



An Evaluation and Sustainability Resource Brief

## Risk Assessment and Racial Equity: Making Your Reentry Program Evaluation Part of the Conversation

### Calculated Risks: The Use of Standardized Tools for Risk Assessment

At every point in criminal justice system decision-making, system actors consider the likelihood of certain future events, such as criminal activity, acts of violence, rearrest, and reconviction. These considerations factor into decisions about pretrial release and bond amounts, sentencing, reentry planning, community supervision, and post-release services (Picard, Rempel, et al., 2017).

Historically, the assessment of such risks has relied on individual judgments—judgments that have been shown to be affected by the implicit biases of key decision-makers, particularly judges (Arnold et al., 2018). Beginning in the early twentieth century and with considerable momentum from the 1990s onward, many American jurisdictions have adopted standardized, mathematical models to guide judicial and parole decisions (Eckhouse et al., 2018).

Today, standardized risk assessment tools such as the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) tool, the Level of Service Inventory–Revised (LSI-R), and the Ohio Risk Assessment System (ORAS) are often given before a person is released from jail or prison. Most Second Chance Act (SCA)-funded or other reentry programs rely on these scores to identify people who are eligible for participation in their pre- and post-release services, typically focusing on those who are assessed as being at a moderate to high risk of future arrest. Reentry programs may also use the results of risk assessments, when administered at intake and program completion, to assess whether a participant’s risk of recidivism (based on dynamic criminogenic needs, rather than static factors) has decreased over their period of program participation.

Many important questions have been raised about how the use of standardized risk assessment tools might affect racial disparities in the criminal justice system, however. Reentry program evaluations may be well positioned to begin answering these questions.

### Applying a Racial Equity Lens in Reentry Program Evaluation

This resource brief is part of a three-part series intended to assist reentry programs that are interested in applying a racial equity lens to their research and evaluation activities. The other briefs, which can be found on the National Reentry Resource Center website, focus on (1) [racial equity considerations when using recidivism as a core outcome in reentry evaluations](#) and (2) [assessing and enhancing cultural responsiveness in reentry programs through research and evaluation](#).

# Risk Assessment and Racial Equity: Making Your Reentry Program Evaluation Part of the Conversation

## Knowns and Unknowns: Evidence on Risk Assessment Tools and Racial Equity

Considerable controversy exists regarding the effect of standardized risk assessment tools on racial disparities in criminal justice system outcomes. Some studies suggest that such tools could help to lessen the impact of racial bias, whereas others point to the possibility that they perpetuate disparities (see Picard, Adler, et al., 2017, for a summary of the evidence).

Risk assessment tools could maintain or worsen racial disparities by inflating risk scores for Black reentrants. The factors that are most heavily weighted in standardized tools (such as age at first arrest and number of lifetime convictions) are heavily affected by underlying racial disparities in policing and sentencing (for more on this topic, see the companion resource brief, “Racial Equity Considerations When Using Recidivism as a Core Outcome in Reentry Program Evaluations”). Other variables, such as housing and employment history, are affected by racial inequities in other public and private systems, and seemingly system-neutral variables (such as ZIP code) may be stand-ins for racially disproportionate exposure to policing (Eckhouse et al., 2018; Picard, Rempel, et al., 2017). Indeed, given the disproportionate targeting of Black individuals and neighborhoods at multiple stages of policing and processing, it is difficult to imagine a standardized tool that accurately predicts the likelihood of a legal system encounter such as rearrest without reflecting racial bias (Mayson, 2018).

However, using standardized risk assessment tools has the advantage of limiting the bias that accompanies personal discretion (Mayson, 2018; Rempel et al., 2017). Research shows that racial disparities in arrest and incarceration appear to be most

pronounced where legal system personnel have the greatest personal discretion. From this perspective, standardized tools are beneficial. A few studies suggest that pretrial risk assessment may safely cut correctional populations while substantially reducing racial disparities in detention and sentencing (Eaglin & Solomon, 2015). Others indicate that the use of standardized risk assessment to screen adjudicated people for program participation can maximize the effectiveness of diversion or reentry programs and avoid detrimental effects for those who are at little risk of rearrest (Picard, Rempel, et al., 2017). As such, standardized risk assessment could help reentry programs direct their services to those who are most likely to benefit, which would have the positive effect of lessening the downstream effects of racial disparities in criminal justice system involvement.

Although the need to target reentry services to people at medium or high risk of recidivism has a strong empirical basis (Andrews et al., 2011)—which is why SCA programs are required to use a standardized risk assessment tool when determining program eligibility—some key questions about the tools themselves remain unresolved. These questions include the following:

- Do particular risk assessment tools differ by race in their ability to identify reentrants who are at medium or high risk of recidivism and are well suited to reentry programs in other ways? Specifically, are risk scores for Black individuals inflated? If so, does this bias result in harmful over-service of some people?
- Does the use of particular risk assessment tools differ by race in their ability to detect change in reentry program participants’ risk over time (based on dynamic risk factors) as a result of reentry programming? Specifically, are the tools equally sensitive to change for various racial subgroups? If not, could this bias result in false conclusions about program effectiveness for various subgroups of participants?

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## Advancing the Conversation: The Role of Reentry Program Evaluations

Reentry programs have an opportunity to engage these critical issues in multiple ways through their research and evaluation activities.

