

# Evidence-Based Practices Stakeholder Forum

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JANUARY 25, 2022



Supported by  
*Pennsylvania Commission on Crime and Delinquency* and the *County Adult Probation and Parole Advisory Committee*

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# Self Introduction

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INTRODUCE YOURSELF USING THE CHAT FEATURE

**Name, Title, Agency, and County**

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# EBP Poll

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RATE YOUR KNOWLEDGE OF AND USE OF  
EBP TO REDUCE THE RISK OF RECIDIVISM

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## Statewide EBP Leadership Team

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### COUNTY REPRESENTATIVES

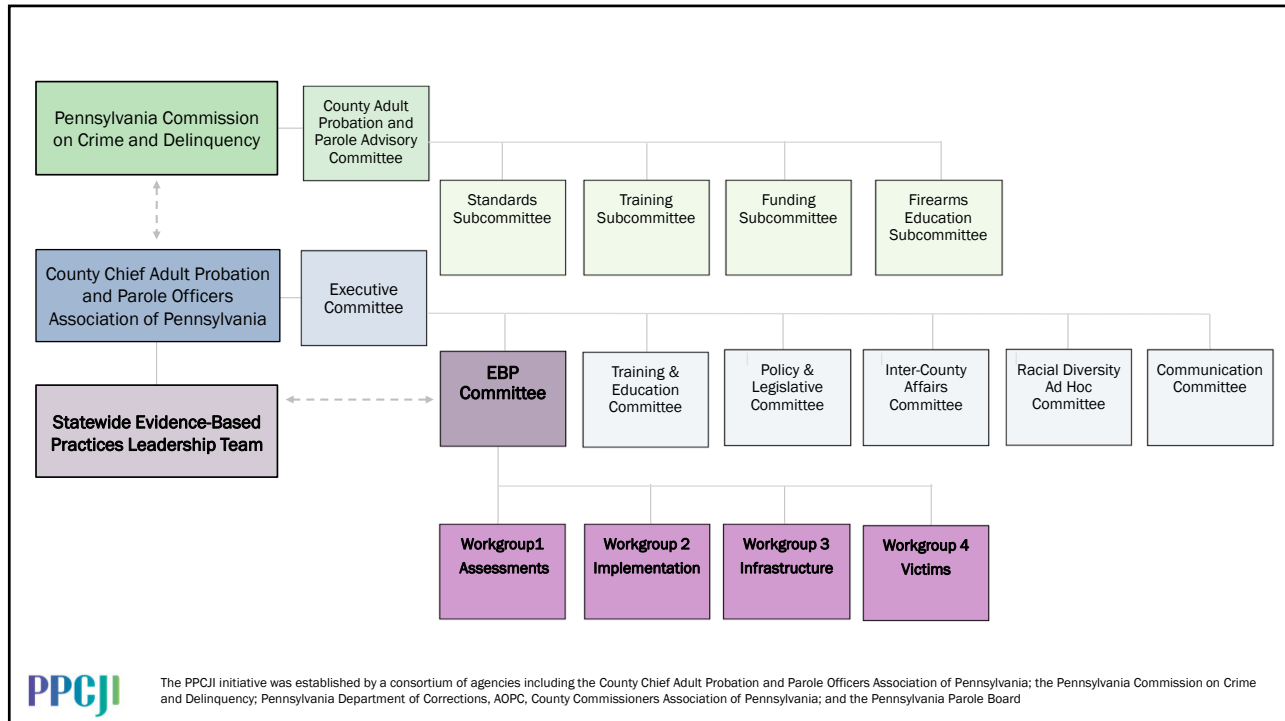
**April Billet**, York County Probation (*Chair*)  
**Frank Scherer**, Allegheny County Probation (*Vice-Chair*)  
**Darby Christlieb**, Cumberland County Adult Probation  
**Judge Charles Ehrlich**, PA Court of Common Pleas  
**Gale Kendall**, Adams County Probation  
**Mark Ledford**, Cambria County Probation  
**Chad Libby**, Dauphin County Probation  
**Rick Parsons**, Carbon County Probation  
**Christine Shenk**, Bucks County Adult Probation  
**Mark Wilson**, Lancaster County Adult Probation  
**Jennifer Wright**, PO Specialist, Chester County Probation

