

**DEPARTMENT OF
CORRECTIONS
COMMUNITY
SUPERVISION STUDY**

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REPORT 02-1

REPORT DIGEST

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STATE OF WASHINGTON

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REVIEW COMMITTEE

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Overview

As directed in the 2001-03 Operating Budget, this Joint Legislative Audit and Review Committee's (JLARC) operational review focuses on the Department of Corrections' implementation of the 1998 JLARC recommendations about community supervision, the early implementation of the 1999 Offender Accountability Act, and the use of risk-based models for community supervision.

DOC's Implementation Of JLARC Recommendations

JLARC has found progress on implementing these recommendations, but DOC still has considerable work to do.

One recommendation was for DOC to have an effective tracking system to determine whether sentencing conditions are being enforced.

Status: DOC began work in 1999 to replace its old tracking system with its new Offender Management Network Information (OMNI) system. One of the things that this new system is designed to do is track offenders' compliance with their sentencing and supervision conditions, and to incorporate the Offender Accountability Plan for each person under community supervision. However, this tracking function only went on line in October 2001. DOC field staff are still using the older, more cumbersome system for most other functions relating to offender supervision, which has created considerable frustration. Full implementation of OMNI is still several years in the future.

Another recommendation was for DOC to make available to the Legislature workload and budget assumptions, and maintain key historical information.

Status: DOC has made available its workload and budget assumptions for community supervision to the Legislature. However, DOC needs to clearly communicate information about its community supervision caseload. Confusing terminology and caseload counts that cannot be reconciled impair the reliability of the Department's community supervision data for budget preparation, workload determination, and caseload forecasting. Furthermore, the Department's workload assumptions are based on unconfirmed estimates. In the absence of caseload and workload information that can be relied upon, the cost impacts of using the risk-based model of community supervision are difficult to determine. We expect DOC will make some progress in providing information about its workload, pending a consultant study that will verify workload assumptions. However, this new workload information is not intended to answer questions about appropriate levels of service to be provided, and related budget impacts.

Offender Accountability Act

Washington's Offender Accountability Act, passed in the 1999 Legislative Session, became effective on July 1, 2000. This is a comprehensive piece of legislation that changes the way the Department of Corrections supervises offenders in the community. A risk assessment process (discussed on the next page) is a key element in this new community custody approach. Overall, under this new classification system, more violent and sex offenders are being defined as high risk, and more drug offenders are being defined as moderate and low risk than under the system in effect before July 2000.

DOC has implemented major elements of the Act, including: a systematic means to assess community risk; risk assessments for offenders who had a pre-sentence investigation ordered by Superior Court and those who required face-to-face supervision; a system of graduated sanctions for violations and associated hearings of community custody conditions; and a county jail bed utilization protocol.

Risk-Based Models

DOC's current risk-based model uses an assessment tool (Level of Service Inventory-Revised, LSI-R) to evaluate an offender's likelihood to re-offend, and combines this assessment with risk management identification (RMI) criteria to classify offenders into four risk management levels – from highest to lowest risk. Other states using similar tools and approaches are generally positive about their potential impacts for improving public safety. They acknowledge, however, that the potential impacts come at a price – investment of time and money to ensure that risk management is properly planned and implemented, with an emphasis on providing staff with ongoing, appropriate training. Lessons learned from other states are that a risk-based model:

- Can assist the management of caseloads by identifying high-risk offenders and appropriate interventions, and help with assessing treatment needs and assigning supervision based on offenders' risks to re-offend.
- Cannot tell the precise level of supervision resources needed by different types of offenders; which specific supervision conditions or interventions are effective for which offenders; or what types of future offenses will be committed by those at high, or even low, risk of re-offending.
- Should not be tied rigidly to the staff allocation and budget process, which can create incentives for manipulating the model and hence jeopardizing its objectivity.

Using a valid assessment tool to determine risk, however, is an improvement over past DOC practices, as is the Legislature's direction to allocate scarce supervision resources to those posing a higher risk to public safety. Nevertheless, **JLARC's assessment is that presently, neither the Department nor the Legislature can know whether or not the use of this risk-based approach is yielding improvements to public and community safety.** The Washington State Institute for Public Policy's examination of

impacts, over the longer-term, may possibly shed some light about future benefits from this risk-based approach. However, it may be difficult to measure what supervision strategies work best, and how resource allocations to DOC community supervision will affect the way strategies are implemented.

Response From The Field

JLARC found wide support among field staff for the policy change of assessing risk, classifying offenders according to risk, and allocating supervision resources according to risk. However, the implementation of this policy change has led to considerable frustration among field staff. Problems include:

- Community corrections officers spend much more time on data entry, as well as on interpreting rapidly changing policies and procedures, and much less time supervising offenders.
- Supervision is often minimal for low-risk offenders, especially drug offenders, some of whom have the potential—despite their risk classification—of committing crimes.
- Use of professional judgment, and associated approval of it, to override an outcome of the assessment tool is difficult to employ and, thus, is not being used.
- Timely training on the full use of assessment tools is lacking.

Summary Of JLARC Recommendations

1. DOC should ensure that sentencing and supervision conditions are fully enforced.
2. DOC should maintain and communicate an accurate, consistent, and easy-to-understand count of community supervision cases.
3. DOC should develop an accurate workload model to reflect how much time it takes to do various community supervision-related tasks.
4. DOC should develop and implement a plan with staff involvement to improve communication between management and staff.
5. DOC should establish protocols for staff training.
6. DOC and Washington State Institute for Public Policy should re-examine the utility of legislatively mandated evaluation (currently embarked upon by the Institute) for assessing the effectiveness of the Offender Accountability Act.