

# National Resource Center

## on Justice Involved Women

### Jail Tip #5: Use Gender Responsive Assessment Tools

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Jail staff may know very little about the risk and needs of the women held in their facility. If an assessment is conducted, it typically includes the use of a static risk assessment tool that measures gender neutral risk factors for committing misconducts while incarcerated, new offenses if released and/or failing to appear in court. Although jurisdictions may conduct some additional assessments of specific needs, such as mental health and substance abuse screenings,<sup>1</sup> women in jails are not generally assessed for the specific (i.e., gender responsive) needs that are predictive of their success in the community if released.

There is growing awareness that jail overcrowding may be exacerbated by unnecessary admissions of low risk women or of troubled women who enter through failures to appear in court or minor offenses committed as a result of unaddressed needs.<sup>3</sup> While jail leadership and staff often have little control over the population for which they are responsible, there remains some value in using gender responsive risk/needs assessments to aid in their decision making. For example, such information can inform jail officials' decisions to partner with mental health, substance abuse, housing, child welfare, and other social service departments in order to better address women's serious needs. Further, research findings support the notion that identifying gender responsive needs can be useful in predicting institutional misconducts and the likelihood of success in the community (i.e., no more offenses)<sup>4, 5</sup>

In addition to pretrial and classification decisions, risk and needs assessments can be valuable tools in guiding decisions at other key decision points such as diversion, eligibility for specialty courts, or appropriateness for community interventions (see Exhibit 1).

This tip sheet explores the opportunities for using a gender responsive risk and needs assessment at early decision points.

#### **Gender neutral risk factors or needs**

are those factors that are predictive of future behaviors, such as committing another crime, for both men and women.

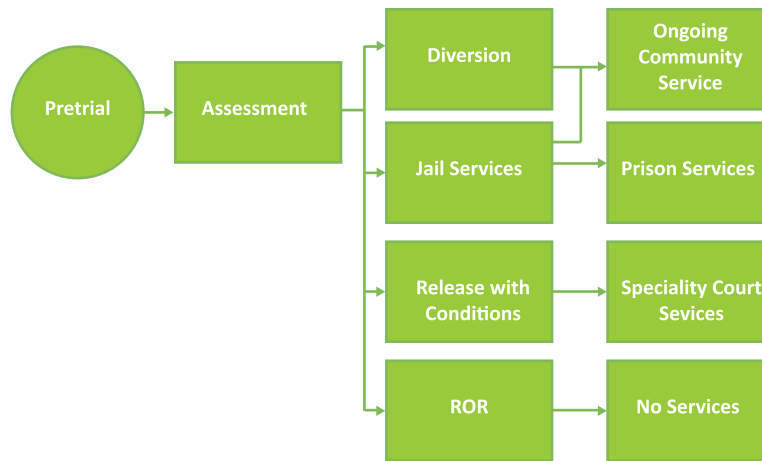
#### **Gender responsive risk factors or needs**

are those that are important for women but not for men.

Research indicates that for women, **gender neutral and gender responsive factors** together are more predictive of outcomes that either on their own.<sup>2</sup>

**This tip sheet is one in a series.**  
**For more tip sheets, visit <http://cjinvolvedwomen.org/jail-tip-sheets/>.**

**Exhibit 1. Assessment-Based Pre-entry Model**



**Development of Gender Responsive Assessment Tools**

While the majority of research on risk and needs has been conducted on post-conviction populations of both men and women together (e.g., probation, prisons, parole),<sup>6</sup> there has been a push in recent years to validate need assessments on pretrial populations<sup>7</sup> as well as on women as a distinct group.<sup>8</sup> One assessment developed in response to the lack of gender responsive tools is the Women’s Risk/Needs Assessment (WRNA) that is now in use in over 30 jurisdictions throughout the United States.<sup>9</sup> The needs assessed by the WRNA reflect the prevailing research on justice involved women which finds that women’s pathways to offending are likely to involve abuse and trauma, substance abuse, poverty, mental health, and relationship issues. The most recent research on gender responsive assessments focuses on female pretrial populations. While still in its preliminary stages, this has involved the development of a pretrial version of the WRNA, called the Women’s Pretrial Inventory of Need (ION). Exhibit 2 provides examples of assessment tools and scales.