### STATE AGENCY REPRESENTATIVES

**Sally Barry**, PCCD  
**K. Bret Bucklen**, DOC  
**Kelly Evans**, DOC  
**Jim Fox**, PBPP  
**Ryan Meyers**, PA Commission on Sentencing  
**Joseph Mittleman**, AOPC  
**Brinda Penyak**, CCAP  
**Pennie Hockenberry**, OVA  
**Damien Wachter**, AOPC  
**Jackie Weaknecht**, PCCD






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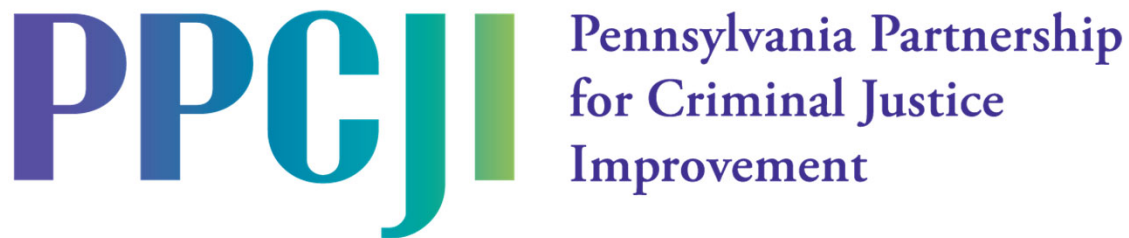
## EBP Stakeholder Forum Goals

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To advance evidence-based practices across stakeholder groups and counties
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To describe the implications of EBP for each stakeholder group
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To set the stage for future local, collaborative EBP planning efforts

**PPCJI**

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## Today's Schedule

Time	Topic	Speakers
12:15 - 1:00	Opening Session	John Creuzot
1:00 - 1:30	Key Principles of EBP	Susan Burke
1:30 - 1:45	Stretch Break (stay logged in)	
1:45 - 2:30	Local Stakeholder Panel	<b>Suzanne V. Estrella</b> , PA Victim Advocate <b>Michael Halkias</b> , Chief Public Defender, Cumberland County <b>Scott Kerstetter</b> , Chief Probation Officer, Union County <b>Francis "Fran" T. Chardo</b> , District Attorney, Dauphin County <b>Judge David Workman</b> , Lancaster County
2:30 - 3:00	Facilitated Stakeholder Breakout Sessions	All forum participants (chose your breakout group)
3:00 - 3:30	Debrief	All
3:30 - 4:00	Closing Remarks and a Call to Action	April Billet and Frank Scherer



