Innovations in Gender-Informed Pretrial Practice for Women:
Screening and Referral Networks in Hamilton County, Ohio

National Resource Center on Justice Involved Women

NAPSA's 40th Annual Conference and Training Institute
Monday, August 20, 2012 – 10:30 am – 12 noon
Presenters: Dr. Krista Gehring, Wendy Niehaus and Phyllis Modley

Percentage Increase of Men and Women Under Correctional Supervision, 1990-2000

<table>
<thead>
<tr>
<th>Correctional Supervision</th>
<th>Women</th>
<th>Men</th>
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<tr>
<td>Correctional Supervision</td>
<td>81%</td>
<td>45%</td>
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<tr>
<td>Prison</td>
<td>108%</td>
<td>77%</td>
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<td>Jail</td>
<td>89%</td>
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By the end of 2006, the number of women under criminal justice supervision had reached over 1.3 million.

Why are More Women Entering the Criminal Justice System?

- The War on Drugs
  - The number of women in state prisons for drug offenses rose by 888% from 1986 to 1996
- Tough on Crime” Policies
- Reduced Funding for Mental Health

The Female Offender

- Early 30’s
- Drug related crimes
- Undereducated/unskilled
- Poverty
- Unemployed
- Disproportionately women of color
- Mothers to minor children
- Victims of physical and/or sexual abuse
- Substance abuse problems
- Health problems
- Mental health issues

Pathways Perspective

Suggests women enter the criminal justice system through different pathways than men.

Examines the lives of women prior to incarceration.

Looks at how experiences shape pathways to offending.
Components of the Pathways Perspective

- Histories of Personal Abuse
- Mental Illness
- Substance Abuse
- Economic and Social Marginality
- Homelessness
- Relationships

What is “Gender-Responsive?”

- Acknowledges the realities of women’s lives and how they may differ from men, including the pathways to offending and how relationships shape their lives.

- Practices address issues like violence, abuse, family relationships, and substance abuse

Gender-Responsive Risk/Needs Factors

- Multidisciplinary review
- Psychology, substance abuse, mental health, family violence, health, trauma, employment, and education regarding women
- Important targets to reduce likelihood of recidivism

Example of Two Pathways Women Might Travel into the Criminal Justice System

Child Abuse (Physical and Sexual) → Mental Illness → Substance Abuse → Offending Behavior

Child Abuse (Physical and Sexual) → Running Away → “Survival Behavior” (e.g., prostitution, drug use) → Offending Behavior

How do we develop gender-responsive policies, programs, and practices?

- System should be different from male system
- Target women’s pathways to criminality and issues involved with them
- Recognize the minimal danger women generally present to society
- Recognize importance of relationships

Gender-Responsive Risk/Needs

- Relationship Dysfunction
- Family Conflict
- Child Abuse
- Adult Victimization
- Parental Involvement
- Parental Stress
- Housing Safety
- Depression/anxiety (symptoms)
- Psychosis (symptoms)
Gender-Neutral Risk/Needs Assessments and Women Offenders

- They were designed for men and applied to women, with little concern for appropriateness.
- They are valid.
- Existing risk/needs assessments do not tap needs most pertinent to women.
- Existing risk/needs assessments don’t help us to understand these women as best we could.
- Results of an NIC study to develop women’s risk/needs assessments found additional needs/risk factors for women.

Gender-Responsive Risk/Needs Instrument

- Criminal history
- Criminal thinking (sample variations)
- Antisocial attitudes
- Parental stress (community)
- Family conflict
- Substance abuse
- Mental health history
- Depression/anxiety (symptoms)
- Psychosis (symptoms)
- Anger
- Housing problems
- Low family support
- Employment/education
- Self
- Child abuse
- Relationship dysfunction
- Parental involvement
- Disabilities

And strengths (self-efficacy, family support, parental involvement, and educational assets)

Extending Evidence-Based Practice

Table 1: Comparative Predictive Validity of Assessment Models

<table>
<thead>
<tr>
<th>Risk Factor</th>
<th>Prison Samples</th>
<th>Probation Samples</th>
<th>Pre-Sentencing</th>
<th>Pre-Sentence Factors</th>
<th>Pre-Sentence Factors</th>
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<td>1. Gender (Total)</td>
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What’s Important for Institutional Environments?

Gender-Neutral Factors
- Criminal history
- Antisocial attitudes
- Family conflict
- Substance abuse

Gender-Responsive Risk Factors:
- Family conflict
- Mental health history
- Depression (symptoms)
- Psychosis (symptoms)
- Anger
- Relationship dysfunction
- Child abuse
- Self-efficacy
- Family support

Strengths:
- Employment/education
- Poverty
- Housing safety
- Adult victimization

What’s Important for Pre-Release Environments?