### **Critically assess the predictive validity of your risk assessment tool.**

Evaluators could review previous validation studies conducted on the standardized risk assessment tool they use to determine eligibility for program participation, summarizing what is known about the tool's predictive validity (i.e., the association between risk scores and future criminal activity) with all racial or ethnic groups that make up the population being screened for program eligibility. If the validity has not been established, a formal validation study should be considered.<sup>1</sup> If the tool does not appear to have strong predictive validity for the program's entire target population, consider whether, on the basis of validation results, other standardized tools would more accurately identify reentrants who are truly at medium to high risk of recidivism (and are appropriate candidates for reentry programming).


### **Explore the sensitivity to change of your risk assessment tool.**

For reentry programs that are administering their risk assessment tool at multiple time points to assess whether, based on changes to the dynamic factors (i.e., criminogenic needs), the program appears to

be reducing participants' risk of recidivism, consider assessing the sensitivity to change of the tool for all racial or ethnic groups represented in the program. Some of this can be determined from previous studies that have been published on your tool. If possible, also conduct an empirical investigation of whether your tool appears capable of detecting changes in scores from intake to program completion (or other points at which the tool is readministered) for racial/ethnic subgroups. If the tool does not appear to be equally sensitive to change for all participant subgroups, consider either using alternative tools with greater sensitivity to change for all racial and ethnic groups or discontinuing the use of repeated administration of risk assessments for the purpose of outcome evaluation.

### **Analyze real-world associations between risk scores and program outcomes.**

Reentry program evaluators are in an ideal position to use available data on enrolled participants to assess the relationship between risk scores and program outcomes and to determine whether this relationship differs for various racial/ethnic groups. For many reentry programs, the primary purpose of risk assessment is to identify the candidates who are most likely to benefit from the program. If there is sufficient variability in risk scores among enrolled participants, evaluators could opt to examine program outcomes for programs of each risk level, using matched comparison groups (comparable releasees who did not receive the program) at the same risk levels. This analysis would help determine whether the program is more beneficial for certain risk levels than others. It could also examine whether outcomes for a given risk level differ for people in different racial or ethnic groups, answering the question of whether the program is equally effective for Black and White participants at the same risk level. Reentry programs whose case management systems make it possible to track how individuals

<sup>1</sup> For tips on how to conduct a risk assessment validation, see BJA's Public Safety Risk Assessment Clearinghouse resources: <https://bja.ojp.gov/program/psrac/validation/risk-validation>. 

# Risk Assessment and Racial Equity: Making Your Reentry Program Evaluation Part of the Conversation

who are assessed at a given risk level are matched with services (and how much of those services they receive) at each stage of the program will have even more options for this research. Programs with these data could assess whether risk assessment results (particularly criminogenic needs) are used to appropriately match people with needed services, and if so, whether this matching is done similarly for the racial and ethnic subgroups of participants served. Furthermore, if risk assessments are readministered at various time points, evaluators could test whether service matching seems to reduce criminogenic needs and whether it does so equally for all racial and ethnic subgroups served. Such analyses could help identify situations in which the reentry programming (or individual services) may need to be redesigned to become more culturally responsive to particular subgroups of participants.

## Consider qualitative strategies for understanding your risk assessment tool.

Finally, qualitative information gathering on the local context and impetus for selecting the particular risk assessment tool in use, its perceived effectiveness, and its perceived implications for racial

equity in the jurisdiction could also be beneficial. If qualitative interviews are being conducted with staff and leadership at the lead agency and partner organizations, other community stakeholders, or program participants as part of the evaluation, a set of questions could be added to those interviews to capture such information. Questions for staff might include *What did staff in your agency hope to accomplish with the use of a standardized risk assessment tool?* and *Who in your target population do you believe has benefited from the use of the tool, and who has not?* Questions for participants might include *How did being classified as “medium or high risk” on the tool affect your experience preparing for release and returning home?* (Of course, all such questions would need to be tailored to reflect the tool that is being used in the jurisdiction and the specific points at which it is administered.)

Engaging these issues scientifically, reentry program evaluations can play a key role in advancing the state of the evidence on risk assessment practices and racial disproportionality. This knowledge may help to inform a jurisdiction’s efforts to address racial disparities while also contributing to a growing national conversation on racial equity and criminal justice.

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# Risk Assessment and Racial Equity: Making Your Reentry Program Evaluation Part of the Conversation

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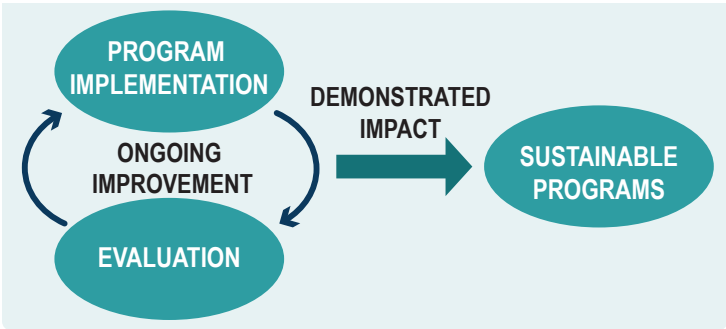
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## The Evaluation and Sustainability Training and Technical Assistance Project

The Evaluation and Sustainability Training and Technical Assistance (ES TTA) Project supports Second Chance Act (SCA) grantees in conducting more rigorous evaluations that lead to data-driven program improvement and demonstrated impact and that support programs’ long-term sustainability. For more information about the project, contact [ESTTA@rti.org](mailto:ESTTA@rti.org).



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