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# John Creuzot

DALLAS COUNTY DISTRICT  
ATTORNEY



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## PPCJI Video



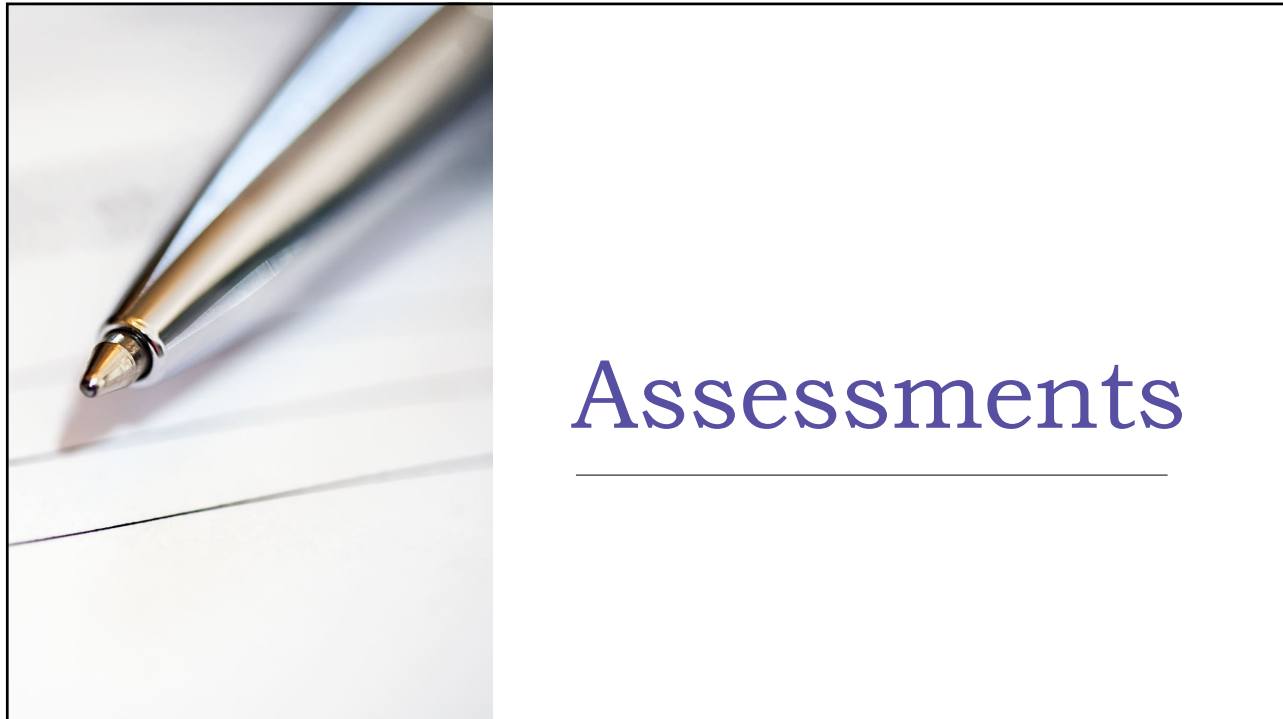
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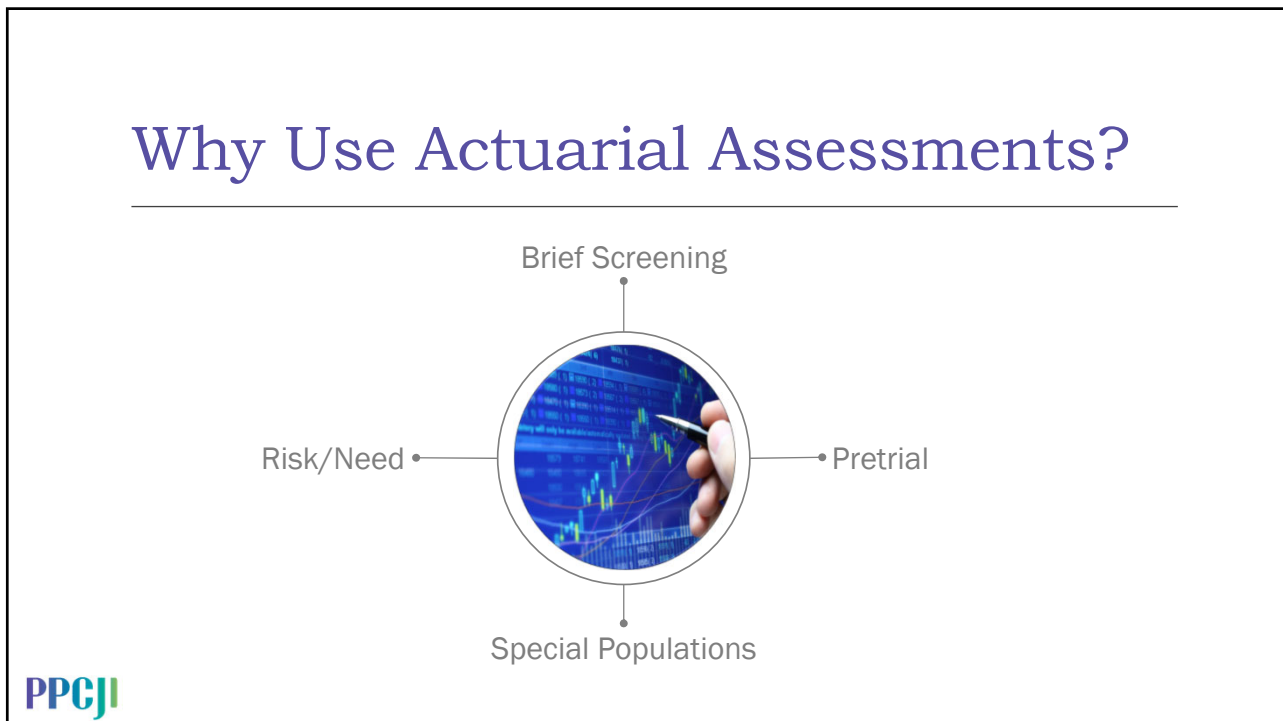
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<h2>Key EBP Principles</h2> 	<p><b>Person-Focused</b></p> <ul style="list-style-type: none"><li>Use actuarial assessment tools</li><li>Effectively intervene</li><li>Tailor the approach</li><li>Meet the person's basic needs</li><li>Give people hope and encouragement</li></ul> <p><b>Agency-Focused</b></p> <ul style="list-style-type: none"><li>Data and performance measures</li><li>Continuous quality improvement</li></ul>
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## Takeaway

Choosing not to use an actuarial assessment tool does not eliminate or reduce explicit or implicit racial biases.