Gender-Neutral Factors
- Criminal history
- Antisocial attitudes
- Family conflict
- Substance abuse

Gender-Responsive Risk Factors:
- Housing safety
- Mental health history
- Depression
- Family conflict
- Psychosis
- Anger
- Parental stress
- Victimization as an adult

Strengths:
- Self-efficacy
- Family support
- Educational assets
- Parental involvement

National Institute of Corrections/University of Cincinnati Collaboration

- Development of a gender-responsive risk/needs assessment tool
- Women’s Risk/Needs Assessment (WRNA)
- Research with this tool has been conducted in institutional and community settings, and most recently, the pretrial stage.

Regional Resource Center on Justice Involved Women
What's Important for Community Environments?

Gender-Responsive Risk Factors
- Housing safety
- Mental health history
- Depression (symptoms)
- Psychosis
- Family conflict
- Anger
- Parental stress
- Victimization as an adult
- Dysfunctional relationships

Strengths
- Educational assets
- Self-efficacy
- Family support

Gender-Neutral Factors
- Criminal history
- Antisocial attitudes
- Financial/employment
- Education
- Antisocial friends
- Substance abuse

Hamilton County Women's Assessment Project

Three-year evaluation relating to the arrest, incarceration, assessment, and treatment of women (Grace, O'Donnell, Walters, Smitsn, 1999)
- Identified similar gender-responsive risk/need factors
- If undetected, put women at higher risk of pretrial misconduct
- Few if any validated gender-responsive risk/needs assessment tools existed
- Endeavored to create an EB gender-responsive screening and treatment intervention process that would reduce the high incidence of pretrial detention and incarceration of women

National Institute of Corrections/University of Cincinnati Collaboration

Unable to conduct construction validation; pretrial component was not funded

In April 2007, Hamilton County, OH began to use the tool for program referrals

Administered tool to both women and men

2009 validation funding provided to the University of Cincinnati by The Health Foundation of Greater Cincinnati

Inventory of Need Domains
- Residence
- Family of Origin
- Significant Other
- Children
- Education
- Financial
- Medical
- Trauma
- Mental Health
- Support and Barriers
- Programming Goals
- Financial Worksheet

Research in the Pretrial Realm

Variation of the WRNA in Hamilton County, Ohio
- Inventory of Need Pretrial Screening Tool
- Looked at both male and female pretrial defendants (N=266)
- Were these needs related to pretrial failure?
  - FTAs
  - New Arrests
  - Any Failures
- Did these needs differ for men and women?
Needs/Scales in the Study

Gender-Neutral
- Criminal History (risk)
- Employment
- Educational Need
- Substance Abuse

Gender-Responsive
- Abuse
- Trauma
- Mental Health
- Homelessness
- Family Support

Prevalence of Needs

- Criminal History (risk)
- Substance Abuse

Needs Related to Pretrial Failure

FTAs
- Criminal History
- Employment
- Substance Abuse
- Abuse
- Trauma
- Mental Health
- Homelessness
- Family Support

New Arrests
- Criminal History (6 Mo)
- Employment
- Substance Abuse
- Abuse
- Trauma
- Mental Health
- Homelessness
- Family Support

Any Failure
- Criminal History
- Employment
- Substance Abuse
- Abuse
- Mental Health
- Homelessness
- Family Support

Overall...

Gender-Neutral Scales
- Men
  - FTAs
  - New arrests
  - Any failures
- Women
  - FTAs
  - New Arrests
  - Any failures

Gender-Responsive Scales
- Men
  - FTAs
  - Any Failures
- Women
  - FTAs
  - New arrests
  - Any failures
The Importance of FTAs
- This failure could contribute to individuals being drawn further into the system
- Once individuals are in the system, it is difficult for them to extricate themselves
- More factors are related to FTAs, including mental health and trauma—this is especially true for women

The Importance of Pretrial Needs
- Addressing these needs (both gender-neutral and gender-responsive) could reduce the likelihood of pretrial failure
- Pretrial agencies could use information about pretrial needs to connect defendants to appropriate services during the pretrial stage

Hamilton County Gender Responsive Screening and Assessment Tools
- Can easily be incorporated into pretrial release screening and supervision processes to identify and respond to the needs of women early on in the criminal justice process
- Can minimize pretrial misconduct through progressive intervention strategies
  - Suggests the need for brief interventions and/or the need for more comprehensive assessing
  - Facilitates engagement to meet immediate and long term needs of women within their communities
  - Informs judges of meaningful pretrial release options

