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Innovations in Gender-Informed Pretrial Practice for Women:

Screening and Referral Networks in Hamilton County, Ohio

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

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Men and Women in State Prisons

Estimated percent of sentenced prisoners under State jurisdiction, by offense and sex, yearend 2004

Offense Type	Male (%)	Female (%)
Violent Offenses	53%	34%
Property Offenses	20%	31%
Drug Offenses	19%	29%

Bureau of Justice Statistics (2007). *Prisoners in 2006*. Washington D.C.: U.S. Department of Justice

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

	Women	Men
Correctional Supervision	81%	45%
Prison	108%	77%
Jail	89%	48%

By the end of 2006, the number of women under criminal justice supervision had reached over 1.3 million.

Bureau of Justice Statistics (2001). *Prison and Jail Inmates at midyear 2000*. Washington D.C.: U.S. Department of Justice; Bureau of Justice Statistics (2007). *Prisoners in 2006*. Washington D.C.: U.S. Department of Justice; Bureau of Justice Statistics (2001). *National correctional population*. Washington D.C.: U.S. Department of Justice

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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

Blanchette, K. & Brown, S. (2006). *The assessment and treatment of women offenders*. West Sussex, England: John Wiley & Sons, Ltd.; Maurer, M., Poñer, C., & Wolf, R. (1997). *Gender and justice: Women, drugs, and sentencing policy*. The Sentencing Project.

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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

Bloom, B., Owen, B., & Covington, S. (2003). *Gender-responsive strategies: research, practice, and guiding principles for women offenders*. Washington D.C.: U.S. Department of Justice

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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.

Blanchette, K. & Brown, S. (2006). *The assessment and treatment of women offenders*. West Sussex, England: John Wiley & Sons, Ltd.; Bloom, B., Owen, B., & Covington, S. (2003). *Gender-responsive strategies: research, practice, and guiding principles for women offenders*. Washington D.C.: U.S. Department of Justice

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Components of the Pathways Perspective

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

Bloom, B., Owen, B., & Covington, S. (2003). *Gender-responsive strategies: research, practice, and guiding principles for women offenders*. Washington D.C.: U.S. Department of Justice

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

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    graph LR
      A1[Child Abuse (Physical and Sexual)] --> B1[Mental Illness]
      B1 --> C1[Substance Abuse]
      C1 --> D1[Offending Behavior]
      
      A2[Child Abuse (Physical and Sexual)] --> B2[Running Away]
      B2 --> C2["Survival Behavior" (e.g., prostitution, drug use)]
      C2 --> D2[Offending Behavior]
    
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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

Bloom, B., Owen, B., & Covington, S. (2003). *Gender-responsive strategies: research, practice, and guiding principles for women offenders*. Washington D.C.: U.S. Department of Justice

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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

Bloom, B., Owen, B., & Covington, S. (2003). *Gender-responsive strategies: research, practice, and guiding principles for women offenders*. Washington D.C.: U.S. Department of Justice

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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

Bloom, B., Owen, B., & Covington, S. (2003). *Gender-responsive strategies: research, practice, and guiding principles for women offenders*. Washington D.C.: U.S. Department of Justice

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Gender-Responsive Risk/Needs

Relationship Dysfunction	Family Conflict	Child Abuse
Adult Victimization	Parental Involvement	Parental Stress
Housing Safety	Depression/anxiety (symptoms)	Psychosis (symptoms)

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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

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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

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Gender-Responsive Risk/Needs Instrument

- Criminal history
- Criminal thinking (sample variations)
- Antisocial associates
- Vocational/educational
- Financial problems
- Low family support
- Housing problems
- Substance abuse
- Mental health history
- Depression/anxiety (symptoms)
- Psychosis (symptoms)
- Child abuse (institutions)
- Adult victimizations (sample variations)
- Relationship dysfunction
- Parental stress (community)
- Housing safety (community)

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

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Extending Evidence-Based Practice

Table 1: Comparative Predictive Validity of Assessment Models

Risk Factor	Prison Samples						Pre-release Samples					
	Colorado ¹ (N=186)		Missouri ² (N=272)		Missouri ³ (N=198)		Missouri ⁴ (N=143)		Missouri ⁵ (N=235)		Missouri ⁶ (N=136)	
	F	AUC	F	AUC	F	AUC	F	AUC	F	AUC	F	AUC
1. Static Models	—	—	.17***	.57	.23***	.63	—	—	.23***	.66	.32***	.71
2. Gender-Neutral Risk/Needs	.16**	.59	.20***	.61	.30***	.68	.24***	.67	.31***	.71	.36***	.72
3. Gender-Responsive (Total)	.27***	.62	.36***	.66	.33***	.70	.32***	.74	.35***	.74	.37***	.73
4. Gender-Responsive, Alone	.27***	.62	.32***	.66	.27***	.66	.30***	.74	.34***	.74	.31***	.73