**Exhibit 2. Examples of Assessment Tools and Scales**

Pretrial <sup>10</sup>	Jail <sup>11</sup>	Dynamic Risk/Needs <sup>12</sup>	WRNA <sup>13</sup>	ION <sup>14</sup>
<ul style="list-style-type: none"> <li>• Pending charge</li> <li>• Outstanding warrants</li> <li>• Criminal history</li> <li>• Prior FTAs</li> <li>• History of violence</li> <li>• Residential stability</li> <li>• Employment</li> <li>• Drug history</li> </ul>	<ul style="list-style-type: none"> <li>• Severity of current charge</li> <li>• Serious offense history</li> <li>• Escape history</li> <li>• Disciplinary history</li> <li>• Prior felonies</li> <li>• Substance use</li> <li>• Stability factors</li> </ul>	<ul style="list-style-type: none"> <li>• Criminal history</li> <li>• Antisocial associates</li> <li>• Antisocial attitudes</li> <li>• Family/marital</li> <li>• Use of leisure time</li> <li>• Substance abuse</li> <li>• Residential</li> <li>• Emotional/personal</li> <li>• Education/employment</li> </ul>	<ul style="list-style-type: none"> <li>• Criminal history</li> <li>• Antisocial associates</li> <li>• Education</li> <li>• Family conflict</li> <li>• Substance abuse</li> <li>• Housing safety</li> <li>• Mental health history</li> <li>• Current depression or psychosis</li> <li>• Abuse/trauma</li> <li>• Relationship dysfunction</li> <li>• Parental issues</li> <li>• Anger</li> <li>• Self-efficacy</li> <li>• Family support</li> <li>• Educational assets</li> </ul>	<ul style="list-style-type: none"> <li>• Criminal history</li> <li>• Employment</li> <li>• Education</li> <li>• Substance abuse</li> <li>• Abuse/trauma</li> <li>• Mental health</li> <li>• Homelessness</li> <li>• Family support</li> <li>• Parenting</li> <li>• Personal safety</li> </ul>

**Supporting Research**

Although the WRNA has been validated in probation, parole, and prison settings,<sup>15</sup> research on pretrial and jail populations is only beginning to emerge. One recent study,<sup>16</sup> however, showed important differences between male and female defendants:

- Compared to men, women are far less likely to incur any pretrial failures (10% vs. 27%, respectively) and are less likely to incur new arrests (6% vs. 18%) by 6 months following arrest.
- Women are also significantly more likely to be assessed as low risk (51%) than men (33%).

This study also gave further insight into the types of needs that predispose women to adverse outcomes while on pretrial supervision:

- Women who are cited for failures to appear are significantly more likely than their successful counterparts to score high on measures of criminal history, abuse, trauma, mental health, substance abuse, unemployment, limited family support, and homelessness. Thus, troubled women incur a greater risk of further justice system processing.
- Although new arrests are few in number, criminal history, unemployment, substance abuse, mental health, abuse, and homelessness are significant risk factors.

Adding needs, particularly gender responsive needs, to the prediction of adverse outcomes results in a much more valid assessment instrument for women than one containing only static criminal history items.

### **Pretrial Case Study**

A study currently underway on the use of the ION in Dutchess County, New York, illustrates its utility. Following staff training on interviewing and case management strategies associated with the ION, the county implemented the tool. Because of high case volumes, the county does not administer the ION to women who score low risk on a static pretrial risk assessment. Anecdotal accounts are instructive. First, it is important to note that officials report that implementing the assessment tool was only part of the change process. More difficult was the formation of constructive working relationships with community partners willing to provide gender responsive services. Second, the assessment received favorable reactions from most of the women. Given their legal status, pretrial clients must be given the opportunity to volunteer to take the ION, and most did. Moreover, because gender responsive assessments obtain a richer picture of women's lives than static criminal history assessments, they often led to better, more trusting working relationships between clients and case managers. Finally, there are accounts of clients whose important serious needs would not have been known without the use of the tool.

### **Action Steps Jail Leadership Can Take to Implement Gender Responsive Assessments**

#### **1. Conduct a review of current assessment and classification tools and summarize the state of current data/information on women in the jail.**

- What tools are currently used (pretrial, classification, risk and needs assessment)?
- How long does it take to complete each assessment?
- What data is collected and analyzed regarding assessments? For example, overall, what is the risk level of the pretrial and jail populations? Is data retrievable for the female population only?
- Are existing tools "normed" on the female population? That is, have studies been conducted on the female population alone to determine if their risk scores or needs are different than those of men?
- Who uses the assessment information? For what kinds of decisions is the information used?

#### **2. Determine what would be required to integrate a gender responsive assessment into the current assessment process (or to replace existing tool(s) for use with women).**

- Become familiar with the literature on gender responsive assessments.
- Map the flow of women into and through the jail facility to determine likely decision points for conducting assessments (e.g., pretrial, intake and classification, pre-sentence).
- Seek out training and technical assistance to plan for and implement a gender responsive assessment.
- Determine what quality assurance measures will be required to implement the assessment with fidelity (e.g., periodic case audits to ensure assessments are being completed in a timely manner, reviews of recorded interviews, question and answer sessions for staff, the development of an internal capability to train and retrain staff).

