

Doing It Right

RISK ASSESSMENT IN JUVENILE JUSTICE

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The Juvenile Justice Delinquency and Prevention Act (JJDP A) of 2002 promoted the design and implementation of risk assessment tools to help determine appropriate sanctions for justice-involved youth. In the past ten years, several evidence-based risk assessment tools have been designed and an increasing number of juvenile justice agencies are considering them or have adopted them. The recently released Models for Change publication, *Risk Assessment in Juvenile Justice: A Guidebook for Implementation*, discusses the purpose and nature of risk assessment—including benefits and pitfalls that are important for advocates to understand. It also provides detailed guidance on selecting and implementing risk assessment tools. The guidebook focuses on the implementation of risk assessment tools at the post-adjudication, pre-disposition stage of juvenile court proceedings so that findings from assessments may be used in disposition recommendations and service planning.¹

What is a Risk Assessment Tool?

- A “*brief*” risk assessment tool is used to estimate the likelihood that a young person will continue delinquent behavior if nothing is done to intervene.
- A “*comprehensive*” risk assessment tool will try to answer the additional question of what factors in the youth’s life or which characteristics of the youth are likely driving him or her to offend and may lead to more offending.
- A risk assessment tool can guide intervention planning for a youth but it is not prescriptive – it does not tell the assessor exactly what level of system response (e.g.

¹ The main ideas in this fact sheet are drawn from Gina M. Vincent, Laura S. Guy, and Thomas Grisso, *Risk Assessment in Juvenile Justice: A Guidebook for Implementation*, (Chicago, IL: John D. and Catherine T. MacArthur Foundation, Models for Change initiative, November 2012), available at <http://bit.ly/XPJmFk>. This fact sheet is one of many NJJN documents summarizing key research that has stemmed from Models for Change, with a focus on implications for policy and practice in the juvenile justice field. For more information about Models for Change, visit www.modelsforchange.net.

diversion, probation, or placement) is appropriate for the young person. For example, the tool will not state that youth with a certain score must be put in a facility.

- Most risk assessments cannot do the following:
 - gauge the risk of sexual reoffending;
 - serve as a mental health assessment; or
 - assess items unrelated to future offending, such as needs related to a youth’s well-being, or specify the actions a court should take.

Why Use Risk Assessment Tools?

Risk assessments help jurisdictions make evidence-based² decisions and to be more cost efficient in their use of scarce justice system resources. Some of the positive outcomes that can be realized from well-designed and properly-implemented risk assessments are:

- minimizing bias of those involved in making judgments about a youth’s risk to public safety and case management needs;
- reducing costs by more effectively targeting justice system interventions that can lead to a decrease in the use of intense supervision and incarceration, a reduction in the provision of unneeded services to youth, and more streamlined provision of services and interventions that are selectively focused on addressing youths’ identified risk factors; and
- reducing recidivism by making it possible to tailor case planning to focus services and programming on factors tied most closely to reoffending.

Choose the Right Risk Assessment Instrument

Making the decision to use a risk assessment tool is not the end of the process. Stakeholders must use care to select a tool that will be both effective and appropriate for the local youth population.

Make sure that your risk assessment tool does not exacerbate problems with racial/ethnic fairness.

- Because youth of color are overrepresented in the juvenile justice system, it is crucial to select a risk assessment tool that was examined for measurement bias³ when predicting

² “An evidence-based risk assessment process employs one or more standardized, empirically-validated risk assessment instruments and professional judgment, in order to collect and use characteristics of the youth and the youth’s circumstances in making the best decisions for intervention and management of the case to reduce risk.” See Gina M. Vincent et al., *Risk Assessment in Juvenile Justice*, 37 (adapted from a definition developed by the American Psychological Association).