***p < .01
**p < .05
*p < .10
¹Outcome measure is serious misconducts within 6 months, not including minor forms of misbehavior.
²Outcome measure is serious misconducts within 12 months, not including minor forms of misbehavior.
³Outcome measure is incarcerated within 24 months.
⁴Outcome measure is new arrests within 12 months.
⁵Outcome measure is new arrests within 24 months.
⁶Outcome measure is technical violation, new arrest, or any failure (mean time at risk = 17 months).
⁷Outcome measure is return to prison within 24 months.

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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

Strengths

- Self-efficacy
- Family support

Re-entry Needs

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

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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
- Dysfunctional relationships

Strengths

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

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What's Important for Community Environments?

Gender-Neutral Factors

- ▶ Criminal history
- ▶ Antisocial attitudes
- ▶ Financial/employment
- ▶ Education
- ▶ Antisocial friends
- ▶ Substance abuse

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

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Hamilton County Women's Assessment Project

Three-year evaluation relating to the arrest, incarceration, assessment, and treatment of women (*Grace, O'Donnell, Walters, Smitson, 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

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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

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Inventory of Need Domains

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

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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?

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Needs/Scales in the Study

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    graph TD
      A[All items in a domain] --> B[Predictive items]
      B --> C[Scale]
    
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Needs/Scales in the Study

<p>Gender-Neutral</p> <ul style="list-style-type: none"> ○ Criminal History (risk) ○ Employment ○ Educational Need ○ Substance Abuse 	<p>Gender-Responsive</p> <ul style="list-style-type: none"> ○ Abuse ○ Trauma ○ Mental Health ○ Homelessness ○ Family Support
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Prevalence of Needs



- Criminal History (risk)
- Substance Abuse

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Prevalence of Needs



- Abuse
- Trauma

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Needs Related to Pretrial Failure

<p>FTAs</p> <ul style="list-style-type: none"> ○ Criminal History ○ Substance Abuse ○ Trauma ○ Mental Health ○ Homelessness ○ Family Support 	<p>New Arrests</p> <ul style="list-style-type: none"> ○ Criminal History ○ Employment ○ Educational Need ○ Substance Abuse 	<p>Any Failure</p> <ul style="list-style-type: none"> ○ Criminal History ○ Employment ○ Educational Need ○ Substance Abuse ○ Trauma ○ Mental Health (6 Mo) ○ Homelessness ○ Family Support
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Needs Related to Pretrial Failure

<p>FTAs</p> <ul style="list-style-type: none"> ○ Criminal History ○ Employment ○ Substance Abuse ○ Abuse ○ Trauma ○ Mental Health ○ Homelessness ○ Family Support 	<p>New Arrests</p> <ul style="list-style-type: none"> ○ Criminal History (6 Mo) ○ Employment ○ Substance Abuse ○ Abuse ○ Mental Health ○ Homelessness 	<p>Any Failure</p> <ul style="list-style-type: none"> ○ Criminal History ○ Employment ○ Substance Abuse ○ Abuse ○ Mental Health ○ Homelessness ○ Family Support
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Overall...

<p>Gender-Neutral Scales</p> <ul style="list-style-type: none"> ○ Men <ul style="list-style-type: none"> ☑ FTAs ☑ New arrests ☑ Any failures ○ Women <ul style="list-style-type: none"> ☑ FTAs ☑ New Arrests ☑ Any failures 	<p>Gender-Responsive Scales</p> <ul style="list-style-type: none"> ○ Men <ul style="list-style-type: none"> ☑ FTAs ☑ Any Failures ○ Women <ul style="list-style-type: none"> ☑ FTAs ☑ New arrests ☑ Any failures
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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

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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

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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

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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

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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?

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The **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.

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The Resource Center Partners

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/nctic
- 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

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The Resource Center's Mission and Audience

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

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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

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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.)

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Targeted TA Areas and Examples

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

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Targeted TA Areas and Examples

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

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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

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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

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