.

2) Look for Evidence-Based Practices specific to the highest rated criminogenic need AND that has been used effectively with the offender’s strengths.

3) Strive to achieve >65% fidelity to implementation of across the course of treatment.

**
The DTCS R-N-R Process

- Assess
- Plan
- Monitor
- Treatment

Defendant
Pre-Trial Screening for Diversion Eligibility

Screener Questions

1) How many times have you been convicted of a felony (not counting current offense)?
2) Are you currently employed?
3) How many hours do you work?
4) Why not?
5) Tell me about the neighborhood you live in?
6) How easy would it be to acquire drugs in your neighborhood?
   □ ( ) Very easy
   □ ( ) Somewhat easy
   □ ( ) Very difficult
7) How many close friends would you say you have?
8) Have any of your close friends been involved in criminal behavior?
9) What percentage of your close friends have been in trouble with the law?
10) What kind of things have they been involved in?
DTCS Assessment Battery

- Adverse Childhood Experiences- Trauma history (Pre-test only)
  - Trauma history (non-criminogenic need)

- Brief Addiction Monitor- Substance use (Pre- and post diversion)
  - Substance use disorder (criminogenic need)

- FS-36 Quality of Life Survey- Mental and Physical Health Status
  - Medical or mental health needs (non-criminogenic needs)

- PRAPARE- Social Determinants of Health
  - Both-pro-social activities, employment,

- ORAS CSST- Eligibility for Diversion
  - All 8 criminogenic risk factors

- ORAS-CST- Criminogenic Risks and Needs
  - All 8 criminogenic risk factors

- Bi-Weekly Check-in – Affective. Cognitive, Physical health, Satisfaction
  - SUD, anti-social attitude, prosocial leisure activities, marital factors
Eight Critical Risk Factors

1. Anti-social Attitudes
2. Anti-social Peers
3. Anti-social Personality Pattern
4. History of Anti-Social Behavior
5. Family / Marital Factors
6. Lack of Achievement in Education / Employment
7. Lack of Pro-social Leisure Activities
8. Substance Abuse

The Big Four
Most highly correlated with criminal behavior
Non-Criminogenic Needs

- Self-esteem
- Trauma history
- Medical or mental health needs
  - ADHD, Anxiety, Bi-Polar Disorder, Depression
- Victimization issues
- Gender
- Motivation
- Cultural Diversity, language diversity
- Cognitive level, Reading Level / ESL, Learning Disability
- Poverty
Defendant, Agency & Provider Engagement

Delivers Supervision & Care Coordination Outside the Office

Multidiscipline Coordination

Assessments & Tasks

Secure Clinical Portal

Telehealth & Messaging

Content & SDOH Resources

Activities & Notifications

Diversioners

Member App

Multidiscipline Coordination
DTCS Platform

JUSTICE STAFF

DEFENDANTS

HIPAA Compliant Virtual Foundation
DTCS Assets and Affordances

We Deliver:

- Integrated Tele-check-in
- Text Messaging
- Treatment Planning and Delivery
- Education and Treatment
- Monthly Reports (Goldenrod)
- Assessments / Surveys / Forms
- Digital Payments
- Appointment Scheduling
- Deliver Social Determinants of Health
- Dynamic Delivery of Health Literacy Content
DTCS Rollout Timeline

**Start**
- Agreement Executed
- Site Configuration
- Schedule Training

**Prepare**
- Load assessments
- Load Curriculum
- Load SDOH
- PCAO Approves
- Portal Training (All)
- IRB

**Launch**
- Randomized defendant selection
- Register defendants
- Train defendants
- Connected
- Baseline Assessments
- Build Goals

Day 1 4 Months 6 months
Effective Practices in Correctional Settings-II**

- Providing officers with the tools, strategies and skills to implement an R-N-R model with fidelity.
  1. Live or virtual 5-day training (COVID-19), with author Melanie Lowenkamp.
  2. 22 Online, on-demand video summaries with activities and formative assessments to refine, refresh, and reduce drift of EPICS-II skills and strategies.
  3. Live feedback on authentic officer/diversioner interviews that guide practice to high fidelity.

** Lowenkamp, Lowenkamp, & Robinson, 2012
Structure:

Each lesson includes:

- A 3-5-minute video content with examples
- Expanded written content with citations
- An interactive activity with automatic feedback
- A formative assessment to guide learning.
- The EPICS-II Self Assessment
- 8 interactive tools for working with defendants
Structured Skill Building and Graduated Practice

Effective Empirically Supported Practices In Correctional Settings - II
Measurements

- Initial EPICS-II Self-Assessment and monthly thereafter, paired with a recent video of a client interview.
- It is anticipated that by the end of 12 months, officers will be proficient in each skill.
- Quarterly reviews of authentic videos are conducted by Lowenkamp, who makes recommendations for additional online reviews or activities.
Thank you for your participation!

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