³ “Measurement bias” refers to “differences in . . . [the risk assessment tool’s] ability to predict reoffending among different racial and ethnic groups.” Gina M. Vincent et al., “Risk Assessment in Juvenile Justice: A Guidebook for Implementation,” *Models for Change* (November 2012), p. 44, <http://www.modelsforchange.net/publications/317>. This is a way to determine if a tool is valid with different racial and ethnic groups of youth or if it reflects bias.

reoffending among different racial and ethnic groups. Most of the more widely-used, validated risk assessment tools have been studied for their predictive validity with whites, African-Americans, and Hispanics, so stakeholders can scrutinize them to ensure that they select a tool that will not be biased against the populations they serve.

- If a tool is not validated for youth of color, it is possible to over-identify youth of color as high-risk. For example, tools that include risk factors based on official arrest records (number of prior arrests, age of first arrest) are particularly susceptible to racial bias, due to racial disparities in most arrest patterns.
 - The Youth Level of Service/Case Management Inventory (YLS/CMI) is an example of one risk assessment tool that provides norm tables for African-American youth.

Make sure that the selected risk assessment tool does not “widen the net.”

- Risk assessments typically do not—and should not—be designed to include items unrelated to recidivism, such as “well-being” needs, including special education or mental health problems.
- Risk assessments that include items unrelated to recidivism could lead to more youth being swept into the juvenile justice system because they are inappropriately categorized as high-risk for reoffending, when they actually just need services.

After You Choose, Implement Carefully

Adopting a risk assessment tool will not effect change in how youth are processed or handled unless the tool is implemented properly.

Collaborate to choose the most appropriate tool for your jurisdiction.

Without buy-in from stakeholders—including judges, attorneys, probation officers, and other juvenile justice staff—risk assessments are unlikely to make a difference.⁴ The guidebook recommends that cross-disciplinary committees of key juvenile justice stakeholders be created for the planning phase of the risk assessment process in order to establish buy-in for using the risk assessment tool and to help select an appropriate evidence-based risk assessment tool.

Use caution when implementing risk assessments through legislation.

- Some states have implemented risk assessment tools through legislation. The guidebook recommends that any such legislation emphasize the need for an evidence-based risk

⁴ Models for Change, “Innovation Brief: Using Risk Assessment to Meet Needs and Reduce Recidivism” (Chicago, IL: John D. and Catherine T. MacArthur Foundation, December, 2012), at <http://www.modelsforchange.net/publications/356>.

assessment tool, but not recommend a specific risk assessment tool, as better tools may become available in the future.

Don't Forget to Gather and Analyze Data

Once a risk assessment tool is in use, good oversight and data collection are necessary in order to ensure that the tool is achieving its goal of accurately predicting reoffending, and not having unanticipated negative effects.

Ensure risk assessment instruments are properly implemented.

- Office policies of the agency responsible for implementing the tool should include a method for quality assurance, to make sure the tool is being used in a consistent and reliable manner by different assessors.⁵
- Supervisors should conduct individual case audits to determine whether the risk assessment is being conducted in the manner proscribed by agency policy.

Gather and analyze data to ensure unbiased application of the tool.

- Agencies should develop a data system to track outcomes for the youth being assessed.
- It is especially important to collect data to determine the percentage of youth who are designated as low-, moderate-, or high-risk, and whether the percentages at each risk level differ based on the youth's race or ethnic identity; such differences might indicate that there is some bias in either the tool itself, or in how it is being implemented.

Conclusion

The use of risk assessment instruments in juvenile justice systems across the country is growing rapidly. Advocates should be aware of how they can be used most effectively to avoid unnecessary incarceration and improve case planning for youth. In addition to this brief overview, we encourage you to read the full guidebook, [Risk Assessment in Juvenile Justice: A Guidebook for Implementation](#), to gain a fuller understanding of how to employ best practices when implementing these tools.

⁵ The guidebook suggests that a university partner or expert could assist with this quality assurance process. If that is not possible, the guidebook suggests having staff members independently conduct risk assessments on several of the same cases followed by a review of the results by their supervisors. Supervisors can then identify and provide additional training for staff members with consistently different results. See Gina M. Vincent et al., *Risk Assessment in Juvenile Justice*, 83.