#### **3. Engage partners in the process of change.**

- Identify and invite community partners (substance abuse, mental health, housing, child care, social services, and other community providers) to participate in planning and training activities.
- Invite community partners and representatives from the judiciary and other justice system agencies to participate in strategic planning activities.

**This document is one in a series of tip sheets developed by the NRCJIW to facilitate the implementation of gender informed approaches in jail settings. These tip sheets were developed based on recommendations from the Women in Jails Summit held in October 2014. For additional resources on this topic or to access additional tip sheets, visit <http://cjinvolvementwomen.org/jail-tip-sheets/>.**

### Notes

1. Pretrial Justice Institute. (2009, August 11). 2009 survey of pretrial services programs. Retrieved from <http://www.pretrial.org/download/pji-reports/new-PJI%202009%20Survey%20of%20Pretrial%20Services%20Programs.pdf>
2. Van Voorhis, P., Wright, E. M., Salisbury, E., & Bauman, A. (2010). Women's risk factors and their contribution to existing risk/needs assessment: The current status of a gender-responsive supplement. *Criminal Justice and Behavior*, 37, 261–288. <http://dx.doi.org/10.1177/0093854809357442>
3. Ney, B., & Martin, T. K. (2005, December). Using jail exit surveys to improve community responses to women offenders. Retrieved from National Institute of Corrections website: <https://s3.amazonaws.com/static.nicic.gov/Library/020853.pdf>
4. It should be noted that gender responsive tools such as the Women's Pretrial Inventory of Need (ION) and the Women's Risk/Needs Assessment (WRNA) have not been tested on jail populations. However, several studies of incarcerated women have found that women with gender neutral and gender responsive needs were more likely to incur serious misconducts. See: Van Voorhis et al., 2010.
5. A recent study of 500 women released from a jail treatment setting in Cook County, Illinois, found the following risk/need factors associated with new offenses over a 12-month period: criminal history, education, unemployment, antisocial friends, substance abuse, family conflict, housing safety, mental health history, abuse, parental stress, and dysfunctional relationships. See: Van Voorhis, P., Bauman, A., & Gehring, K. S. (2015). Validation of the Women's Risk/Needs Assessment in the Cook County Department of Women's Justice Services. Cincinnati, OH: University of Cincinnati Corrections Institute.
6. Andrews, D., & Bonta, J. (2010). *Psychology of criminal conduct* (5th ed.). Cincinnati, OH: Anderson. <http://dx.doi.org/10.4324/9781315721279>
7. See, for example, Risk-Based Pretrial Release Recommendation and Supervision Guidelines: Exploring the Effect on Officer Recommendations, Judicial Decision-Making, and Pretrial Outcome. Retrieved from <http://luminosity-solutions.com/site/wp-content/uploads/2014/02/Risk-Based-Pretrial-Guidelines-August-2015.pdf>
8. A cooperative agreement between the National Institute of Corrections and the University of Cincinnati found that the gender neutral predictive needs identified in the literature were incomplete for women offenders. This finding resulted in the development of the Women's Risk/Needs Assessment (WRNA).
9. See <http://www.uc.edu/womenoffenders>.
10. An example is the Virginia Pretrial Risk Assessment: Van Nostrand, M. (2003). Assessing risk among pretrial defendants in Virginia: The Virginia Pretrial Risk Assessment Instrument. Retrieved from Virginia Department of Criminal Justice Services website: <https://www.dcjs.virginia.gov/corrections/riskAssessment/assessingRisk2003.pdf>
11. Austin, J. (1998, February). Objective jail classification systems: A guide for jail administrators. Retrieved from National Institute of Corrections website: <https://s3.amazonaws.com/static.nicic.gov/Library/014373.pdf>
12. An example is the Level of Service Inventory (LSI-R): Andrews, D., & Bonta, J. (1995). *The LSI-R: The Level of Service Inventory-Revised*. Toronto, Canada: Multi-Health Systems.
13. An example is the Women's Risk/Needs Assessment: Van Voorhis, P., Salisbury, E., Wright, E., & Bauman, A. (2008, January). Achieving accurate pictures of risk and identifying gender responsive needs: Two new assessments for women offenders. Retrieved from National Institute of Corrections website: <https://s3.amazonaws.com/static.nicic.gov/Library/022844.pdf>
14. An example is the Inventory of Need: Gehring, K. S., & Van Voorhis, P. (2014). Needs and pretrial failure: Additional risk factors for female and male pretrial defendants. *Criminal Justice and Behavior*, 41, 1–28. <http://dx.doi.org/10.1177/0093854814538022>
15. Van Voorhis et al., 2010.
16. Gehring & Van Voorhis, 2014.