In fact, studies suggest that actuarial assessments are more accurate, more consistent, and than unstructured discretion in assessing risk of recidivism.



### Risk Assessment and Racial Fairness: The Proper Use of Risk-Needs Assessments

By Judge Roger K. Warren (Ret.)

Actuarial risk-needs assessment tools are used in the justice system to determine a person's risk of recidivism and reentry needs. These tools can provide judges and probation and parole officers with valuable information to assist them in determining what support and services, and what level of support and services, will best help a person succeed on supervision and beyond. There is real and legitimate concern, however, about the impact of these tools on racial and ethnic disparities in the justice system. In light of our nation's history of systemic racism, it is important to question and carefully examine the proper use of risk-needs assessment information in the sentencing process and in supervision.

#### Risk Assessment Versus Risk-Needs Assessment

Both risk assessments and risk-needs assessments are used in the justice system. It is important to understand and appreciate the ways in which these two types of tools differ from one another. Actuarial risk assessment tools are often referred to as static risk assessment tools because the factors on which they are based (e.g., age, gender, prior criminal history) are static and cannot be changed. Risk assessment tools are commonly used in justice settings where the focus is on determining a person's current risk of being rearrested, fleeing, or failing to appear in subsequent proceedings. Such tools are then used to decide the nature and intensity of conditions of probation,<sup>1</sup> parole, or pretrial release that may be appropriate to constrain such risks or, sometimes, upon determining that no conditions of release would sufficiently mitigate such risks, whether to temporarily detain a person.<sup>2</sup>

Risk-needs assessment (RNA) tools, on the other hand, were developed for use primarily in post-conviction community supervision settings (probation and parole) to assist supervising officers in determining the most appropriate supervision strategies, interventions, and services to reduce the risk of a person's rearrest.<sup>3</sup> That is, their intended use is not merely to constrain current risk but to reduce future risk. These tools are often referred to as dynamic risk assessment tools because, in addition to assessing static risk factors, they also assess dynamic risk factors, or needs—those characteristics of a person that are statistically associated with risk of recidivism but that, through the use of appropriate interventions, can be changed in ways that are statistically proven to lead to a reduction of future law violations. Common dynamic risk factors include a person's social attitudes, associates, and behaviors, substance use, education and employment, and family situation.

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## Poll: Effective Interventions

The research indicates that the most effective intervention for changing a person's behavior is

- 1 – Deterrence (fear of the consequences)
- 2 – Cognitive-behavioral
- 3 – Education classes
- 4 – Counseling



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# Effective Interventions

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-  Focus on certain individuals
-  Directly address criminogenic needs
-  Use a cognitive behavioral approach
-  Follow a structured manualized curriculum
-  Integrate responsivity and stabilization considerations

## Effective Interventions



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## Takeaway

**DO** focus on those who will most likely benefit from a justice system response.

**DON'T** overrespond (through supervision or programming) to those who are self-correcting and not likely to recidivate and avoid mixing people who are high and low risk in programs.

**The Risk Principle—Who should be the focus of our efforts?**

<p><b>DO</b> focus on those who will most likely benefit from a justice system response.</p> <p><b>WHY</b> Research indicates that people who are most likely to recidivate benefit the most from justice system interventions.</p> <p><b>DO</b> use actuarial risk and needs assessments to identify who will most likely benefit from a justice system response.</p> <p><b>WHY</b> Actuarial tools are significantly more accurate in determining a person's risk of recidivism and criminogenic needs than individual judgment.</p>	<p><b>DON'T</b> overrespond (through supervision or programming) to those who are self-correcting and not likely to recidivate and avoid mixing people who are high and low risk in programs.</p> <p><b>WHY</b> Supervision and programming for people who are at low risk of recidivism will not likely improve outcomes and may, in fact, increase failure by requiring them to attend events that disrupt the prosocial influences in their life (e.g., school, family). Supervision and programming may also increase exposure to (and influence from) people who are not supportive of prosocial norms.</p> <p><b>DON'T</b> rely on professional judgment alone when determining who to treat on.</p> <p><b>WHY</b> Actuarial assessments outperform professional judgment in predicting future behavior and provide more transparency about the factors considered when making decisions.</p>
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**The Need Principle—What factors are important for risk reduction?**