Integrating Gender Responsive Resources into the Legal Framework
- Pretrial Services Agencies (PSA) are uniquely positioned to broker an array of services to meet the needs women at the gateway of the criminal justice system.
- PSA’s can partner across stakeholder groups and community-based resources to access brief interventions to lay the groundwork for an uninterrupted EBP continuity of care model that promotes escalated levels of effective intervention post-adjudication.
- Agreements to Blend Funding to intervene early on
- Reimbursements to PSA by behavioral health and health providers for client arrest and linkage information
- Grants/Seed funding to demonstrate improved outcomes

Important Considerations
- State/Local Laws on Bail
- Laws Protecting Confidentiality
- Existing Gender Responsive Resources for Women
- Local System’s Training Needs
- Willingness to build Women’s Collaborative
- Strategic Allocation of Resources
  - Responsive, Trained Staff
  - Integrated Information Systems
  - Ability to catalog risk and respond appropriately within the legal framework
  - Sharing with whom, when, and for what purpose?

National Resource Center on Justice Involved Women (NRCJIW) was established by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance in partnership with the National Institute of Corrections.

The NRCJIW advances evidence-based, gender-responsive practices for all women involved in the justice system.

Ultimately, with the aim of reducing recidivism and increasing successful outcomes for women involved in the justice system.
The National Resource Center is administered by the Center for Effective Public Policy (www.cepp.com) and its partners:
- CORE Associates  http://coreassociates.org
- Orbis Partners, Inc.  www.orbispartners.com
- The National Center for Trauma-Informed Care  www.samhsa.gov/ncitc
- The Moss Group  www.mossgroup.us
- National Institute of Corrections  http://nicic.gov
- University of Cincinnati, School of Criminal Justice  http://www.cECH.uc.edu/criminaljustice
- Women’s Prison Association  www.wpaonline.org

The Resource Center Partners provide guidance and support to criminal justice and other professionals who work with justice involved women. Such as:
- Criminal Justice Stakeholders
- Law Enforcement
- Courts
- State and Local Pretrial Services and Corrections
- Community Corrections and Supervision
- State and Local Government Officials
- Service Providers

The Resource Center’s Mission and Audience

Provide guidance and support to criminal justice and other professionals who work with justice involved women.

Primary Activities
- Targeted Technical Assistance
- Training and Webinars on Key Topics
- Centralized referral for evidence-based, gender-responsive research, knowledge and resources
- Policy and Practice Briefs, Coaching Packets
- Professional Network

Targeted TA Areas and Examples
1. Gender-Informed Policy and Practice:
   - Increase awareness of gender responsive strategies among stakeholders, agency leadership and staff
   - Train staff about effective strategies for working with justice involved women
   - Establish a working committee to advance gender responsive approaches in your jurisdiction/agency
   - Develop a gender responsive strategic plan
   - Conduct a gender-informed review of your current policies and practices
   - Develop specific gender-informed policies and practices (handling of misconducts and disciplinary reports, transport and delivery for pregnant women, programming, sexual safety, etc.)

2. Assessment and Classification:
   - Learn more about gender-informed assessment and classification tools (pretrial through reentry and supervision in the community)
   - Develop a strategic plan to incorporate gender specific assessment and/or classification tools into your current system (including readiness assessment)
   - Train staff on the use of gender-informed tools
   - Develop a plan/Implementing gender-informed assessment and classification
   - Develop/implement a quality assurance/continuous quality improvement plan to assure you achieve the results you anticipate

3. Culture and Offender Management
   - Conduct a gender-informed review of rules and expectations
   - Develop methods for motivating positive behaviors
   - Gain a greater understanding of how disciplinary practices effect behavior
   - Develop strategies for promoting environments of safety, dignity and respect
Targeted TA Areas and Examples

4. Case Work/Discharge and Reentry Planning
   - Provide professionals, case managers and supervision officers with the knowledge and skills necessary to work with women involved in the criminal justice system
   - Skill based training for staff
   - Implement the Women Offender Case Management Model (WOCMM)
   - Establish gender specific caseloads
   - Link assessment and case management information
   - Develop treatment plans
   - Learn effective communication and interactions skills

Targeted TA Areas and Examples

5. Community Partnerships
   - Identify organizations to partner with
   - Develop partnerships with community organizations
   - Conduct multidisciplinary training for staff and community partners about effective strategies for working with justice involved women

Join our mailing list and visit our website:
www.cjinvolvedwomen.org