<p><b>DO</b> address a person's or their group's needs when seeking to reduce future re-arrests or the law.</p> <p><b>WHY</b> Research shows that law-abiding behavior increases when the justice system addresses a person's unique criminogenic needs identified through an actuarial assessment.</p> <p><b>DO</b> focus on the person's most impactful criminogenic needs—that is, their driver.</p> <p><b>WHY</b> The largest reductions in recidivism occur when programming addresses the driver. The driver is usually one of the three most influential criminogenic needs (cognition, temperament/ coping skills, and associates).</p>	<p><b>DON'T</b> add unnecessary conditions that overload the person.</p> <p><b>WHY</b> Too many conditions can overwhelm the person, distract them from addressing their driver (the criminogenic need that has the greatest influence on their illegal behavior), and increase ineptness and failure. Unnecessary conditions of supervision do not reduce recidivism.</p> <p><b>DON'T</b> overprogram the lower criminogenic needs.</p> <p><b>WHY</b> While all the criminogenic needs should be addressed to maximize law-abiding behavior, focusing too much on the lower influence (e.g., family, mental, substance abuse, education, employment, and leisure activities) will not yield the maximum impact.</p>
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Pennsylvania Parole & Probation Commission  
Overview Series, No. 2

## What Else is Needed?

- Right-sized workloads
- Training on core correctional practices
- Access to cognitive tools
- Supervisors who reinforce, support, and coach on the approach
- A continuum of services
- Program fidelity assessments and evaluations



# Tailor the Approach

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## Tailor the Approach

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### MORE OF THIS

- ✓ Target higher risk individuals
- ✓ Match dosage to need
- ✓ Modify approach for responsivity factors

### LESS OF THIS

- × Unnecessary, untargeted conditions
- × One size fits all
- × Fees and fines
- × Too many services for lower-risk individuals
- × Probation length exceeding 18-24 months

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# Takeaway

Probation can best contribute to public safety when it aligns its personnel, contracted services, training, policies, and resources with research findings as put forth by the Standards Committee of the Pennsylvania County Adult Probation and Parole Advisory Committee.

EBP Brief
Evidence-Based Practices Court Series

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### Unintentionally Doing Harm

Justice system decision-makers perform a critically important role under challenging circumstances: protecting the community, restoring crime victims (where possible), holding people accountable to law, and promoting positive behavior change. Sometimes, their decisions unintentionally cause harm. Research has provided some insight into these iatrogenic impacts.

**Iatrogenic:** While originating from the medical field, a lot of scientists use the term "iatrogenic" when describing actions by doctors or nurses that lead to unwanted outcomes. In the justice system, this might include, for example, in-custody placement, violation behaviors, mental health disparities, and disinclination.

<p><b>Securing a conviction</b> for unlawful behavior is essential in upholding the rule of law and affirming community values necessary for safety and social order.</p>	<p><b>However,</b> a conviction on a person's record can trigger collateral consequences that limit their ability to successfully engage in prosocial activities such as employment, housing, driving, voting, and securing financial aid.</p>	<p><b>Therefore,</b> diversion and deferred prosecution can be effective ways to hold someone accountable for their actions without negatively impacting their ability to support themselves and their families.</p>
<p><b>The use of incarceration</b> is necessary to protect the public.</p>	<p><b>However,</b> the longer the incarceration, the more likely the person will experience economic hardship, exposure to violence, stress reactions (e.g., hyperphagia, interpersonal distrust, psychological distress), family distress (e.g., divorce, parent-child detachment, abuse toward their children), stigma, and trauma.</p>	<p><b>Therefore,</b> the benefits of incarceration should be carefully weighed against anticipated, negative consequences.</p>
<p><b>Some services and programs</b> avoid promising and seem as if they should work, especially those that appear to be consensus approaches (e.g., boot camps, drug court, thought experience, and self-help groups).</p>	<p><b>However,</b> many of these programs are not only ineffective but they can result in higher recidivism rates than if the person did not participate in the program.</p>	<p><b>Therefore,</b> the justice system will be more successful if it uses only those programs proven to yield positive outcomes or if it uses evidence data on unproven programs to determine if they are, in fact, effective.</p>
<p><b>Probation</b> can have a profound, positive impact on residents if it diligently and routinely applies evidence-based practices.</p>	<p><b>However,</b> applying evidence-based practices requires intentional and effective leadership, resources, quality assurance, and an overarching commitment. Probation departments that do not apply EBP with fidelity will likely not impact recidivism.</p>	<p><b>Therefore,</b> probation can best contribute to public safety when it aligns its personnel, contracted services, training, policies, and resources with research findings as put forth by the Standards Committee of the Pennsylvania County Adult Probation and Parole Advisory Committee.</p>

EBP Brief Series # No. 6

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# Stabilization

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## Addressing Hierarchy of Needs

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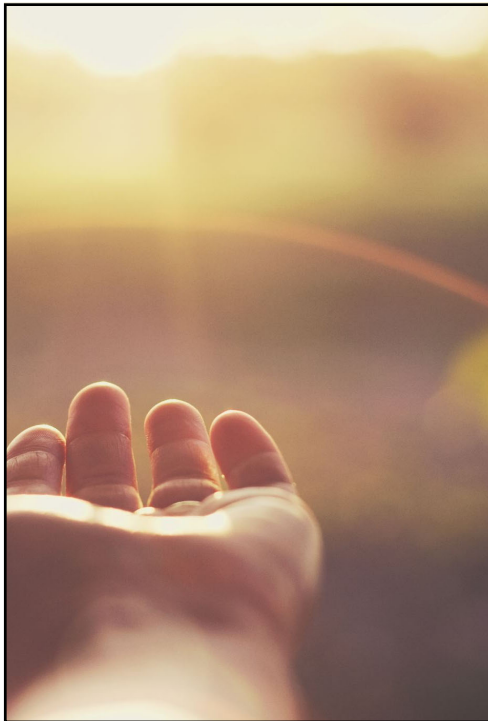
Stabilization Needs

Criminogenic Needs

Successful Exit

PPCJI

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## Hope and Encouragement

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# Rewards and Sanctions

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- Relapse is part of recovery
- Customized and proportional
- Earned incentives
- Swift and certain responses
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# EBP Fidelity

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# Fidelity

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Training is insufficient by itself

Coaching and mentoring required

Multiple areas need fidelity and accountability structures

A fidelity infrastructure is needed

- Fidelity manager
- Checklists
- Coaching network
- Booster sessions
- Performance measures

**Table 1: Examples of Fidelity Topics**

Inter-rater reliability process  
 Effective interventions  
 Effective case planning  
 Behavior management  
 Learning organization  
 Participant progress  
 Supervisor reinforcement of EBPs  
 Quality of reports  
 Case review process  
 Dosage tracking  
 Family feedback  
 Stakeholder feedback  
 Fatality review process  
 Vendor performance  
 Fidelity of program implementation  
 Program evaluations



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# Collaboration

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## Working Toward a Common Outcome

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## Local Stakeholder Panel

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## Panelists

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**Francis "Fran" T. Chardo, Esq.**  
District Attorney  
Dauphin County

**Scott Kerstetter**  
Chief Probation Officer  
Union County

**Suzanne V. Estrella, Esq.**  
PA Victim Advocate  
Office of Victim Advocate

**Judge David Workman**  
Court of Common Pleas  
Lancaster County



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## Questions for the Panel?

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SUBMIT THEM IN CHAT



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## Break Out Sessions

Stakeholder Group	Facilitators	Instructions
Community Programs and CJAB members	Mark Carey Bob Williams	<ul style="list-style-type: none"> <li>➤ Join your stakeholder group</li> <li>➤ Select a note taker</li> <li>➤ Discuss the panel's remarks</li> <li>➤ Discuss barriers to fully adopting EBP in your jurisdiction</li> <li>➤ Discuss strategies to overcome those barriers</li> <li>➤ Identify how PPCJI can help</li> <li>➤ Report your findings to the forum</li> </ul>
Corrections, Jails, Law Enforcement	Susan Burke	
Defense Attorneys	Darby Christlieb	
Judges and Court Administrators	Mark Wilson Judge David Workman	
Pretrial, Probation, Parole Chiefs/Admin	Frank Scherer Scott Kerstetter	
Pretrial, Probation, Parole Officers	Ashlee Lynn Helene Placey	
Prosecution and Victim Services	April Billet Suzanne V. Estrella Fran T. Chardo	



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## Reports

	Stakeholder Group	Facilitators
<ol style="list-style-type: none"> <li>1. What is one barrier to implementing EBP unique to your stakeholder group?</li> <li>2. What is one potential strategy for overcoming that barrier?</li> <li>3. What is one thing PPCJI can do to help the stakeholder group advance EBP?</li> </ol>	Community Programs and CJAB members	Mark Carey Bob Williams
	Corrections, Jails, Law Enforcement	Susan Burke
	Defense Attorneys	Darby Christlieb
	Judges and Court Administrators	Mark Wilson Judge David Workman
	Pretrial, Probation, Parole Administrators	Frank Scherer Scott Kerstetter
	Pretrial, Probation, Parole Officers	Ashlee Lynn Helene Placey
	Prosecution and Victim Services	April Billet Suzanne V. Estrella Fran T. Chardo



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# Community Programs and CJAB Members

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# Corrections, Jails, Law Enforcement

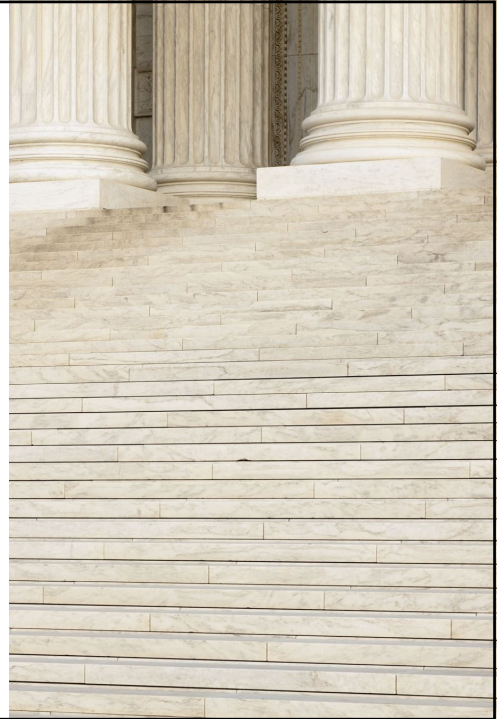
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# Judges and Court Administrators

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# Public Defense

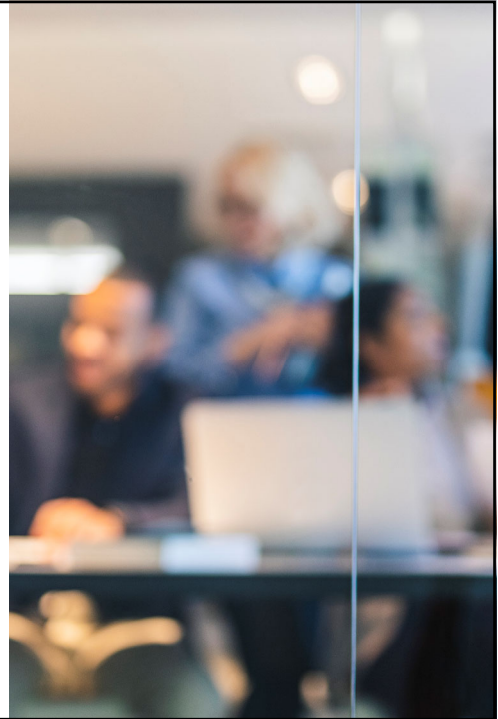
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# Pretrial, Probation, Parole Administration

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# Pretrial, Probation, Parole Officers

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# Prosecution and Victim Services

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# Next Steps

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## BJA Smart Probation Grant

Increase probation and parole success rates and reduce the rate of recidivism and incarceration for those on supervision

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## BJA Smart Probation Grant

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Focus on the higher-risk individuals

Utilized the most effective programming

Form policy teams at the local levels

Train probation departments

Adopt partnerships with local service providers

Adopt a unified case planning process

Implement a behavioral management system across all probation agencies

Adopt commonly defined performance measures

Devise a communication plan

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# Implementation Strategy

1

Select three demonstration sites

2

Select 20 learning sites

3

Support Regional Planning Meetings

4

Offer planning grants



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## PLANNING TEAMS

Who should be on my team?

Behavioral Health/Human Services Rep  
 County Commissioner  
 District Attorney  
 Judge  
 Law Enforcement  
 Person with Lived Experience  
 Probation  
 Public Defender/Defense Attorney  
 Treatment Provider  
 Victim Advocate  
 Warden

Other Key Individuals

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